



## Directorate of Transformation

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Date: 2 October 2015  
Your ref: RACHEL KNEALE  
Our ref: 2015/0832/SCR  
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Dear Ms Kneale

### **THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2011 SCREENING OPINION – ENVIRONMENTAL STATEMENT**

**Proposal:** Screening Opinion - Residential development up to 140 dwellings.

**Location:** Land To The West Of, Birch Green Road, Skelmersdale, Lancashire

#### **Introduction**

West Lancashire Borough Council has been asked for a formal screening opinion in relation to proposed residential development of up to 140 dwellings and associated infrastructure on land north of Findon, Skelmersdale. This screening opinion is based on the letter of 3rd August 2015.

#### **The Site**

The request relates to a roughly rectangular parcel of land immediately north of the residential area of Findon and Firbeck, west of Birch Green Road, Skelmersdale. The site is currently a grassed and wooded area of land part of which was formerly a housing site that was demolished in 2009 and 2013. Remnants of the infrastructure for the housing still exist on the site. The site extends to approximately 3 hectares and is relatively flat but slopes northwards along the northern edge towards Westheads Clough.

**Gill Rowe LL.B (Hons) Solicitor  
Managing Director (People and Places)**

**Kim Webber B.Sc., M.Sc.  
Managing Director (Transformation)**

To the north and west is the heavily wooded Westheads Clough which is a Biological Heritage Site, to the east is Birch Green Road with residential development beyond and to the south is the residential area of Findon and Firbeck. The site is within the main settlement of Skelmersdale and also within the Strategic Development Site of Skelmersdale Town Centre.

## **Proposal**

The proposal is for residential development on the site for up to 140 dwellings, highway and landscaping works, to be developed under a Local Development Order.

## **Assessment**

The proposal does not fall within Schedule 1 of the EIA Regulations.

The proposal does not meet the applicable criteria as set out in Part 10)b) Infrastructure Projects – Urban Development Projects in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment)(Amendment) Regulations 2015 (the development is for less than 150 dwellings and the overall area of development is less than 5 hectares).

Schedule 3 of the Regulations provides guidance on how to decide whether the project is likely to have significant environmental effects, thereby requiring EIA under Schedule 2.

## **National Planning Practice Guidance (NPPG)**

NPPG has now replaced previous guidance on Environmental Impact Assessment as set out in Circular 02/99 and advises:

*When screening Schedule 2 projects, the local planning authority must take account of the selection criteria in Schedule 3 of the Regulations. Not all of the criteria will be relevant in every case. Each case should be considered on its own merits in a balanced way and authorities should retain the evidence to justify their decision.*

*Only a very small proportion of Schedule 2 development will require an assessment. While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment.*

The NPPG also provides an annex providing indicative screening thresholds. However, it should not be presumed that development above the indicative thresholds should always be subject to assessment, or those falling below these thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive location. Each development will need to be considered on its merits.

## **Schedule 3 Criteria**

Schedule 3 of the regulations outlines the criteria against which any Schedule 2 development should be assessed.

### **1. Characteristics of the development**

The proposal is for the development of approximately 3 hectares of land to accommodate up to 140 dwellings.

In assessing the scale of the proposed development, I consider that the proposal would raise no issues that can be considered of more than local importance.

## **2. Environmental sensitivity of the location**

The site is not located within a Sensitive Area as defined by Regulation 2(1) of the EIA Regulations (i.e. sites designated as Sites of Special Scientific Interest, National Parks, World Heritage Sites, Scheduled Monuments, Areas of Outstanding Natural Beauty and sites covered by internal conservation designations) and does not lie within an identified Natura 2000 qualifying habitat or within close proximity to an environmentally sensitive site. The site is bound to the north and west by a Biological Heritage Site; however, this in itself does not mean that the site is considered to be a “sensitive site” in the terms defined above and any impact upon these areas will be taken into account during consideration of a full planning application.

The nearest residential properties are located to the south at Findon and Firbeck and to the east at Hallcroft. An assessment of the impact of the proposed development on the amenities of these neighbouring residents would form part of a full planning application.

In landscape and visual impact terms, the proposed development will no doubt be visible in the wider area but given the nature of the use and compatibility with neighbouring uses, this visibility is likely to be readily assimilated. Considerations of visual impact and impact on landscape character will be a consideration in any planning application.

Part of the site lies within a Mineral Safeguarding Area where the potential for mineral working should be explored prior to development although this would form part of a full planning application. In assessing the environmental sensitivity of the proposed development, I consider the potential impact to be of no more than local importance.

## **3. Characteristics of the Potential Impact**

When assessed against the criteria within Schedule 3, Part 3 sections a) to e) of the regulations, it is considered that the effects of the proposals would not be significant taking into account the extent of the impact, the transfrontier nature of the impact, the magnitude and complexity of the impact, the probability of the impact and the duration, frequency and reversibility of the impact.

## **Conclusion**

For the following reasons, it is determined that an Environmental Impact Statement is **NOT REQUIRED** for the above development:

1. The development is not within a ‘sensitive area’ as defined by Part 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
2. The environmental impact would not be of more than local significance or result in any impact greater than of local significance.
3. The development itself is not considered to be environmentally sensitive.
4. The development would not result in unusually complex or potentially hazardous environmental effects.

Please note that in giving this opinion, it is recognised that an EIA would not be the only means of gaining the environmental information required to assess an application for planning permission. Planning application consultees such as English Nature, Environment Agency, RSPB, NATS, County Highway, Lead Local Flood Authority and MEAS would no doubt require

appropriate highway, landscape, drainage and ecological studies as part of the assessment of any such planning application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. R. Harrison', with a long horizontal flourish extending to the right.

John R Harrison, DipEnvP, MRTPI  
Assistant Director Planning