

APPENDIX 2.2
EIA SCOPING OPINION

Mr Paul Reeves

Planning Associate
Barton Willmore

[Via email](#)

Phone: 01772 534159

Email: DevCon@lancashire.gov.uk

Your ref:

Our ref: SCP/2022/0001

Date: 16 March 2022

Dear Mr Reeves

APPLICATION: SCP/2022/0001

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 - SCOPING REQUEST FOR THE PROPOSED CUERDEN STRATEGIC SITE, INCORPORATING A MIX OF INDUSTRIAL, STORAGE, COMMERCIAL, AND HOUSING DEVELOPMENT ON LAND EAST OF STANIFIELD LANE, NORTH OF CLAYTON FARM, WEST OF WIGAN ROAD, LOSTOCK LANE, LOSTOCK HALL

I refer to the letter of 2 February 2022 requesting a scoping opinion under the provisions of Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in relation to a proposed strategic development site east of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Lane, Lostock Hall. You also submitted an Environmental Statement Scoping Report, entitled Lancashire Central, Cuerden - Environmental Impact Assessment Scoping Report, February 2022 to accompany your request for a Scoping Opinion.

As you are aware there are certain requirements within the Environmental Impact Assessment (EIA) Regulations that set out the information that should be contained within an Environmental Statement (ES). These are prescribed within Regulation 18 and Schedule 4 of the EIA Regulations and any ES that you submit must address the requirements set out in those provisions.

As the scoping opinion relates to a proposed outline planning application, the County Planning Authority would have to be satisfied that the level of information provided is sufficient to enable the likely significant effects on the environment to be assessed along with any mitigation measures. On this basis it would be necessary for you to adopt a cautious worst-case approach. Such an approach would then feed through into the mitigation measures. It will be for the County Planning Authority to decide whether it is satisfied, given the nature of the proposal, that it has full knowledge of the likely significant effects on the environment. Case law has determined that EIA may also be required for subsequent applications for reserved matters approvals should it be concluded that some likely significant effects could be unidentifiable at the time of the application for outline planning permission.

Andrew Mullaney • Head of Planning and Environment

Development Management • PO Box 100 • County Hall • Preston • PR1 0LD

It is emphasized that within Schedule 4 of the EIA Regulations there is a requirement, *inter alia*, for an ES to include a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used, and an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases. Furthermore, there must be a description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

I can advise that the following have been consulted on your request for a scoping opinion and any comments received can be viewed on our planning register at <http://planningregister.lancashire.gov.uk/>:

- Environment Agency
- Natural England
- National Highways
- South Ribble Borough Council
- Chorley Borough Council
- Lancashire County Council Highways Development Control
- Lancashire County Council Ecology Service
- Lancashire County Council Landscape Service
- Lancashire Archaeological Advisory Service
- Lead Local Flood Authority (Lancashire County Council)
- Historic England
- The Wildlife Trust for Lancashire, Manchester & North Merseyside.
- United Utilities
- Cadent

It is considered that the contents of your scoping report are largely appropriate in setting out the content of the Environmental Statement, in view of the specific characteristics of the proposed development and the environmental features likely to be significantly affected. However, in view of the comments of the County Council's Ecology Service and given the size and nature of the existing site, and uncertainty around the full extent of current ecological interest at the site, the Environmental Statement should also include a chapter on ecology and biodiversity, which should address the recommendations of the County Council's Ecology Service. Furthermore, the potentially cumulative impacts of the neighbouring Lydiate Lane Quarry should also be considered within the Cumulative Impacts chapter of the ES.

Therefore, Lancashire County Council's scoping opinion is to agree with the approach set out in your Scoping Report subject to ecology and biodiversity topics also being included within your ES. It is also recommended that socio-economic matters need not be covered within an Environmental Statement and instead can be addressed within your planning application supporting statement. A more relevant topic on a similar theme would be

changes in population effects on the environment as specifically referred to in the EIA regulations.

In terms of any planning application, please ensure that there is a clear distinction between the Environmental Statement and other information to be submitted in support of the application. This could include drawings and consideration of impacts on the environment that are unlikely to be significant but nonetheless require assessment against the relevant policies of the National Planning Policy Framework, the development plan and any other material considerations. You should pay particular attention to the comments made by the consultees on this scoping opinion request as they also provide valuable advice on what should be included within the planning application.

Please do not hesitate to contact the case officer, Rob Hope, on the above telephone number should you wish to discuss the content of any ES or submit a draft ES for initial consideration.

Yours sincerely

A Mullaney

Andrew Mullaney
Head of Planning and Environment