

NORTH LINCOLNSHIRE COUNCIL

Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Application Reference: PA/2022/956

Address: Land north of Risby Road, Appleby

Proposal: Planning permission to construct an agricultural irrigation reservoir

Has the LPA adopted a Screening Opinion for this proposal? YES NO

1	Is the proposal a Schedule 1 Project?	NO X		YES <input type="checkbox"/>	
2	Is the application listed in Schedule 2 of the EIA Regs 2017?	NO <input type="checkbox"/>		YES X	<i>(1b) Water management projects for agriculture, including irrigation and land drainage projects</i>
3	Is the proposal in a sensitive area as defined in the EIA Regs 2017?	NO X		YES <input type="checkbox"/>	
4	Does it exceed the threshold and criteria in Schedule 2?	NO <input type="checkbox"/>		YES X	<i>The area of works exceeds 1 hectares</i>

Selection Criteria for Screening Schedule 2 Development as set out in Schedule 3 of the 2017 Regulations.

1. Characteristics of the Development

Size:

Does the proposal exceed the indicative sizes given in Planning Practice Guidance-Environmental Impact Assessments? YES NO

The overall footprint area of the irrigation reservoir is approximately 3.86 ha, which is above the 1ha set out in the indicative criteria.

Cumulative Impacts:

Will the proposal be undertaken in conjunction with other development? YES NO

Use of Natural Resources:

Will any natural resources be lost? YES NO

Loss of agricultural land (Grade 2 classification).

Will their loss be significant? YES NO

The area of land is relatively small in relation to the abundance of higher grade agricultural land that is prevalent within the area and therefore its loss would not be significant.

Production of Waste:

Will the proposal generate waste YES NO

The proposed development would involve the excavation and removal of ground materials along with other general construction waste. There is unlikely to be any significant or abnormal level or type of waste generated and this will be at a level that is unlikely to result in any significant environmental impact. Following its completion the development will not generate waste.

Pollution and Nuisances:

Will the proposal cause any pollution/nuisance YES NO

Will it be short term (during construction)? YES NO

Noise and disturbance, dust, emissions will be generated as a result of traffic generation and construction operations whilst the irrigation reservoir is being constructed and filled. However, it is considered that disruption during construction would be temporary and issues could be mitigated through planning conditions such as requiring an Environmental Management Plan to be submitted. Any impacts would be temporary and localised in nature.

Will it be longer term? YES NO

The Council's Environmental Health section will fully assess the impact of land contamination and noise pollution during an application process. The existing access through the working farm will be utilised to serve the development. The access is located close to a small number of residential properties and it is not considered that the proposed development once fully operational would generate any significant increases in traffic generation than the existing agricultural farming business on the site. The development will be located over 476m from the nearest residential dwelling. It is considered the existing land use (agricultural land) results in a low risk of pollution. The proposed development would not give rise to a level of a noise and disturbance to warrant an EIA.

Accidents:

A higher than average risk of accidents during construction? YES NO

The site is currently agricultural land and previously undeveloped. The proposal is a typical irrigation reservoir development with no unique or unusual construction methods likely. All construction work will be subject to separate legislation and are therefore mitigated. Therefore the proposal is not considered to present any increased risk of accidents during construction.

A higher than average risk of accidents during operation? YES NO

The irrigation reservoir has the potential to have an increased risk of accidents. This risk can be mitigated to a certain extent by the use of safety measures such as appropriate signage warning, fencing/barriers, lifesaving equipment for example. It must be noted that the site is located within the open countryside and is not located in close proximity to residential properties.

Risks to Human Health:

Will the proposal increase risk to human health? YES NO

It is considered that residential development and use poses no increased risk to human health. The site is previously undeveloped and the submitted initial phase 1 (desk study) report based on a residential end use has concluded that contaminants of concern have not been identified.

2. Location of Development

What is the existing land use?

Agricultural land in arable use. The proposal would result in the permanent change in land use. The permanent change on the landscape character and type, potential changes to local hydrology and run-off due and the potential loss of habitat and archaeological assets.

Is the Site in a 'Sensitive Area' as defined in the Regulation? YES NO

Is the site sensitive in another way? YES NO

The site lies an area of archaeological potential where remains of prehistoric and Roman date may be anticipated of archaeological interest. A geophysical survey has been submitted with the application. The site has the potential to a contains archaeological remains the significance of which is not yet known that would be disturbed and/or destroyed by the proposed development.

The proposed development is located approximately 0.74km from the nearest listed building (The Post House, Risby Road). and 0.91km from listed buildings no.39 and no.43 on Ermine Street, Appleby. The proposed development is located approximately 0.67km from Appleby Conservation Area. The nearest SAM's are 1.83km to the west earthwork remains of St Bartholomew's Church, High Risby) and 2.49km to the west (Sawcliffe, Risby Road)

The site is located approximately 6km from the SSSI, SAC SPA and Ramsar Humber estuary. The development has the potential to impact on birds using functionally linked land associated with the SPA/Ramsar. The site is also located 1.5km to the south west to another SSSI (Risby Warren).

A local nature reserve (Millenium Wood) is located 3.22km to the southwest with other local nature reserve over 4km to the west adjacent to Foxhills Industrial estate.

The site is not covered by any statutory landscape or ecological designation. The site is located within Flood Zone 1 and is therefore a low risk of flooding. The site is at very low/low risk of flooding from surface water.

3. Characteristics of the Potential Impact:

The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above. The potential impacts identified include:

- Potential for impact on Humber Estuary SSSI/SPA/RAMSAR/SAC habitat and the potential impact on wildlife and protected species on the site
- Potential for significant impacts on the highway network as a result of the increase in vehicular traffic from vehicles and HGVs during construction
- Pollution
- Flood Risk and Drainage
- Potential for significant impact on the landscape

- The nature and scale of the proposal has the potential for significant effects on non-designated heritage assets of archaeological interest:

Assessment of the significance of likely effects

Humber Estuary and Biodiversity

The potential impact on the Humber Estuary, SSSI/SPA/RAMSAR/SAC habitat need to be considered. The site is 6km from the SSSI/SPA/RAMSAR/SAC habitat which is separated agricultural land, dwellings and roads. The potential impacts on these designations is the impact on birds using functionally linked land associated with the Humber Estuary SPA/Ramsar. These impacts could be mitigated by survey work such as data ecological search, consultation with bird groups and desk based assessments using aerial photography, mapping, habitat maps and relevant ecological literature to assess the suitability for SPA birds of the habitats present on the proposed site. Passage/wintering bird surveys may be required to assess the use of the site as functionally linked land to the estuary. Planning conditions could also mitigate these potential impacts.

There are no areas on or directly adjacent to the site that are designated for their importance or sensitivity for reasons of ecology. The site is currently in arable use and does not display features that would indicate that it has increased potential for biodiversity value.

Therefore it is considered that the proposed development is unlikely to give rise to significant environmental impact in respect of impacts on the Humber estuary and on biodiversity that would necessitate an EIA.

Highways

The proposal will generate additional vehicle movements associated essentially with the construction phase of the development. Given the nature of the local highway network and the number of vehicle movements the development will generate, it is considered that, the proposed development is unlikely to have a significant environmental impact with regards to traffic generation.

Pollution

There is no evidence to suggest that the site is at increased risk of contamination. There will be some noise associated with construction vehicles. However, given the scale and nature of the proposed development and the current agricultural land use it is not considered to pose a significant environmental risk and as such an EIA is not required in this regard.

Flood Risk and Drainage

The site is located within flood zone 1 and as such is not considered to be at high risk of flooding. There are no known drainage issues in the area, the area is at very/low risk of flooding from surface water. A suitable FRA including information in relation to reservoir overflow on the receiving watercourse and an assessment on the impact the surrounding area and third parties downstream would address potential impacts in terms of flood risk. Planning conditions can also be used to mitigate flood risk. It is considered the proposal is unlikely to result in significant environmental impact in respect of either flood risk or drainage to necessitate an EIA.

Landscape

Given the size of the site and its undeveloped nature at present the proposed development will have some impact on the landscape. Given the scale of the proposed development and the lack of designated landscapes in the area it is considered that potential landscape impact will be localised in nature and would therefore have no likely significant environmental impact to necessitate EIA.

Cultural Heritage

There are no designated heritage assets (SAM's or listed buildings) located on or directly adjacent to the application site and there is a significant distance to the nearest designated asset. The site does not lie within an area of archaeological interest. The submitted geophysical survey report for the site identifies linear ditch type anomalies which may locate two enclosures of unknown date in the eastern half of the site together with another ditch to the west. As a result, further field evaluation is required on the site comprising trial trenching to confirm the survey results and provide sufficient information to assess the significance of any remains. It is considered that potential impacts could be mitigated through planning conditions. The proposal is unlikely to have a significant environmental impact with regards to cultural heritage and that any impact would be localised in nature.

Cumulative Impact

The proposal is a stand-alone and is not part of a larger, phased development. The development is required in connection with the existing agricultural business on the land. Given the relatively small nature of the proposal and the non-sensitive nature of the site it is considered that there would be no significant cumulative impact as a result of the development that would necessitate an EIA.

Conclusion:

Is an Environmental Statement required?

YES NO

Further comments:

It is considered that the proposal will not have significant effects on the environment.

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Date:	29/06/2022.....	Date:	29/06/2022