



Small copper by Matt Berry



Cheshire

People taking action for wildlife

Cheshire Wildlife Trust

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FAO Adrian Crowther,
Case Officer
Cheshire East Council

09 February 2022

Dear Adrian,

Re: Land East of Congleton Road, Macclesfield (19/1796M)

The Cheshire Wildlife Trust (CWT) is the region's leading wildlife charity with over 17,000 local members whose views we seek to represent. In January 2022 CWT submitted a response objecting to this application (19/1796M) based on concerns around the potential environmental impacts associated with the deep peat deposits on site and the impacts to biodiversity arising as a result of the proposed scheme. We maintain a **strong objection** to the proposals and would like to make the following additional comments:

1. Since our previous response, Natural England have issued updated comments (dated 26 January 2022) on 19/1796M, stating *"the application could have potential significant effects on Danes Moss Site of Special Scientific Interest (SSSI)"* and that *"Natural England is of the view that the environmental significance of this development site has not been fully recognised"*. This is extremely concerning and corroborates our concerns in regard to the inadequacy of the EIA submitted to support the outline planning application (17/1874M) and the documents submitted to support this reserved matters application. We strongly support Natural England in their request for additional information. We also share their extreme disappointment *"that a development of this scale is not seeking opportunities to deliver an ambitious wetland retention and enhancement plan in order to achieve biodiversity net gain and bolster the Nature Recovery Network in Cheshire East"* and also advise this is given further consideration.
2. In light of the request for additional information by Natural England, CWT believe additional information is also required to determine the impacts of the proposals on the climate. Regulation 4 (2) of the EIA Regulations 2017 specifically identifies significant effects on climate as one of the factors to be addressed in an EIA. The outline EIA itself in this case (para 2.2) also accepts that any development that is not carbon neutral will likely give rise to significant climate effects and that *"rather than considering the effects of climate change in a standalone chapter, it is proposed to address the issue of mitigation (carbon reduction) within the development description. In addition climate change adaptation is considered and discussed within the appropriate technical chapters where relevant"*. However, the impacts of the proposals on climate as a result of the disturbance of underlying peat deposits (in-particular the proposed methods of peat soil stabilisation) are not considered further in the ES, nor in any of the documents submitted as part of this reserved matters application. We therefore believe the application could have potential significant effects on the climate.

Working for wildlife across Cheshire East, Cheshire West & Chester,
Halton, Stockport, Tameside, Trafford, Warrington & Wirral.

Patron Richard Walker

President Felicity Goodey CBE DL Chairman Bill Stothart

Chief Executive Charlotte Harris



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- a. Regulation 9 (3) of the EIA Regulations 2017 specifically relates to reserved matters applications and states that “Where it appears to the relevant planning authority that the environmental information already before them is not adequate to assess the significant effects of the development on the environment, they must [our emphasis] serve a notice seeking further information”.
- b. The Government’s Planning Practice Guidance on environmental impact assessment¹ (under the heading ‘multi stage consents’) is also relevant in this case. Whilst this states that the effects of a project on the environment should normally be assessed at outline stage, it goes on to state that “if those effects are not identified or identifiable at the time of the principle decision, an assessment must [our emphasis again] be undertaken at the subsequent stage”.

The Council have a responsibility to ensure that adequate environmental information is submitted. In line with the guidance outlined above (2a and 2b), if this was not done at the outline stage the Council should insist on it being done at reserved matters stage.

In light of the shortcomings of the original EIA identified above, the developing science around the value of peat soils in addressing climate change and any other climate impacts specifically arising from the reserved matters details now submitted; CWT urges the Council to request additional information from the applicant in the form of a detailed assessment of climate impacts.

We trust you will find these comments useful.

Yours sincerely,

Ross Harding

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Cheshire Wildlife Trust

¹ <https://www.gov.uk/guidance/environmental-impact-assessment#subsequent-applications>