

# **Town & County Planning (Environmental Impact Assessment) Regulations** **2017**

## **Statement under Regulation 30(1) (d)**

**B06/2021/0854 Full application for remediation of brownfield land for future re-development, demolition of existing structures, mitigation of flood risk and implementation of ecological monitoring, mitigation and enhancement (application includes Environmental Statement) at Marina Village, Salthouse Road, Barrow-in-Furness, Cumbria.**

Barrow Borough Council has approved the above planning application. The decision to approve was taken following the consideration of environmental information contained in the Environmental Statement accompanying the application and the result of statutory consultations.

In accordance with Regulation 30 (1) (a) and (b) of [the Town & County Planning \(Environmental Impact Assessment\) Regulations 2017](#) the Council has informed the Secretary of State and consultation bodies of the decision in writing and the public have been informed by way of local advertisement and on our website in relation to Regulation 30 (1) (c).

In accordance with Regulation 30(1) (d) of the said Regulations, this statement sets out the following:

(i) details of the matters referred to in regulation 29 (2).

(ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public; and

(iii) a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results (in particular, in circumstances where regulation 58 applies, the comments received from an EEA State pursuant to consultation under that regulation) have been incorporated or otherwise addressed.

### **Regulation 30 (1) (d) (i) details of the matters referred to in regulation 29(2)**

Regulation 29(2) relates to:

(a) information regarding the right to challenge the validity of the decision and the procedures for doing so; and

(b) if the decision is—

(i) to grant planning permission or subsequent consent—

(aa) the reasoned conclusion of the relevant planning authority or the Secretary of State, as the case may be, on the significant effects of the development on the environment, taking into account the results of the examination referred to in regulation 26(1)(a) and (b);

(bb) any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment;

(cc) a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset, likely significant adverse effects on the environment; and

(dd) any monitoring measures considered appropriate by the relevant planning authority or the Secretary of State, as the case may be; or

In relation to Regulation 29(2) section (a) above, information regarding the right to challenge the validity of the decision and the procedures for doing so are set out below:

The decision to grant planning permission can be challenged by way of bringing a claim for judicial review. Any person wishing to do so must file a claim form not later than six weeks after the grounds to make the claim first arose. Refer to the notice accompanying the planning decision notice in respect of the applicants' right to appeal to the Secretary of State against a decision to grant planning permission subject to conditions.

In relation to Regulation 29(2) section (aa) above, the reasoned conclusion of the relevant planning authority on the significant effects of the development on the environment, taking into account the results of the examination referred to in regulation 26(1)(a) and (b), full details are set out within the Council's planning committee report which can be accessed [here](#)

In relation to Regulation 29(2) section (bb), any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment are set out in the committee report and in the Decision Notice which can be accessed [here](#)

<https://webapps.barrowbc.gov.uk/webapps/f?p=BARROWPLANNINGHUB:APPLICATIONSEARCH:11884654650464:>

In relation to Regulation 29(2) section (cc) above, a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset, likely significant adverse effects on the environment and (dd), any monitoring measures considered appropriate by the relevant planning authority or the Secretary of State, as the case may be are set out within the Council's committee report which can be accessed [here](#):

### **Regulation 30(1) (d) (ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;**

Taking into account the environmental information contained within the Environmental Statement (Version 3 received by the LPA on 21.1.22) and the supporting information accompanying the application, and in consultation responses to planning application ref. no. **2021/0854** the application has been approved for the reasons set out in the Development Management Committee Report. The main reasons for the decision and the considerations, including representations from members of the public and external organisations are set out in the Committee Report for application reference no **2021/0854** which can be accessed [here](#)

The statutory requirements for public participation were complied with. The considerations considered included the environmental information contained in the Environmental Statement and comments made by consultation bodies. No representations were made by members of the public.

The main areas of consideration which are affected by the proposals have been assessed and mitigation proposals are included within the ES and highlighted in the Committee Report, with relevant conditions as necessary, and include the following:

#### **Air Quality**

This is covered within chapter 6 of the ES, paragraphs 4.105 and 4.106 of the committee report and in Conditions 2,3,5,6, 8 and 31.

### **Cultural Heritage and Archaeology**

This is covered within chapter 7 of the ES, paragraphs 4.107, 4.108,4.189,4.190,4.190,4.191,4.192,4.193,4.194,4.195,4.196,4.206,4.213 of the committee report and in Conditions 2,3,12,14 and 24.

### **Landscape and Visual Effects**

This is covered within chapter 8 of the ES, paragraph 4.109,4.110, 4.179, 4.180, 4.181 and 4.182 of the committee report and in Conditions 2,3,6,7,8,10,14,15,23,24 and 28.

### **Biodiversity**

This is covered within chapter 9 of the ES, paragraph 111,4.112,4.113,4.114,4.115,4.116,4.117,4.118,4.145, 4.146, 4.147, 4.148, 4.149,4.150,4.151,4.152,4.153,4.154,4.155, 4.156,4.157, 4.158,4.159,4.160,4.161,4.162,4.163,4.164,4.208,4.209 of the committee report and in Conditions 2,3,4,5,6,7,13,16,17,19,20,21,22, 23, 25, 27 and 30.

### **Contaminated Land, Geology and Soils, Hydrogeology and Hydrology**

This is covered within chapter 10 of the ES, paragraph 4.119, 4.120, 4.183, 4.184, 4.185, 4.186, 4.187, 4.188 and 4.212 of the committee report and in Conditions 2,3,5,6,8,13,18,29 and 31.

### **Human Health**

This is covered within chapter 11 of the ES, paragraph 4.121 of the committee report and in Conditions 2,3,5,6,7, 8,16 and 26.

### **Water Environment and Flood Risk**

This is covered within chapter 12 of the ES, paragraph 4.122, 4.123, 4.170, 4.171, 4.172 and 4.173 of the committee report and in Conditions 2,3,5,11, 29 and 31.

### **Noise and Vibration**

This is covered within chapter 13 of the ES, paragraph 4.124, 4.125 of the committee report and in Conditions 2,3,5,6,7,8,16,24,25 and 30.

### **Material Assets and Waste**

This is covered within chapter 14 of the ES, paragraph 4.126,4.127,4.128, 4.129 of the committee report and in Conditions 2,3,5,6,8 and 18.

### **Major Accidents and Disasters (MAAD)**

This is covered within chapter 15 of the ES, paragraph 4.130 of the committee report and in Conditions 2,3 and 26.

### **Cumulative Effects**

This is covered within chapter 16 of the ES and paragraph 4.131 of the committee report.

### **Climate change**

This is covered within section 15.5.2 of the ES and paragraphs 4.132, 4.133, 4.134 of the committee report.

**Regulation. 30(1) (d) (iii)a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results (in particular, in circumstances where regulation 58 applies, the comments received from an EEA State pursuant to consultation under that regulation) have been incorporated or otherwise addressed.**

The responses from consultees can be read in pages 4-27 of the committee report and the report outlines how any concerns have been incorporated and addressed. It can be accessed [here](#). Where relevant, responses have been covered by planning conditions set out in the Decision Notice accessed [here](#):

Steph Corden

**Director of People and Place**

**Barrow Brough Council**

Date: 26.4.22