

## **Appendix 2.2**

# **EIA SCOPING OPINION & SUBSEQUENT CORRESPONDENCE**

**Enquiries to:** Peter Jones  
**Contact No:** 0151 233 3016  
**Application Ref:** Pre-app

**(Please quote at all times)**  
**Date:** 7<sup>th</sup> July 2107



Georgina Dowling,  
CBRE Ltd,  
St Martin's Court,  
10 Paternoster Row,  
London,  
EC4M 7HP.

Dear Georgina,

**Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).  
Schedule 2 Development: The Redevelopment of Goodison Park, Goodison Road, Liverpool.**

I refer to your request for a Scoping Opinion in relation to the Environmental Impact Assessment (EIA) being prepared in support of the application for the proposed redevelopment of Goodison Park which was received on the 15<sup>th</sup> May 2017.

As the Scoping Report was submitted in advance of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 coming into force on the 16th May 2017, the EIA Regulations 2011 continue to apply and form the basis for the Local Planning Authority's decision on the application in accordance with the transitional provisions set out in the Regulation 76 of the 2017 EIA Regulations.

It is understood that Everton Football Club will be seeking planning permission to comprehensively redevelop the club's existing home stadium, Goodison Park, to deliver a residential led mixed use scheme that also comprises a range of flexible uses – including community, education, health, leisure, retail, and/or commercial, together with access, car parking, landscape and public realm improvement works.

The proposed development is not Schedule 1 EIA development but is a type of scheme listed within Schedule 2, falling under category 10(b) urban development projects which includes football stadiums. Whilst the proposal does not lie within a 'sensitive area' as defined in the EIA regulations the proposed development does exceed the 150 dwelling threshold defined in criteria (ii) of category 10 (b) of the regulations so you have stated your intention to submit an Environmental Assessment of the likely significant environmental effects of the proposals in conjunction with the proposed planning application.

In accordance with Part 4 (13) of the regulations you have supplied details of the information to be provided in the environmental statement that will accompany the application. This EIA Scoping Report, dated May 2017, has been circulated to the relevant statutory consultees who have reviewed the document and provided advice as far as the matters relate to their remit. The consultation responses are forwarded to you for your information. In addition the City has asked its independent environmental advisors MEAS for their views on the Scoping Report and their comments are also attached.

**Liverpool City Council**

Municipal Buildings, Dale Street, Liverpool, L2 2DH

T: 0151 233 3021

E: [planningandbuildingcontrol@liverpool.gov.uk](mailto:planningandbuildingcontrol@liverpool.gov.uk)

[www.liverpool.gov.uk](http://www.liverpool.gov.uk)

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It is my understanding that you are now preparing to submit the application with the supporting documents alongside the application for the new stadium proposed at Bramley Moore Dock. Clearly discussions can continue with interested parties post submission which may include a request for further information to be provided in addition to the environmental statement should the need arise. In the meantime I am pleased to be able to confirm that the information presented in the Scoping Report provides an acceptable basis for preparing an ES for this development.

I can further confirm that this view has been adopted by the Local Planning Authority as a formal scoping opinion in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and this Scoping Opinion has been placed on Part 1 of the Planning Register as part of the Local Planning Authority's application records.

Yours sincerely,

Peter Jones  
**Centre Development Management Team Leader**

**Liverpool City Council**  
Municipal Buildings Dale Street  
Liverpool  
Merseyside  
L2 2DH

**Our ref:** SO/2017/117178/01-L01  
**Your ref:** N/A  
**Date:** 21 June 2017

**FAO Mr Peter Jones**

Dear Peter

**SCOPING REPORT FOR THE DELIVERY OF GOODISON PARK  
GOODISON PARK, LIVERPOOL**

Thank you for sending through for consultation the scoping report for the above site which was received in this office 25<sup>th</sup> May 2017.

**Environment Agency position**

We agree with the proposed scope with regards to matters within our remit. In this instance our principle concern would be impacts to controlled waters. Having considered the report we tentatively agree the likelihood for land contamination is low but the proposed development would be located above a Principle Aquifer which is considered an sensitive receptor.

We agree with the recommendation to include a section/chapter on Ground Conditions in the Environmental Impact Assessment report. Any proposal to develop this site will need to be accompanied by an assessment of the impacts of development upon the hydrogeology of the area. This will need to address both existing contamination which may be present and the impacts that the future ongoing operation of the site will have on the groundwater environment.

The applicant/developer should refer to our groundwater protection guidance and our groundwater protection position statements that are available to view and download at

<https://www.gov.uk/government/collections/groundwater-protection>.

The guidance sets out our position for a wide range of activities and developments including waste management, land contamination, discharge of liquid effluents and drainage.

We also offer the following advice to the applicant.

Environment Agency  
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
Cont/d..

## Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

1. Following the risk management framework provide in CLR11, Model procedures for the management of land contamination

<https://www.gov.uk/government/publications/managing-land-contamination>

2. Referring to the Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice

<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

<https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>

3. Further information may be found on the land contamination technical guidance pages on the direct.gov website

<https://www.gov.uk/government/collections/land-contamination-technical-guidance>

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. The competent person would normally be expected to be chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites. The Specialist in Land Condition (SiLC) qualification administered by the Institution of Environmental Management provides an accredited status for those responsible for signing off LCR's. For further information see - [www.silc.org.uk](http://www.silc.org.uk)

Please forward a copy of this letter to the applicant.

Yours sincerely

**Mr Stephen Sayce**  
**Sustainable Places Planning Advisor**

Direct e-mail [stephen.sayce@environment-agency.gov.uk](mailto:stephen.sayce@environment-agency.gov.uk)

Merseyside Environmental Advisory Service  
1<sup>st</sup> Floor Merton House, Stanley Road  
Bootle, Merseyside, L20 3DL  
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Lucy Atkinson  
Direct Dial: 0151 934 4953  
Email: Lucy.atkinson@eas.sefton.gov.uk

## **DEVELOPMENT MANAGEMENT ADVICE**

To: Peter Jones  
Organisation: Development Management  
Liverpool Council

From: Lucy Atkinson

Your Ref: PreApp  
File Ref: LI17-039  
W/P Ref:  
Date: 23rd June 2017

### **Goodison Park Redevelopment, Goodison Road, Everton, L4 4EL Environmental Impact Assessment (EIA) Scoping Opinion**

1. Thank you for consulting Merseyside Environmental Advisory Service in respect of this EIA Scoping Request. The proposals comprise a residential-led mixed use scheme including community, education, health, leisure, retail/commercial uses together with access, car parking, landscaping and public realm.
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
  - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
  - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 20, while Part Two comprises paragraphs 21 to 29.

#### **Part One**

3. The applicant has submitted an EIA Scoping Report (*CBRE May 2017*) to inform the request and identify the EIA process and identify areas that will be scoped in and scoped out. The scoping opinion has been submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) but will take account of the 2017 Regulations with respect to climate change, biodiversity, human health, major accidents and disasters. This approach has been agreed with

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Liverpool City Council, having regard to the fact that the EIA Regulations 2017 contain transitional provisions under Regulation 76 stating that where a request for a scoping opinion has been submitted prior to 16th May 2017, the EIA Regulations 2011 continue to apply and will form the basis for LCC's decision on the planning application.

3. The scoping phase of an Environmental Impact Assessment (EIA) presents the best opportunity to ensure that all the environmental impacts of a development are considered at an early stage. The EIA Scoping Report submitted (*CBRE May 2017*) includes all the relevant information that we would expect to be addressed. The subjects/topics that have been scoped out and reasoning appears appropriate – more information on waste is provided in paragraphs 15 to 18. The EIA should also make a clear distinction between construction and operational impacts and include a statement with regard to the phasing and timing of works for all site areas. I advise that the applicant be asked to confirm its intention to fully address the issues raised in the scoping opinion.
4. It is important that an integrated approach is taken to the EIA methodology to ensure consideration of interactions and in-combination effects. In addition, it is necessary to ensure that the results of the assessment are used to inform development design and the master plan.
5. In addition, to the issues covered in the EIA Scoping Report, I advise that account is also taken of the information outlined in the paragraphs below.

#### Archaeology

6. There are no heritage assets recorded on the Merseyside Historic Environment Record (MHER) as lying within the proposed development site.
7. The proposal (section 6.6 of the CBRE Scoping Report), to undertake a Heritage Assessment, to be included in the ES appendices is however considered to be an appropriate starting point and is welcomed.

#### Ecology and Habitats Regulations

8. The applicant has submitted an EIA Scoping Report (*Environmental Impact Assessment Scoping Report: Goodison Park, CBRE, May 2017*), which includes the proposed scope of the Preliminary Ecological Appraisal.

#### *Environmental Impact Assessment Scoping: Biodiversity (including flora and fauna)*

9. The proposed scope of the EIA in relation to biodiversity is acceptable and recognises the following potential effects of the proposals, during construction and after completion of works on site:
  - Temporary and permanent land take;
  - Disturbance (visual, noise, lighting);
  - Pollution (dust generation, pollution of aquatic habitats);
  - Construction site hazards;
  - Anthropogenic/urban effects (including recreational pressure, disturbance and traffic);
  - Air quality impacts;

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- Pollution of water resources; and
- Permanent lighting.

#### *Preliminary Ecological Appraisal Scope*

10. The proposed PEA includes a desktop study and an Extended Phase 1 Habitat Survey, which will identify the requirements for any specific protected surveys, which will then be carried out.
11. This approach to the assessment of potential significant effects on biodiversity is acceptable, with the exception of the European designated sites – see further information below.

#### *Habitats Regulations Assessment*

12. The development site is in close proximity to the following European and national designated sites and Local Plan policy NH2 applies:
  - Sefton Coast SAC;
  - Ribble and Alt Estuaries SPA and Ramsar site
  - Mersey Narrows and North Wirral Foreshore SPA;
  - Sefton Coast SSSI;
  - Ribble Estuary SSSI;
  - Mersey Narrows SSSI; and
  - North Wirral Foreshore SSSI.
13. The HRA of the Liverpool Local Plan consultation draft (*Liverpool Local Plan consultation draft: Habitats Regulations Assessment, AECOM, 5<sup>th</sup> July 2016*) identifies potential significant effects on the following European designated sites from the quantum of development:
  - Mersey Estuary SPA & Ramsar: disturbance to qualifying bird species from recreational pressure;
  - Sefton Coast SAC: recreational impacts; and
  - Ribble & Alt Estuaries SPA & Ramsar: recreational impacts.

Recreational pressure is recognised in the formal statutory Conservation Advice Packages as Medium-High risk to qualifying features of the European sites.

14. Any full planning application must demonstrate how it will avoid or mitigate recreational pressure on the European designated sites to enable an HRA to be undertaken. This information should be included in the ES.

#### Waste

15. Section 3.2 'Relevant Planning Policy and Guidance' should be updated to include reference to Merseyside and Halton Joint Waste Local Plan (WLP), as policies WM8 and WM9 are relevant to the proposal.



16. The EIA Scoping report refers to waste but does not propose to assess the impacts of waste as part of the EIA. I concur that this is satisfactory, unless the energy strategy determines there is a potential to use refuse derived fuel or biomass to fuel a combined heat and power plant or anaerobic digestion facility, in which case waste should be scoped into the EIA.
17. However, I note that it is proposed to include a chapter on Construction Strategy and CEMP, site waste management should be included within this chapter in order to demonstrate compliance with policy WM8 (Waste Prevention and Resource Management) of the Waste Local Plan and to ensure an integrated approach to resource management.
18. Policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8, bullet point 2) apply. I advise that information relating to household and commercial waste storage and collection is required by policy WM9 and should be included with the planning application.
19. Further information relating to policies WM8 and WM9 is provided in Part Two.

#### Low Carbon/Renewable Energy

20. The EIA Scoping report refers to an Energy Strategy being established for the site, which could include CHP. Given the scale of the development the inclusion of low carbon or renewable energy is important and consideration should be given to a variety of sustainable energy sources as part of the energy strategy, especially given the commitment to consider climate change impacts as part of the ES.

## **Part Two**

#### Archaeology

21. MEAS can offer advice on the relevant archives and other sources that should be consulted.

#### Habitats Regulations Assessment

22. Recreational activities that may be considered to have a potential impact, among others, include:
- Dog walking;
  - Walking;
  - Active leisure pursuits e.g., running, geo-caching;
  - Recreational activities that are shore-based e.g. sand yachting, horse-riding;
  - Car parking.
23. When considering housing proposals, the applicant will need to consider and include measures that will avoid and/or mitigate recreational pressure on the European sites. The Liverpool City Region is considering a wider strategic approach to visitor and recreation pressure management. The mitigation measures outlined below are not

exhaustive and the applicant will need to consider an appropriate package that is informed by the location, scale and housing mix of the development proposed.

24. Examples of mitigation measures that could be included in an appropriate package:

- Design and management of public open space to encourage use of the provided open space within the proposed development boundary;
- Design and management of public open space outside the proposed development boundary to encourage use not on the European coastal sites;
- Provision of information in sales packs, informing residents of the presence and importance of the European sites, and how residents can help protect them including an outline 'responsible user code';
- Contributions to develop a visitor/householder 'responsible coast user code';
- Contributions to improving and/or managing access to and/or within the internationally important nature sites including financial contributions;
- Contributions to increase recreation management, wardening including, location-specific interventions e.g. signage, path management, habitat management.

25. Incorporation of these measures into the development proposal and scheme design, based on survey information, may enable the Council to conclude under the Habitats Regulations that there is no likely significant effect on the SAC, SPAs and Ramsar sites.

#### Waste Informatives

26. A waste audit or similar mechanism (e.g. a site waste management plan) provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8 and the National Planning Policy for Waste (paragraph 8, bullet point 3), and may also deliver cost savings and efficiencies for the applicant. The following information could be included within the waste audit (or similar mechanism) as stated in the Planning Practice Guidance for Waste:

- the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

27. Guidance and templates are available at: <http://www.meas.org.uk/1090>, <https://www.gov.uk/guidance/waste> and [http://www.wrap.org.uk/http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item\\_id=8983](http://www.wrap.org.uk/http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8983)



28. This information could be integrated with any Construction Environment Management Plan (CEMP) produced for the development. Guidance on design and access to accommodate sustainable household waste management is available for Liverpool Council in the following documents:
- Liverpool – [Household Waste and Recycling Policy \(2013\)](#)

Other useful sources of guidance include:

- NHBC Foundation – [Avoiding Rubbish Design \(2015\)](#)
  - Building for Life Partnership – [The Sign of a Good Place to Live: Building for Life 12 \(2014\)](#)
29. Our advice is based on our understanding of your proposal. If there are any subsequent changes to your proposal, or to legislation, policy and/or statutory guidance, when your planning application is considered, our advice to Liverpool City Council Local Planning Authority may change or raise additional matters.

I would be pleased to discuss these issues further and to provide additional information in respect of any of the matters raised.

Lucy Atkinson  
Waste Appraisal and Support Services Team Leader

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