

Enquiries to: Felicity Collins
Contact No: 0151 233 3021
Application Ref: Pre-App 0423-18
Date: 26.06.2019



By Email

Matthew Hard,
Associate
WSP Indigo
St. James' Tower
7 Charlotte Street
Manchester
M1 4DZ

Dear Matthew,

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017

Request for a Screening Opinion in respect of development at Bixteth Street/ Pall Mall, Liverpool.

I write in reply to your letter received on 6th June 2019, requesting a formal Screening Opinion from Liverpool City Council as the local planning authority, under the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 in respect of the proposed mixed-use development is proposed on c1.2 ha of brownfield land between Bixteth Street and Pall Mall, within Liverpool city centre. The screening request is made on behalf of the developer, Kier Property.

The Proposed Development

The proposals described in your letter involve the construction of five new buildings and associated new public realm. The approach for the planning application is a 'hybrid', with development proposed as follows:

Full detail:

- New office building (comprising basement, ground and mezzanine, with six storeys above, plus plant on the roof) comprising approximately 16,500 sqm of new floorspace (gross external area). Flexible uses at ground floor (within use classes A1, A2, A3, A4 and B1). Basement, with car parking (around 25 spaces), cycle storage and showers, and plant.
- New public realm, including hard and soft landscaping, rights of way and highway.
- Demolition of a disused building on Pall Mall.

Outline:

- Four further building plots comprising: one hotel (use class C1), two offices (use class B1) and one pavilion building within the open space. Flexible uses are proposed for the ground floors of the three main buildings and for the pavilion.
- Means of access (with all other matters reserved).

Liverpool City Council

Cunard Building, Water Street, Liverpool, L3 1DS

T: 0151 233 3021

E: planningandbuildingcontrol@liverpool.gov.uk

www.liverpool.gov.uk



it's liverpool

The proposed GIA of the five buildings will be around 57,000 sqm. The site area is around 1.2ha.

Recent planning permission (Ref 18F/2614) enabled clearance of the site (a former c.200 space surface car park and area of open space, comprising soft and hard landscaped areas) and its preparation for development. A new substation is to be provided in the north of the site adjacent to Plot D (planning permission ref 18F/2614) to replace the existing substation located on Bixteth Street.

EIA Screening Requirement

As you have acknowledged in your letter, the proposed works need to be considered in relation to Schedule 2 of the EIA Regulations under part 10(b) 'Infrastructure projects - urban development projects, including construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas'.

The Regulations state that "Schedule 2 development" means development, other than exempt development, of a description mentioned in column 1 of the table in Schedule 2 where –

- (a) any part of that development is to be carried out in a sensitive area; or
- (b) any applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development.

For Schedule 2 development, EIA is only required where it is considered that the environmental effects of the development are 'significant'.

In relation to (a) the site is wholly within the buffer zone to the World Heritage Site. World Heritage Sites are defined as 'sensitive areas' within the EIA regulations, but the status of the buffer zone for a WHS is not specifically referred to in the regulations or in National Planning Policy Guidance, so is uncertain. However, NPPG does make clear that 'local designations' not included in the definition of 'sensitive areas' but which are nonetheless environmentally sensitive need to be taken into account in determining whether an assessment is required.

Liverpool City Council, in dialogue with Historic England and Merseyside Environmental Advisory Service, have taken the view that the WHS and the surrounding environment and its Buffer Zone represent a sensitive area where the potential impact on the Outstanding Universal Value of the WHS and the environment in general needs to be rigorously assessed before any decision on the planning application is reached.

In relation to (b), you have advised that the total development will comprise up to 60,000 sqm of new gross internal floorspace and is situated on an area of around 1.2 ha.

Therefore it is necessary to consider whether Environmental Impact Assessment is required, through consideration of Schedule 3 'Selection Criteria for Screening Schedule 2 Development', as follows:

- The characteristics of the development
- The location of the development: and
- The characteristics of the potential impact.

Determination of whether the proposed development will have significant environmental effects

The submitted Screening Request included information in relation to the Schedule 3 criteria, based on the assessments undertaken so far to determine the potential environmental impact. The characteristics of development; the environmental sensitivity of the location of the development; and, the types and characteristics of the potential impact are described within the screening request, with conclusions drawn as to the significance of effects.

In relation to the characteristics of development, the proposal will have environmental effects, most notably in its potential for cumulative effects with other developments in relation to townscape and visual impact, heritage, daylight and sunlight, and microclimate. These effects are associated with the development's scale, massing and design.

There are relevant environmental sensitivities of the location of development. These include the World Heritage Site buffer zone, and proximity to Listed Buildings and Conservation Areas; Air Quality Management Area, and proximity to densely populated residential areas.

Schedule 3 part 3) of the regulations requires consideration of the characteristics of the development together with the sensitivities of location to ascertain the likely significant effects of the development on the environment. The EIA screening request provides a matrix applying the types and characteristics of the potential impacts of the proposed development to the factors set out in Regulation 4(2).

The matrix provides a commentary on those possible effects and where necessary identifies the detailed assessment that would be undertaken to ascertain the extent of the impact and opportunity for reducing impacts.

To substantiate the conclusions drawn in the screening request, verified views have been provided in relation to townscape and visual impact, and a wind and microclimate assessment has been provided.

Potential effects identified include:

- **Population and human health** – in relation to effects anticipated in as result of the scale of the proposal and cumulative effects, it is stated that the magnitude and spatial extent of effects will be very localised and will be fully assessed through a Daylight and Sunlight Assessment submitted with the application.
- **Effects on wind and microclimate** - the assessment provided concludes that the development will create generally suitable comfortable and safe wind conditions. Where some reduced comfort level is identified, this is within acceptable ratings and could be mitigated with future soft landscaping.
- **Material assets/ cultural heritage/ landscape** - potential effects are anticipated, but it stated that design quality will minimise those effects and effects will be fully assessed through the provision of a Landscape and Visual Impact Assessment and Heritage Assessment with the application. Verified views provided with the screening request illustrate that significant visual effects or impacts upon sensitive landscapes are not expected.
- **Air quality** - potential improvements associated with the reduction in local traffic and the inclusion of electric vehicle charging points, cycle parking and good pedestrian environment.
- **Biodiversity** – potential positive effects through new landscaping.

It is considered that on the basis of the information provided within the screening report, effects are not likely to be significant and would be capable of being secured through the planning application process and suitably worded conditions. In particular, design codes will be required with the application in order to adequately assess the potential impacts. A Construction Management Plan to control potential effects during the construction phase.

Screening Opinion

Having reviewed the information provided in your screening request, I am satisfied that having regard to the characteristics of development; its location; and the nature of any possible impact, the proposals are not likely to give rise to significant effects on the environment for the reasons you set out, either individually or in combination with other developments.

I therefore concur with your view that the proposed development is not an EIA development and an Environmental Statement does need to accompany the planning application you are intending to submit.

Notwithstanding this conclusion, the screening exercise has identified sensitivities of the location and characteristics of the proposed development which require detailed assessment in order to identify the precise impacts and measures to avoid, or prevent, what might otherwise have been negative effects on the environment. These include Townscape and Visual Impact Assessment; Heritage Assessment; and Daylight and Sunlight Assessment; and will be a requirement of any planning application in due course, in addition to other application supporting information.

The screening report identifies the supporting documentation to be included with the application, in addition to which a completed Planning and Health Checklist is required (please refer to the City Council's recently updated validation checklist).

In accordance with Part 6 (28) of these regulations this 'screening opinion' has been formally recorded as part of the Authority's application records.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Felicity Collins', written in a cursive style.

Felicity Collins
Special Projects Officer