



South Tyneside Council

Turley
33 Park Place
Leeds
LS1 2RY
FAO Michael Powell

Date: 06.08.2015
Our ref: ST/0593/15/EIA
Your ref:

This matter is being dealt with by:
Christine Matten on 0191 4247407
e-mail address:
planningapplications@southtyneside.gov.uk

Dear Mr Powell

Screening Opinion of the Local Planning Authority

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)

Request for an Environmental Impact Assessment Screening Opinion in relation to:

- a) **the proposed development of a new transport interchange in South Shields**
- b) **mixed use redevelopment within South Shields town centre**

In this screening opinion (where the context admits) any references to defined terms are to terms as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (the "Regulations"). And references to a Schedule (or a paragraph of a Schedule) are references to a Schedule (or a paragraph of a Schedule) within the Regulations.

Proposed mixed use redevelopment of south shields town centre: outline application

A request for a screening opinion was received on 22nd June 2015 in respect of an outline application for planning permission for the redevelopment of the South Shields town centre comprising demolition of existing buildings within the application site boundary, and erection of A1 retail units (7,390sq m), A3 restaurants and cafes (2,060sq m), D2 Cinema (2,745sq m) and an A1 foodstore (6,039sq m) with multi storey and surface car parking.

Subsequently, an outline planning application (Reference ST/0664/15/OUT) was submitted for the redevelopment of South Shields town centre on 7th July 2015. This application is accompanied by a statement referred to by the applicant as an Environmental Statement. The planning application was submitted before the request for a screening opinion could be determined.

Regulation 4 of the Regulations contains general provisions for screening of applications. Paragraph (1) of Regulation 4 states that the occurrence of an event mentioned in paragraph (2) shall determine for the purposes of these Regulations that development is EIA development. Regulation 4(2)(a) refers to the

submission by the applicant of a statement referred to by the applicant as an environmental statement for the purposes of these Regulations.

As an environmental statement has been submitted which complies with the requirements of Regulation 4(2)(a), the outline application is automatically EIA development. Accordingly, no formal screening opinion can now be adopted in relation to this planning application, as the EIA trigger event in Regulation 4(2)(a) has already occurred.

Proposed Transport Interchange at Keppel Street, South Shields: full application

The request for a screening opinion received by the Council on the 22nd June 2015, also sought confirmation that the planning application for the proposed Transport Interchange and associated development at South Shields would not constitute EIA development and would not warrant the submission of an Environmental Statement. A planning application (reference ST/0660/15/FUL) was subsequently submitted on 7 July 2015 without an Environmental Statement, before the request for a screening opinion could be determined.

The remainder of this letter sets out the Council's screening opinion in relation to whether the Transport Interchange development is EIA development and accordingly requires the submission of an Environmental Statement.

The proposed development is for the demolition of existing buildings within the application site boundary and the erection of a new interchange building, Metro Station, bus station, retail unit, passenger drop off area and separate retail unit with office accommodation at first and second floors (the "Transport Interchange").

The consideration whether a particular development is EIA development depends upon whether it is classed as:

- Schedule 1 development; or
- Schedule 2 development likely to have significant effects on the environment by virtue of facts such as its nature, size or location.

I am satisfied that the development is not Schedule 1 development.

In deciding if the development is Schedule 2 development the Council must consider whether any part of the development falls within a 'sensitive area', or whether any applicable threshold or criterion in the corresponding part of Column 2 within the table at paragraph 2 of Schedule 2 is exceeded, or met, in relation to the development proposed.

The proposed development does not lie within a sensitive area.

The proposed development falls within Category 10b (Urban Development Projects) within the table at Schedule 2. The development exceeds the applicable column 2 threshold: 1 hectare of urban development which is not dwellinghouse.

Accordingly, the development is Schedule 2 development.

The Council must therefore consider whether there would likely be any significant effects on the environment from the development, be they positive or negative, such as to give rise to EIA development. In reaching this decision the Council must take into account such of the selection criteria at Schedule 3 as are relevant to the development. Three general categories are specified: characteristics of the development; location of the development; and, characteristics of the potential impact.

1. The characteristics of the development

The site measures 1.1ha in area. It includes land which is occupied by existing commercial buildings, a builder's yard, vacant land, the existing South Shields Metro Station, a section of the existing railway line and embankment and existing roads. It is proposed that the site be redeveloped to provide a new Transport Interchange, with a new interchange building, metro station, bus station and retail unit, two separate retail units with office accommodation above, passenger drop off area and new vehicular crossover to Keppel Street.

The existing buildings which will be demolished to make way for the proposed development comprising a post office and sorting office, along with several small business premises and the metro station at King Street. The proposed development would inevitably consume some natural resources during the construction works. In addition, waste will be produced during the construction process. The proposed development works also have the potential to cause pollution and nuisances. Furthermore, development works will include a risk of accidents, primarily to those working on the site. Given the nature of the development proposed, it is not considered that the proposals will involve any industrial processes or result in a significant production of waste or any material pollution or nuisance.

Paragraph 1 of Schedule 3 provides that the characteristics of the development must be considered having regard in particular to, "... (c) the cumulation with other development". Further, the question whether Schedule 2 development (i.e. development which exceeds the applicable Schedule 2 threshold) is likely to have significant effects on the environment should not be considered on the basis of the development alone, if it is properly considered as part of an inevitably more substantial development.

The application for the Transport Interchange is for Schedule 2 development, the site area measuring 1.1ha of land for development which is not dwellinghouse development.

The proposed development forms part of the overall South Shields Town Centre 365 masterplan for the regeneration of the town centre. This overall project includes (in addition to the Transport Interchange):

- The outline application submitted in respect of the mixed use regeneration of the town centre. It is also a Schedule 2 development, with a site area of 4.9ha which is non dwellinghouse development.
- The digital media hub, for which permission has previously been granted and which is currently under construction at the Market place.

It is considered that the two current applications and the digital and media hub under construction, which together form part of a single masterplan for the Town Centre, are properly considered as a single project (together, the "project") and accordingly subject to cumulative assessment for EIA purposes. In other words, it is necessary to take into account the likely significant effects of the Transport Interchange together with the cumulative effects of the outline application proposal and the media hub, in terms of

deciding whether there are likely significant effects from the Transport Interchange by virtue of factors such as nature, size or location.

The applicant concluded that the outline application for the redevelopment of the town centre, when assessed cumulatively with the proposed Transport Interchange and the development of the new library and digital media centre at the Market Place, which is currently under construction, is an EIA development and has submitted an Environmental Statement to accompany the outline application which considers the significant cumulative effect of the project.

It is accordingly concluded that the impacts of this full application for the Transport Interchange should be considered together with those of the outline application for the wider regeneration of the town centre and the new library and digital media hub (currently under construction) in the same way as has been done for the assessment of the town centre redevelopment outline application.

2. The location of the development

The application site constitutes previously developed land within the South Shields urban area and it is considered that these sites are less sensitive to change having been subject to modern disturbance.

The site of the proposed Transport Interchange is enclosed by the railway line to the west, the Keppel Street dual carriageway to the north, surface car parks and existing commercial premises to the south and east. Beyond these immediate surroundings, lie the predominantly commercial premises of the town centre with residential further afield. The site is allocated in the Local Development Framework as part within the South Shields Town Centre Primary Shopping Area, and part within a mixed use development site, where relevant policies promote economic development and improvements to the physical infrastructure links, including improvements to the metro system and bus facilities.

There are a number of designated and non designated heritage assets within the town centre which are a relevant consideration in the context of the cumulative assessment. No heritage assets are directly affected by the Transport Interchange development.

The site is located within Flood Zone 1

3. Characteristics of the potential impact

In relation to criteria 1 and 2 above, the potential effects of the development must be considered in relation to the site of the transport interchange and the cumulative impact of the town centre redevelopment proposals as set out below.

Heritage issues:

The proposed Transport Interchange development will have minimal impact on the built heritage assets within the town centre due to its location in relation to any built heritage assets.

In the context of the wider scheme of redevelopment within the town centre, as the applicant has identified, there is potential for the project to have a significant impact on the built heritage assets within the immediate area due to the extent of the area covered by the outline application site taken

cumulatively with associated development, and location of the built heritage assets within and close to this area.

Socio economic effects:

The Transport Interchange development consolidates existing town centre metro and bus services on one site within the town centre, along with retail and office accommodation. The development is likely to result in localised positive economic impact for the town through increased footfall and customer spending in the town. The socio economic effects of the Transport Interchange alone are not considered significant such as to result in it being EIA development.

In the context of the wider town centre redevelopment, as identified in the Environmental Statement submitted with the outline application, the socio-economic impacts of the overall proposed development, of which the Transport Interchange will form part, are considered to be positive. That Environmental Statement takes into account the socio economic impact of the town centre proposals on a cumulative basis. It is considered that the large scale of the redevelopment and the introduction of uses that do not currently exist including displacement of existing business could potentially have a significant effect on employment and productivity in terms of jobs, wealth and increased spend in the town. The potential effects are accordingly considered to be significant enough to result in the Transport Interchange qualifying as EIA development.

Townscape / Visual:

The proposed design of the new main interchange building seeks to provide an iconic building while reflecting and enhancing the surrounding streetscape. The outline application proposes the replacement of existing older buildings with a higher quality form of development.

The application sites relating to the Transport Interchange and Town Centre redevelopment proposals contain a variety of buildings to be demolished which are mainly two and three storeys in height. The proposed form of development will be largely similar in scale and height to the existing building form and urban layout of the town centre. The proposed development will have a beneficial impact on the overall townscape.

In the context of Environmental Impact Assessment, it is considered that the visual impact and level of change in townscape will not be significant

Drainage and Flood Risk:

The sites lie within Flood Risk Zone 1 and the impact of flood risk and drainage on the environment is not considered to be significant. Flood Risk assessments accompany the planning applications.

Ecology and Trees:

The application site comprises largely built environment and hard landscaped areas with a limited area of semi-natural habitat established along the railway embankment which is included within the application site boundary for the Transport Interchange development. Bat surveys have been conducted

in relation to the buildings to be demolished, indicating that the impact of the overall development is likely to be negligible.

Any impact on nesting birds can be mitigated by completing demolition of any “at risk” buildings outside of the nesting period.

No sites covered by statutory or non-statutory nature conservation designations or legally protected species will be affected by the proposed developments.

There are no likely significant effects by virtue of ecological factors.

Archaeology:

The town centre has been subject to considerable disturbance as a result of modern development. The Archaeological Assessment prepared for the Transport Interchange site concludes that the site has low potential for archaeological activity due to modern uses. In the wider town centre, there is potential for archaeological remains to survive in isolated pockets across the site area and any planning permission would be subject to a condition requiring a programme of evaluation, excavation and mitigation.

There are no likely significant effects by virtue of archaeological factors.

Lighting:

Proposals for the Transport Interchange include pole mounted lighting to illuminate the building and surrounding area. The areas are not considered to be sensitive, being within the urban area of the town centre with no sensitive receptors in the vicinity.

Proposals for the wider town centre are in outline only. Lighting will be similar to the existing situation, with the existing streetlights replaced with modern lighting. There are no sensitive receptors that may be adversely affected by any proposed lighting scheme.

There are no likely significant effects by virtue of lighting factors.

Contamination:

Phase 1 ground investigation reports have been prepared for the site of the Transport Interchange and the wider town centre redevelopment area which indicate that there is potential for contamination at the site, although the risk is low to moderate. Localised areas of contamination may be present in areas associated with areas of made ground and historic land uses. Mitigation and remediation is proposed and no sensitive end uses are proposed.

There are no likely significant effects by virtue of contamination factors.

Highways and Air Quality:

Transport Assessments and Travel Plans have been submitted with the planning applications. The assessment indicates that the main potential environmental effect of the associated traffic arising from

the proposed development will be air emissions from additional vehicles. Air Quality assessments have been submitted with the planning applications which conclude that the proposed development will not give rise to any significant increase in traffic related emissions and the impact of the development on local air quality is considered to be insignificant.

It is concluded that the proposed development will not initiate any significant increase in traffic related emissions and accordingly there are no likely significant effects by virtue of air quality factors.

Noise:

Noise Assessments have been prepared to accompany both applications, which conclude that plant sound rating levels will not exceed the measured or representative background level at any sound sensitive receptor by more than 5 dB. Appropriate attenuation measures or specifications will be included.

Noise from construction will be temporary and best practice procedures will be employed.

There are no likely significant effects by virtue of noise factors.

Sustainability:

Sustainability Statements have been prepared to accompany both planning applications. The existing buildings give rise to greenhouse gas emissions from energy and associated travel movements. Greenhouse gas emissions will occur during the construction and operation of the new development, mitigated by the adoption of best practice in construction and use of sustainable materials.

Operational development will bring positive sustainable impacts through increased accessibility and use of public transport and more efficient new buildings. The creation of a more functional town centre will benefit the local economy.

There are no likely significant effects by virtue of sustainability and climate change factors.

Conclusion

It is the Council's opinion that the proposed development of the Transport Interchange, assessed cumulatively in conjunction with the proposed outline application for the redevelopment of the South Shields Town Centre, both being Schedule 2 developments, together with the digital media hub, would on the basis of all the information provided, have significant environmental effects sufficient for it to require the submission of environmental information through an Environmental Statement, and consideration of that environmental information prior to the grant of permission.


This conclusion is consistent with the decision by the applicant to submit an Environmental Statement to accompany the outline application for the regeneration of the town centre, when considered in conjunction with the proposals for the Transport Interchange and new digital media hub developments.

You should be aware that the comments made regarding likely environmental effects of the proposed development relate only to the Council's obligation to the issue of this screening opinion. They do not represent the Council's views as to the planning merits of any planning application, or its conformity with development plan policies within the Local Development Framework.

A copy of this Screening Opinion has been placed on the planning register.

If you disagree with this screening opinion, you may request that the Secretary of State issues a screening direction. Please refer to Part 2, Regulation 6 of the Regulations for further information.

Yours sincerely



George Mansbridge
Head of Development Services