

Appendix 8: Southend Borough Council's EIA Scoping Response

Southend-on-Sea Borough Council

Department for Place

Director of Planning and Transport: Peter Geraghty

 Civic Centre, Victoria Avenue, Southend-on-Sea, Essex SS2 6ER

 01702 215000

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Mr G Wilson
Barton Willmore
St Andrews House
St Andrews Road
Cambridge
CB4 1DL

Our ref: 20/00703/RSO
Your ref:
Date: 27th July 2020
Telephone: 01702 212584
Email: patrickkeyes@southend.gov.uk

Dear Mr Wilson

Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (“the Regulations”)

EU Directive 2011/92/EU (as amended)

Outline element: Proposed development of Queensway ; Phased demolition of 441 residential units, commercial and residential properties on Southchurch Road and The Range Shopping centre, pedestrian footbridge and associated structures, erect up to 1800 residential dwellings (Use class C3) including affordable housing, up to 10,000sqm of commercial units comprising of retail and cafes (Use Class A1,A2,A3,A4 and A5), Employment space (Use Class B1); Light industry (Use Class B1(c), Workshops/Studios (Use Class B2 and Sui Generis), Community nursery (Use Class D1) and Leisure (Use Class D2), provide new public open space associated landscaping and public realm enhancements, car parking and associated infrastructure

Detailed element : Phased engineering works to remove roundabout at Queensway, Sutton Road, Southchurch Road, and associated underpass to raise Queensway to provide a new 4 lane carriageway at grade with footpath, cycle lane, bus facilities, public real and associated landscaping; a new roundabout at grade , linking Southchurch Road and Queensway and closure of Sutton Road (Request for scoping opinion)

This scoping opinion relates to the proposed development of the above site for the following development:

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1800 residential dwellings (Use class C3) including affordable housing, up to 10,000sqm of commercial units comprising of retail and cafes (Use Class A1,A2,A3,A4 and A5), Employment space (Use Class B1); Light industry (Use Class B1(c), Workshops/Studios (Use Class B2 and Sui Generis), Community nursery (Use Class D1) and Leisure (Use Class D2), provide new public open space associated landscaping and public realm enhancements, car parking and associated infrastructure

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Please accept this letter as Southend Council's formal scoping opinion as the competent authority for the Borough of Southend-on-Sea.

The Council has considered the information that has been submitted in liaison with environmental authorities and considers that sufficient information has been submitted in order for a scoping opinion to be issued. The proposed development is considered to be Schedule 2 development under the Regulations.

The Council considered that the Environmental Statement should cover the following information:

Relevant Legislation

The Town & Country Planning (Environmental Impact Assessment) Regulations 2017, as amended (which this scoping opinion refers to as the 'Regulations')

EU Directive 2011/92/EU (as amended).

Description of the existing site

The site is irregular in shape and comprises a total site area of 10.5ha. The site is dissected in an approximate north-west to south-east orientation by Queensway and contains a series of 4no. high rise tower blocks some 17 storeys high. The site comprises 441 existing residential units, The Range site, and approximately 4,105 sqm of commercial floorspace along Southchurch Road with associated infrastructure. In addition to the 441 units, there are various existing privately owned commercial and further associated residential buildings within the site.

There are three car parks available to the public within the site; Essex Street car park, Short Street car park and The Range car park. The Victoria Plaza shopping centre car park is also immediately adjacent and there are several other parking areas in close proximity to the site.

Queensway roundabout is situated to the south-east of the site with Queensway running via an underpass beneath the roundabout before rising to ground level. Roads leading to Queensway roundabout include Sutton Road (north-south) and Southchurch Road (east-west). To the east of the Queensway roundabout and to the west of Sutton Road is All Saints Church, a locally

listed building. The church itself is excluded from the site boundary and will be maintained as part of the proposed development.

Throughout the site are areas of public amenity comprising areas of soft landscaping.

The application site is located in the Southend Central Area as identified on the proposals map of the Southend on Sea Development Management Document and also mostly, but not exclusively, comprises of land situated within the Queensway Opportunity Site (PA4.1) as identified on the policies map of the Southend Central Area Action Plan (SCAAP).

Description of the Proposal

The information submitted indicates that the proposed development will comprise the following;

The Outline element:

- Phased demolition development of the existing 441 residential units, the existing commercial and residential properties along Southchurch Road and The Range Shopping Centre, pedestrian footbridge and associated structures;
- The provision of up to 1,800 residential dwellings (Use Class C3) including provision of affordable housing;
- The provision of up to 10,000 sqm of commercial uses comprising retail and cafes (Use Class A1, A2, A3, A4, A5), Employment Space (Use Class B1), Light industrial (Use Class B1(c)), Workshops/Studios (B2, Sui Generis); Community and Creche/Nursery (Use Class D1) and Leisure (Use Class D2);
- New public open space, associated landscaping and public realm enhancements;
- Car parking (0.7 spaces per residential unit)
- Associated infrastructure, including the creation of sustainable drainage systems (SuDS)

The Detailed Element:

- Phased engineering works to remove the roundabout at Queensway, Sutton Road, Southchurch Road and associated underpass to raise Queensway to provide a new 4no. lane carriageway at grade with footpath, cycle lane, bus facilities, public realm and associated landscaping and;
- A new roundabout at grade, linking Southchurch Road and Queensway and closure of Sutton Road.

The Scoping report submitted is based on maximum parameters informed by baseline assessments, early consultation with statutory consultees and publicly available constraints data.

The development will have a maximum building height of up to 89.43m AOD.

Relevant Planning History

The site has an extensive planning history. The most relevant planning history for this proposal is:

16/02247/RSE- Mixed use development comprising up to 1250 residential units, up to 3000 sqm of non-residential floorspace, district heating plant, associated public real, highways works and access (Request for Screening Opinion)- Screening/Scoping Opinion Issued

Summary of Consultation responses and representations

London Southend Airport

Our calculations show that, the proposed development would conflict with safeguarding criteria unless any planning permission granted is subject to the following conditions:

- Maximum development height must be no taller than 56.46m AOD
- Noting the above, there may be some exception to be no taller than existing building heights in close proximity, however this would need prior agreement with the CAA
- LSA must be consulted when the proposed plans are available and will work with the developers to understand what can be achieved

We will therefore need to object to these proposals unless the above mentioned condition/s is / are applied to any planning permission.

If you have any queries please do not hesitate to contact me.

It is important that any conditions requested in this response are applied to a planning approval. Where a Local Planning Authority proposes to grant permission against the advice of London Southend Airport Company Limited, or not to attach conditions which London Southend Airport Company Limited has advised, it shall notify London Southend Airport Company Limited, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

We would request a copy of the Decision Notice is sent to London Southend Airport when it is published.

Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

Any crane applications should be directed to sam.petrie@southendairport.com / 01702 538521.
Cadent

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action. Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.
-

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the National Grid or Cadent website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

Essex Fire

Access

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13.

In general terms it would appear from the plans included as part of the consultation that access for Fire Service Appliances is satisfactory, but it has not been possible to accurately scale from those plans within the submission to fully confirm compliance.

However, more detailed observations on access and facilities for the Fire Service will be considered on submission of hard copy plans at Building Regulation consultation stage should approval be given, this will require that access is in accordance with A. D. "B" B 5.

Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

Water Supplies

The architect or applicant is reminded that additional water supplies for fire-fighting may be necessary for this development. The architect or applicant is urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344.

Sprinkler Systems

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

If you have any further queries, then please contact the above Officer quoting our reference number.

Council's Suds Team (LLFA – Lead Local Flood Authority)

Introduction

AECOM has been asked to provide a response in relation to an Environmental Impact Assessment (EIA) Scoping Opinion request for the proposed development at Queensway (20/00703/RSO). An Environmental Impact Assessment Scoping Report (Barton Willmore, May 2020, Document Ref: 29188/A5/EIAScoping), has been submitted to support the request for a scoping opinion with respect to the proposed development.

Summary of local flood risks in the vicinity of the site

Based on the Risk of Flooding from Surface Water mapping, available on the gov.uk website, the risk of flooding from surface water varies across the site from very low (<0.1% Annual Exceedance Probability (AEP)) to high (> 3.3% AEP). To the north of the site, there are surface water flow pathways of low to (between 0.1 and 1% AEP) to high risk (> 3.3% AEP) of flooding from surface water at Milton Street and Coleman Street. To the south of the site, there are surface water flow pathways of low to (between 0.1 and 1% AEP) to high risk (>3.3% AEP) along Southchurch Road and Queensway Road, including the existing underpass. To the west there is a surface water flow pathway of high risk (> 3.3% AEP) adjacent to the Southend Victoria railways station, and to the east of site, there is a surface water flow pathway of low risk (between 0.1 and 1% AEP) along Sutton Road. The site is not located within a Critical Drainage Area, as defined in the Southend-on-Sea Surface Water Management Plan (SWMP, 2015).

The British Geological Survey (BGS) susceptibility to groundwater flooding dataset indicates the northern parts of the site surrounding Milton Street, Coleman Street and Sutton Road, and the south eastern parts of the site surrounding Queensway Road and Southchurch Road to be located in an area of high susceptibility to groundwater flooding. The site is situated within Flood Zone 1 according to the Environment Agency's Flood Risk from Rivers and Seas mapping.

The closest waterbody, Thames Estuary (Main River), is approximately 900m to the south of the site.

Surface water drainage requirements

The site is approximately 10.5 hectares and has a mix of permeable and impermeable areas. The condition of existing highway and private drainage infrastructure is currently unknown. The development proposals 20/00703/RSO include the removal of Queensway Roundabout and underpass with the provision of a four lane carriageway.

Redevelopment of the site offers the potential to provide significant drainage and flood risk improvements compared to the existing situation. Parts of the development is located within areas susceptible to high groundwater flooding. It will be important that drainage hierarchy be demonstrated to identify the most feasible method of surface water discharge.

A drainage strategy and supporting information will need to be provided as part of the planning application for the proposed development, demonstrating that the requirements set out by the National Planning Policy Framework (NPPF), Non-statutory Technical Standards for SuDS and the Essex County Council SuDS Design Guide have been met.

Scoping Opinion response

It has been identified in Section 10.1 of the Environmental Impact Assessment Scoping Report that an assessment of the likely significant effects of the proposed development on water resources and flood risk will be undertaken. In addition, Section 10.3 identifies that a Flood Risk Assessment (FRA) will inform the Environmental Statement in respect of sources of flooding and flood management measures, and an assessment of the attenuation requirements and SuDS techniques to be used. The FRA will need to ensure it covers the risk to and from the site with regard to all flood sources, particularly surface water and groundwater given both of these have been identified as high.

The drainage strategy can be included as part of the FRA document. Provided a suitable drainage strategy is identified in accordance with the requirements set out by the NPPF, Non-Statutory Technical Standards for SuDS and the Essex County Council SuDS Design Guide, any impacts on surface water flood risk to and from the proposed development can be mitigated.

Castle Point

This Authority does not wish to comment on the submitted request for a scoping opinion in respect of the proposed development of the above site.

This Authority does however look forward to commenting on the final proposal when formally submitted.

Environment Agency

Water Supply

Point 10.3 of the report states, The Development is located over a Secondary A Superficial Drift aquifer. This type of secondary aquifer is capable of supporting water supplies at a local level.

This does not accurately reflect or make reference to the water resource availability outlined within the Environment Agency's Essex Abstraction Licence Strategy. Resource availability and reliability for the purpose of abstraction will require local assessment by ourselves. For mains water supply, resource availability will require reference and consultation with Essex and Suffolk Water Resource Management Plans.

We believe there is a need for the consideration of the ecological footprint this development and its residents will have upon future water resources. Through increased demand and pressures upon future supply, this underlines the importance of reducing consumption and implementing water efficiency measures.

Due to water pressures in the region we consider it is particularly important that water efficiency measures are incorporated into this scheme. Increased water efficiency will directly reduce consumer water and energy bills and reduce carbon dioxide emissions.

We agree with the proposals set out in Section 10.3 for the use of Sustainable Drainage Systems (SuDS). Our requirements with regards to Sustainable Drainage Systems (SuDS) are as follows:

1. Infiltration SuDS such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
2. Infiltration SuDS have the potential to provide mobilise pollutants and must not be constructed in contaminated ground. They would only be acceptable if a site investigation showed the presence of no significant contamination.
3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.
4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.
5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).
6. SuDS should be constructed in line with good practice and guidance documents which include the SuDS Manual (CIRIA C753, 2015), Guidance on the Construction of SuDS C768 and the Susdrain website. End 3

Land Contamination

We are pleased to see groundwater and surface water scoped in for further assessment within the ES. Should review of the baseline survey / desk study reports identify the potential for contamination to be present, intrusive investigation / risk assessment / remediation may be required. A strategy for identifying and managing unexpected contamination should also be developed and included into the documentation.

Natural England

Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

In order to inform the approach towards recreational disturbance mitigation, the developer will need to explore the specific challenges faced by the European sites in the Southend area. This should aim to characterise the nature of the relationship between residents and notified bird species, in order to evidence a case that a likely significant effect alone can be ruled out. This should explore the location of the main roosting and foraging areas along the coast, and their location in relation to the development site. We appreciate that this coastal frontage presents particular challenges, and understanding this relationship is central to designing a package of mitigation measures that would be necessary to achieve HRA compliance with respect to the Essex Coast RAMS strategic solution (below).

The main impacts pathways of the development should be considered for their impacts alone and in combination. Natural England considers the key impact to be recreational disturbance impacts and possibly air quality and water quality and quantity may also need to be considered.

If the evidence shows that the Queensway project would cause likely significant effect alone there would be an expectation for on-site avoidance and mitigation, links to the wider area and an element of offsite green infrastructure.

Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

It has been identified that this proposal falls within the 'Zone of Influence' (Zol) of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

The Essex Coast RAMS is a large-scale strategic project which involves a number of Essex authorities, including Chelmsford Borough Council, working together to mitigate the recreational impacts that may occur on the interest features of the coastal European designated sites in Essex as a result of new residential development within reach of them. In the context of your duty as competent authority under the provisions of the Habitats Regulations, it is anticipated that, without mitigation, new residential development in this location is 'likely to have a significant effect' on one or more European designated sites, through increased recreational pressure, either when considered 'alone' or 'in combination' with other plans and projects. The ES should therefore assess recreational impacts and offer sufficient information for the Local Planning Authority as competent authority to ensure that the proposed mitigation is sufficient, appropriate and proportionate.

The RAMS strategy also advises that developments above a certain size should provide on-site (development site) measures (see Natural England's interim guidance letter ref: 244199, 16th Aug 2018. As a minimum we advise that such provisions should include;

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 kms within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas

- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions and also green infrastructure, to absorb as much recreational activity as possible. We advise that a sequential approach should be taken to mitigating the effects of the development through the mitigation hierarchy to avoid, mitigate and compensate.

Any HRA assessment should therefore consider the role that the following would play in the mitigation hierarchy;

- Onsite open space and green infrastructure opportunities
- Green infrastructure at an area level
- Opportunities to create linkages to existing open spaces
- Biodiversity / green infrastructure enhancements of existing public open spaces.

There is currently a green space deficit within the borough and very limited space on the proposed development site to create public open space. Any measures to offset and mitigate the impacts of other plans of projects such as the Local Plan and Developments should be considered, through evidence based Appropriate Assessment and identify what is appropriate for this kind (and other kinds) of development, demonstrating how effective the measures will be and, in realistic terms, how they will intercept people on their way to the coast.

As the project progresses Natural England would be pleased to provide pre-application discretionary advice to the developer and Southend-on-Sea Borough Council to define greater detail of the design and plans relating to the development

We welcome the commitment to seek a sustainable development solution in this location, however we query whether the number of units may need further consideration in order to achieve these objectives.

Use of Appropriate Assessment

For the avoidance of doubt and with particular reference to paragraphs 5.9, 5.10, 15.13 & 15.15 of the EIA Scoping, we remind you that EU rulings following 'People Over Wind' and Sweetman vs Coillte Teoranta (ref: C 323/17) require that any "embedded" mitigation relating to protected sites under the Habitat Regulations 2017 Regulation 63 (1) should no longer be considered at the screening/scoping stage, but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained.

Furthermore, compensation measures may only be used following Appropriate Assessment, once it has been concluded that mitigation measures are insufficient to prevent loss of site integrity and no satisfactory alternative measures can be identified. Only then, and where there are Imperative Reasons of Over-riding Public Interest, may compensation be considered.

Climate Change

The wider sustainability of this development should be considered in the light of the Borough's aspirations on net zero carbon, for which we understand the Council is working towards a net

zero carbon statement to be released in due course. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Environmental Health

Noise and Vibration

Regulatory Services shall be looking at the legacy of the development and the impact on existing property and activities and the impact of those activities on the Development.

The Primary Legislation will be relied upon to deal with resultant nuisance (notably the Environmental Protection Act 1990) and we need to be confident that the development does not prejudice complaints of nuisance after the residents have occupied the new dwellings. It should be noted that although the Council will investigate complaints of nuisance arising from commercial and industrial premises these premises will have a defence of best practicable means. There is a risk that without care in the design of the development only a percentage of noise or other disturbances could be remedied should complaints arise once the development is completed and occupied.

Additionally the current character of the area would need to be considered when investigating nuisance and the industrial area would influence this. Similarly the NPPF also suggests that existing businesses should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

We also do not have jurisdiction over transport infrastructure such as noise from highways. Therefore we cannot stress enough the importance of establishing as far as is reasonably practicable the risks of noise and vibration from the development to existing uses and to the new ones that are built and incorporating this into the layout design.

Baseline conditions

The background noise level $L_{90,A}$ must be representative. Therefore measurement must be over long enough periods at representative positions to consider all aspects of background noise and must cover 24 hours.

As far as is reasonably practicable it must also consider the current lockdown situation due to the restrictions made by the government and the future impact that this may have on lifestyles.

Demolition and Construction Phases

These phases are significant in scale therefore the noise arising from them will be considerable. In particular the demolition of multiple high rise tower blocks and piling foundations for the new dwellings and new highways.

The environmental impacts will also extend to the creation of dust and from hazardous materials on used on site or stored e.g. from land that is contaminated. The Report considers noise from these phases and the way that they shall be controlled.

The applicant will be required to provide a Demolition and Construction Management Plan that covers all environmental aspects and this can be conditioned. (This will also include licences required for abstraction and dewatering which are granted by the Environment Agency.)

However Regulatory Services strongly recommends that the applicant or developer applies for a Prior Consent under the Control of Pollution Act 1974 to address noise and vibration impacts. A Consent enables the recipient to carry out the demolition and construction without fear of enforcement. However this is conditional and the applicant must demonstrate that the work will be carried out using techniques and plant and equipment in a way that minimises noise as far as is reasonably practicable.

In general the council will therefore expect full details in the application:

- Estimated dates and duration of each phase and activity
- Predicted out of hours work
- What works are required in each
- The noise impacts
- How plant and equipment including piling will be selected and used in a way to minimise noise
- Can power be provided from the national grid to avoid the use of generators
- How residents and tradesman that are likely to be affected will be engaged

The full application form and a guide can be found on the Southend-On-Sea Borough Council's website. The applicant will need an acoustically competent person to conduct the noise impact assessment.

Applications could be made for each phase of demolition and construction for example as those stated in 8.16 of the Report.

As part of the prior consent application we expect the sensitive receptors at each location are protected and representative measurements are taken (e.g. over one week).

Impact of existing properties and activities on Operational Phase

General I agree with the scope for investigating noise and vibration. In addition I have further observations which must be considered during monitoring and assessment as follows:

Dwellings

We shall expect the noise and vibration assessments to be used in the design of the Development; conversely this means we shall not expect existing plans to be adapted e.g. insulate glazing so they cannot be opened.

It has been made clear to Regulatory Services that it is the ambitions for the design of dwellings to connect the internal areas with the external areas e.g. balconies, openings to greenspaces. This will not be possible if dwellings become sealed units with alternative means of ventilation. In the previous consultation meetings between myself and the consultant it was agreed that as a *starting point* we are working from the criteria of the Noise Guidelines for the European Region by WHO 2018 (and not 1999).

We shall expect some form of completion testing as well for each phase. The testing shall assess performance of the design and mitigation measures against external noise levels and implemented in full prior to the first occupation of the relevant phase. This can be conditioned at the appropriate time.

Southend Victoria Stations and Network Rail

The council receives complaints from residents of existing dwellings near to the station and rail network from:

- Idling trains and
- Intermittent break compressor
- Essential overnight works to the rails
- Vibration assessment

Existing Commercial and Licensed Premises

This is an opportunity to ensure that the Development design ensures that there is sufficient space and structure to protect the amenity of the new occupiers and users of the greenspaces. As previously stated we do not wish existing commercial operations to be impinged. It is of particular importance that the impact of the reasonable operation of existing licenced premises and their patronage is established to inform design.

Delivery and Commercial Refuse/Recycling Collections

Consideration must also be made to existing delivery times and routes including commercial waste and recycling collections. In some instances these practices are may be limited to unsociable hours by nature of the operation and limited access.

Road and Aircraft Noise

I agree with what is proposed for traffic however it does not appear that aircraft from London Southend Airport has been considered.

Aircraft noise is monitored every two years and is published in the Noise Action Plan as required by European Directive. This can be found on London Southend Airport's website.

Impact of Operation on Existing and New Dwellings and Commercial Activities

There must be no adverse impact caused by the development. Assessment on the impacts (as below) can be conditioned as part of the application at the appropriate time. Consideration has been made to identify dwellings in 8.6 of the report.

Commercial Property and Other Plant

For extract and ventilation we shall expect full details of all equipment to be installed for heating and ventilation of the building the extraction and control of fumes and odours, including details of how noise and vibration will be attenuated together with a maintenance schedule for the future operation of that equipment have been submitted to and approved in writing by the local planning authority. The scheme shall also be in accordance with current guidance from DEFRA and the Heating and Ventilating Contractors' Association (HVCA) For Kitchen Ventilation Systems. The use hereby permitted shall not take place other than in accordance with these approved details. The assessment of noise from plant and equipment can also be conditions including extract ventilation shall be limited to 10dB(A) below the background noise level measured and expressed as a $L_{A90,15minutes}$ from the boundary of the nearest residential property. Prior to operation a post completion noise survey will be expected.

Transport Noise

I agree with the proposals for the new road layouts. Again this is an opportunity to design the dwellings and open spaces in a way that they are protected from road traffic.

Delivery and Commercial Recycling/Refuse Collection

Consideration should be made to the proximity of deliveries and recycling collections from new commercial premises to existing dwellings and. This should also be built into the design of the new dwellings to ensure that there is good access and where possible the access can avoid unsociable hours.

Licensed Premises

As above care must be taken in the location and design of any licenced premises. There is an expectation that operating hours of licensed premises are extended beyond most other commercial ventures (including times before and opening for staff) and this may include the use of beer gardens or frontage seating.

The control of the premises and customers can be made by appropriate licensing under the Licensing Act 2003. But this can only be done to a certain point so noise form customers entering and exiting can be problematic and the routes they take. Therefore this should be considered within the design.

Air Quality

The EIA scoping report states that the proposed development is inside an existing AQMA at The Bell junction. This is not the case. That said, the report does need to demonstrate consideration of sensitive receptors close to the development site located on Victoria Avenue, Fairfax Drive, West Street, East Street and Priory Crescent. This is in relation to an air quality detailed assessment recently undertaken which will lead to formal declaration of (the Boroughs)) second AQMA later in 2020.

During construction phase, consideration should be given to potential emissions from Medium Combustion Plant (MCP) and Non-Road Mobile Machinery (NRMM).

Quantitative assessment and not merely “qualitative” assessment of dust emissions should be considered.

In section 9.14 reference is made to “Table 89”, instead of Table 9.

Land Contamination

For clarity Regulatory Services requires the assessment of land for contamination and necessary remediation to be done as follows.

We shall expect a full and detailed Phase 1 Risk Assessment to support any application.

If further intrusive works and quantitative risk assessment are required and we would typically condition as follows:

1. Land Contamination - Site Characterisation

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - Human health,
 - Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - Adjoining land,
 - Groundwaters and surface waters,
 - Ecological systems
 - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

2. Land Contamination - Site Remediation Scheme

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local

planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3 Land Contamination - Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the measures set out in the approved Remediation scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Land Contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Long Term Monitoring and Maintenance

If this is required it may be more appropriate to do this by way of a planning obligation (section 106 agreement). This would contain a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period and the provision of reports to the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

It is also important that any contamination risk assessment undertaken so that the health and safety of workers and the public is protected e.g. dust from the site.

Other Matters

Artificial Illumination

A condition can be made (for each phase where necessary) for external illumination and floodlighting of the site including the luminance and spread of light and the design and specification of the light fittings. All illumination shall be designed in accordance with the Institute of Lighting Professionals.

Please note that there is an exemption in the Environmental Protection Act 1990 for nuisance from artificial light from the following premises:

- railway premises
- bus station and any associated facilities;
- public service vehicle operating centre;

- goods vehicle operating centre;

This may be problematic for the northern phase of the development so we shall be looking for impact from any of these to be considered in the design of the development.

Waste

Domestic and Commercial Refuse and Recycling

Conditions to show how or the means of refuse storage including details of any bin stores in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan. This will include how access for collection vehicles will be made.

Demolition and Construction

An operational site waste management strategy will be required shall be in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan. This must include mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures.

Milton Conservation Society

Our local community society is one of the few that exist in and around the town centre and therefore are close to this major development that represents nothing less than the four-fold increase in housing at this site in our town centre.

In terms of this application we would ask that the authority require environmental aspect details, management and mitigation measures for the following, to be provided by the applicant:

- demolition
- atmospheric particles and air quality
- hazardous materials including asbestos
- waste impacts including end-of-life carbon management and recycling
- public health including pandemics/notifiable diseases

We would also record that we have not been consulted directly on this major development but we will have comments on the full planning application when submitted. We have concerns over the development and how this will impact on the people that use it, and on our town generally.

Public Consultation

Not applicable. However, comments have been received from Cllr Walker as follows:

Queried the point of consultation meetings with Councillors and residents when the Applicants are prepared to submit another Application like this.

Considers a proposal like this to remove the Porters roundabout, close Sutton Road and do away with the underpass would cause such utter chaos that Southend would effectively be closed.

Considers the proposal should be to extend the below-ground road from the roundabout towards Victoria Square to allow the proposed park for pedestrians to be formed without any

interference from traffic so that pedestrians could stroll from the new development to the High Street unhindered.

Appreciates that the removal of this soil would cost money but considers it would result in a far better development than what is proposed in this application.

Considers that what is proposed will result in chaos.

Appraisal

General Principles

Part 4 of the Regulations sets out the necessary information that must be submitted to the local planning authority when requesting their opinion as to the scope and level of detail of information to be provided in the environmental statement (a scoping opinion):

- A plan sufficient to identify the land;
- A brief description of the nature and purpose of the development, including its location and technical capacity;
- An explanation of the likely significant effects of the development on the environment; and
- Such other information or representations as the person making the request may wish to provide or make.

Any assessment must consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other relevant proposals and a thorough assessment of the 'in combination' effects of the proposed development with any relevant existing developments and current applications will be required within the Environmental Statement. A full consideration of the implications of the whole scheme must be included in the Environmental Statement.

The covering letter submitted with the scoping request contains a plan sufficient to identify the land, a brief description of the nature and purpose of the development and of its possible effects on the environment and an explanation of the likely significant effects of the development on the environment.

The assessment part of this officer report is arranged as a series of themed sections within each of which the applicant's stated comments are summarised and then followed by the officer assessment and comments.

As a general principle the Local Planning Authority considers that the ES (Environment Statement) should robustly explain how the Development's likely significant effects have been assessed having regard to the upper and lower levels of the scheme's potential built form (set out in parameter plans) including: all existing development on the site, its current use and floor space; the maximum and minimum number of residential units and floor spaces for each element of the scheme in this respect; the maximum and minimum floor spaces for all non-residential development proposed on the site nominating the exact use and then confirming which use class it falls within; maximum and minimum building heights and their storeys within the various elements of the scheme; maximum and minimum parking provision throughout the various stages of the scheme, and in all respects above ensuring that the ES judgements are robust, irrespective of whether these have neutral, positive or negative effects.

Matters covered in the scoping request submitted

Population and Human Health

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the Development on population and human health. This will include demolition and construction phase (temporary) and operational phase (permanent) effects.

The submitted scoping report states that issues for consideration within the population and human health assessment are anticipated to include changes to, and effects on:

- Population once the Development is operational;
- Employment – direct and indirect demolition and construction phase job creation through supply chain multiplier effects;
- Local expenditure;
- Demand for primary and secondary education places once the Development is operational;
- Demand for primary healthcare services once the Development is operational;
- Wider human health effects during the demolition and construction phase and operational phase; and
- Changes in levels of open space and play space.

The methodology is detailed within the scoping report submitted as follows.

Baseline information will be collated in relation to population, housing, local expenditure, employment, education facilities, primary and secondary school capacities, primary healthcare facilities (namely GP and dental practice provision) and wider public health data.

The assessment will be undertaken using the following methodology:

- Review of the policy context - at local and national level;
- Baseline review using accepted Government sources such as census, Labour Force Survey and NOMIS (National On-Line Manpower Information System). A review will also be undertaken of information available from Department for Education, annual schools census data, NHS and annual GP census data;
- Demolition and construction impacts (i.e. likely number of direct jobs generated) are to be assessed using the Construction Industry Training Board (CITB), Labour Forecasting Tool (LFT) which is regarded as an industry standard;
- Predicted employment levels will be calculated using floorspace ratios as set out in the Homes and Communities Agency: Employment Density Guide, 3rd Edition (2015);
- Population estimates for the new residential dwellings are to be calculated using the Office for National Statistics (ONS) 2016-based Household Projections (average household size);
- Demand for education provision using Council derived pupil yield multipliers, if available;
- Existing capacity in primary and secondary schools to be obtained through reference to the Annual Schools Census data (January 2019);
- Availability of healthcare facilities to be determined by reference to the NHS Digital GP annual census database of General Practitioners (GP) and patient numbers;
- Assessment of qualitative impact on local expenditure on goods and services;
- Assessment of the topics listed above using quantitative and qualitative methods, as appropriate (the assessment of human health will draw on and summarise the results of other relevant assessments within the ES such as transport, air quality, noise etc.) and standalone documents in support of the planning application; and

- Development of mitigation measures, if and where appropriate.

A desk-based assessment using the Healthy Urban Development Unit (HUDU) rapid Health Impact Assessment (HIA) tool will be undertaken and will form an appendix to the Population and Human Health ES chapter which will include consideration of wider human health issues that fall within the scope of the ES. This will draw on the conclusions of other ES chapters relevant to human health, including noise, air quality and transport.

The table below, taken from the submitted scoping report, summarises the population and human health effects to be included (ie 'scoped in') for detailed assessment in the ES.

Population and Human Health Effects Receptor

Receptor	Effects	Scoped In
Population	Housing provision and long-term increase in population.	Y
Employment	Any loss or increase, including increase in short term construction employment and long-term operational employment.	Y
Local Expenditure	Increase in local expenditure due to construction workforce spending and an increase in occupational and household expenditure.	Y
Education	Increased demand for primary and secondary education facilities in the operational phase.	Y
Human Health	Potential effects on human health from the Development including noise, air quality and transport.	Y
Healthcare	Demand for primary healthcare infrastructure during the operational phase.	Y
Open Space	Potential effects on open space and recreation during the operational phase.	Y

The scope of the population and human health issues suggested by the application would represent the majority of the key issues in population and human health terms that are likely to arise as a result of the development. However the Local Planning Authority consider that this chapter of the ES should also explicitly and robustly address how the Development impacts on the current residential units on site including number of affordable housing provision, including the loss due to demolition of the existing units, the re-provision and overall replacement of affordable housing created. It is acknowledged that the Applicant will provide a Viability and Affordable Housing Assessment as a standalone technical report in support of the planning application which will address the re-provision of affordable housing through the Development. The Population and Human Health ES Chapter should refer to this document.

The applicant is advised that this development will be subject to a CIL (Community Infrastructure Levy) which constitutes a socio-economic effect of the development.

Townscape and Visual Effects

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the Development on landscape and visual impacts.

The submitted scoping report indicates that the landscape and visual impacts assessment will consider the impacts on defined character areas (National Character Area 111; North Thames Basin: Wider Study Area 81. Greater Thames Estuary); and defined Broad Character Areas identified within a 3km Study area together with a more detailed assessment of a smaller study area to an appropriate scale. Visual receptor groups within the study area and visual envelope would include:

- Those in residential areas;
- Those in Conservation Areas (heritage);
- Road users and potential rail-users (although this is likely to be limited);
- Users of Public Rights of Way (PRoW);
- Park users;
- Tourists and visitors to Southend seafront; and
- Town centre shoppers and workers.

The methodology is detailed within the scoping report submitted as follows.

Initial baseline information will be obtained using best practice guidelines, including the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). It would include a review of the existing landscape planning policy context, published sources of landscape character and visual appraisal of the study area and a site visit.

The assessment would be undertaken in accordance with Landscape Institute and Institute of Environmental Management and Assessment, 'Guidelines for Landscape and Visual Impact Assessment' (Third Edition, 2013) GLVIA 3, which relies on professional judgement rather than a matrix assessment of effects, as outlined in the EIA methodology in the 'Environmental Statement Structure', section of the submitted scoping report. The assessment would include the potential landscape and visual effects of the Development, both at the demolition and construction phase and in the operational phase.

Baseline information for the study area will be collated, which will include topography, landscape planning policy designations, published sources of landscape character, heritage considerations (Conservation Areas), representative views from selected photograph viewpoints and any other relevant information.

Assessments will be made at the baseline year 2019, during demolition and construction phase; on completion; in the winter without the benefit of effective new planting; and 15 years thereafter, on completion in summer, with the benefit of effective planting.

The scoping report states that in accordance with current good practice, this assessment will address landscape and visual effects as separate issues. Landscape effects relate to both the effect on the physical features of the site, and on the landscape character of the site and surrounding area, during the phased demolition and construction phases and the operational phase. Visual effects relate to typical views of the Development during the phased demolition and construction phase and the operational phase from the surrounding area.

The landscape and visual impact assessment will also include an assessment of the likely effects of lighting associated with the Development on the existing character of the night sky, based on

the Department for Communities and Local Government’s “Lighting in the Countryside – Towards Good Practice” (1997) and the Institute of Lighting Professional (ILP) “Guidance Notes for the Reduction of Obtrusive Light”.

The scoping report states that a list of representative viewpoints for assessment would be agreed with the Council but includes an indicative list of close up, and wider, townscape views. The methodology, scope of townscape and visual receptors together with a list of viewpoints representative of the visual receptors will be agreed with the Local Planning Authority.

The submitted scoping report states that the assessment will:

- Define the study area for the site, identifying key townscape receptors and separately, key visual receptors and their typical/ representative views to be used for the visual impact assessment;
- Assess the value, susceptibility to change and overall sensitivity of the townscape and visual receptors (the receiving environment) during construction and operation;
- Assess the magnitude of townscape and visual effects during construction and operation;
- Assess the significance of townscape and visual effects during construction and operation;
- Identify ways in which any adverse effects on townscape and/ or visual amenity could be avoided, reduced and consider requirements for any mitigation measures;
- Summarise any residual effects following mitigation; and
- Cumulative effects of any committed developments which are listed in Section 14 of the submitted report.

The table below, taken from the submitted scoping report, summarises the townscape and visual effects to be included (‘scoped in’) for detailed assessment in the ES.

Townscape and Visual Effects Receptor

Receptor	Effects	Scoped In
Townscape Effects		
Townscape Character/ Local Townscape Character Receptor. Note: Townscape features, including existing vegetation, will be considered as part of the townscape receptors.	Effects on local townscape character areas/ Local townscape receptors.	Y
Visual Effects		
Various groups of visual receptors/ viewers with selected viewpoints to illustrate typical/ representative views from publicly accessible locations, including roads, footpaths and public open spaces.	Effects on visual Receptors/ viewers.	Y

<p>Visual receptor groups include:</p> <ul style="list-style-type: none"> • Those in residential areas; • Those in Conservation Areas (heritage); • Road users; and potential rail-users (although this is likely to be limited); • Users of PRow; • Park users; • Tourists and visitors to Southend seafront (likely limited to pleasure pier); and • Town centre shoppers and workers. 		
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The scope of the Townscape and Visual Effects issues suggested by the application would represent the majority of the key issues in Townscape and Visual terms that are likely to arise as a result of the development.

A broad range of public spaces have been considered when identifying potential visual receptors using the Zone of Visual Influence (ZVI) analysis and following site visits. Views from other areas of public open space have been scoped out of the ES chapter, as these areas were considered unlikely to experience views of the development, or were covered by other representative views.

Biodiversity

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the Development on important ecological features.

The submitted scoping report notes that there are no nature conservation sites protected at the European or national level within the site boundary. The submitted report identifies and lists six specific European designated sites within 10km of the site boundary with a further two within published Zones of Influence (ZOI).

The submitted report identifies that a single nationally designated site lies within 3km of the site. It also identifies that a single local statutory designated site lies within 3km of the site and that a single non-statutory designation is present within 2km of the site.

The submitted scoping report states that the ecological assessment will assess the following likely significant effects of the development on:

Demolition and construction:

- Temporary land-take;
- Disturbance (visual, noise);
- Hydrology and pollution (dust generation, pollution of habitats);
- Lighting;
- Site hazards.

Operation:

- Permanent land-take;
- Air Quality/ pollution and hydrology;
- Permanent lighting; and
- Visitor pressure (disturbance/ trampling) to nearby designed sites

The methodology is detailed within the scoping report submitted as follows.

A range of surveys will be undertaken in order to establish baseline ecological conditions of the site, against which effects of the proposed scheme will be assessed.

An initial desktop study will be undertaken to establish the ecological context of the site and any historic ecological information available for the site itself. This will include local record searches for locally designated wildlife sites and records of protected and/ or notable habitats and species. Information regarding statutory designated sites will be collated from on-line sources such as the Multi-Agency Geographic Information for the Countryside (MAGIC) database

An 'extended' Phase 1 Habitat Survey has been undertaken to determine the type and condition status of habitats across the site. This has identified further survey work to be undertaken in respect of nesting birds and roosting bats which is and will continue to be undertaken to inform baseline ecological conditions in accordance with best practice and allow assessment of effects.

A qualitative and quantitative ecological impact assessment will be undertaken, following the principles set out in the Chartered Institute of Ecology and Environmental Management (CIEEM) publication 'Guidelines for Ecological Impact Assessment in the UK and Ireland', and will include an assessment of cumulative effects, details of appropriate measures to avoid, mitigate and/ or compensate for any significant effects and details of any residual effects (should any exist following mitigation). This will include the use of 'The Biodiversity Metric 2.0' version published by Natural England to quantitatively assess the net loss or gain of biodiversity at the site based upon habitats present before and after the Development.

Consultation with Natural England will be sought with regard to effects upon the Natura 2000 network, including SPAs, SACs and Ramsar site identified locally. A Shadow Habitats Regulations Assessment (sHRA) will be prepared. The LPA consider that the ES will need to appropriately consider and assess the effects of the Development on the identified SPA's, SAC's and Ramsar site in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).

The table below, taken from the submitted scoping report, summarises the biodiversity effects to be included ('scoped in') for detailed assessment in the ES.

Biodiversity Effects Receptor

Receptor	Effects	Scoped In
Ecological Designations	<ul style="list-style-type: none">• Land-take;• Disturbance (visual, noise, recreational)	Y

Habitats	pressure); • Hydrology and pollution (dust generation, pollution of aquatic habitats); • Lighting; and • Site hazards.	Y
Species		Y

The scope of the Biodiversity Effects and Habitats issues suggested by the application would represent the majority of the key issues in Biodiversity and Ecological terms that are likely to arise as a result of the development.

Cultural Heritage

The submitted scoping report indicates that there will be assessment of the likely significant effects of the development on built heritage and archaeological heritage assets. A Heritage Statement and Desk Based Archaeological Assessment (DBA) will consider the potential impacts from the development on the significance of relevant built heritage within a 750m radius Study Area around the site as well as archaeological assets within a 1km radius Study Area around the site. These study areas are to be informed by baseline research and professional judgment by specialists in cultural heritage.

The methodology is detailed within the scoping report submitted as follows.

- Identify all recorded heritage assets with the agreed study area with the potential to be affected by the Development;
- Understand the significance of the affected heritage assets and the contribution of setting to that significance;
- Understand the nature and degree of impact on the significance of relevant heritage assets arising from the Development;
- Avoid and minimise impact through mitigation in a way that meets the requirements of the NPPF;
- Justify any harmful impacts (post-mitigation) in terms of the need to conserve and enhance the significance of heritage assets, balanced against the need for change and wider public benefits of the Development together with the contribution of the proposals to sustainable development objectives required by the NPPF; and
- Offset negative impacts on aspects of significance (if any) through enhancement, including refurbishment, re-use, and investigation and recording where applicable.

The submitted scoping report confirms that the assessment will be guided by best practice guidelines, including the NPPF and PPG, Institute for Archaeologists (CIfA) guidelines, Historic England guidelines, local planning authority guidance and other guidance from statutory and non-statutory bodies where applicable. The baseline information will examine the following:

- Relevant local planning policy;
- Relevant guidance found in the NPPF and PPG;

- Geology and topography, including previous site specific geotechnical information;
- A search of the Historic Environmental Record (HER) centred on the site and extending 1km from the boundary of the site (the study area);
- Archaeological and historical background (including published and unpublished sources), drawn from a variety of sources including the British Library and SSBC;
- The results of on-site and adjacent archaeological investigations; and
- A site walkover survey.

The submitted scoping report confirms that archaeological assets will be scoped into the demolition and construction phase assessment because of the sensitivity of buried archaeological remains to construction related groundworks. The submitted scoping report states that there are no predicted operational impacts to archaeological remains. Archaeological assessment will be scoped out of operational phases assessment. Built heritage assets will be scoped into both demolition and construction, and operational stages of the assessment.

The tables below, taken from the submitted scoping report, summarise the cultural heritage effects to be included ('scoped in') for detailed assessment in the ES.

Cultural Heritage Demolition and Construction Phase Effects

Receptor	Potential Demolition and Construction Phase Effects	Scoped In
Archaeological Assets	Loss or damage resulting from groundworks.	Y
Built Heritage Assets	Alteration of Setting.	Y

Cultural Heritage Operational Phase Effects

Receptor	Potential Operational Phase Effects	Scoped In
Archaeological Assets	None predicted. Operational effects on archaeological assets are scoped out of the assessment.	Y
Built Heritage Assets	Alteration of Setting.	Y

The scope of the Cultural Heritage Effects issues suggested by the application would represent the majority of the key issues in Cultural Heritage terms that are likely to arise as a result of the development.

Transport and Access

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the Development on Transport and Access, considering both the demolition and construction phase and operational phase of the development.

The submitted scoping report indicates that the Transport and Access assessment will assess the following likely significant effects of the development, during demolition, construction and operational phases on:

- Local roads;
- Public Transport; and
- Cyclists and Pedestrians

The methodology is detailed within the scoping report submitted as follows.

The traffic and transport impact of both the outline and detailed elements of the Development will be assessed in line with relevant planning policy guidance and The Institute of Environmental Assessment (now IEMA) Guidelines for the Environmental Assessment of Road Traffic (1993).

The extent of transport impact will be determined using pre-defined significance criteria for each mode of travel. Those criteria will be based on the net change in journeys as a result of the development of the site and any infrastructure improvements delivered as part of the proposals. The significance criteria will establish the magnitude of any beneficial or adverse effects the Development will have on the transport network.

The scope of the assessment will be agreed with SSBC, Network Rail and Highways England and is likely to include the study area shown in Appendix 4 of the submitted scoping report. In addition, the following assessment scenario years will be provided:

- 2018 Baseline;
- 2023 Anticipated end of Phase 1 and completion of Queensway redevelopment. This assessment scenario will represent an overlapping phase of the construction and operational phase; and
- 2032 Completed Development.

The following assessment criteria will be applied for the demolition and construction phase, the overlap phase and operational phase for both private and public modes of transport:

- Driver severance and delay;
- Pedestrian/ cyclist severance and delay;
- Pedestrian/ cyclist amenity;
- Accidents and safety;
- Hazardous and dangerous loads; and
- Dust and dirt (albeit the submitted scoping report states that this will be assessed within the Air Quality chapter of the ES).

Effects will be compared to baseline conditions to assess the likely significant impact of the Development. Mitigation will then be proposed as necessary and the impact re-assessed to indicate the overall impact of the development on these indicators.

The table below, taken from the submitted scoping report, summarise the Transport and Access effects to be included ('scoped in') for detailed assessment in the ES.

Transport and Access Effects

Receptor	Potential Operational Phase Effects	Scoped In
Local Roads	Net change in traffic patterns; peak hour junction capacity; peak hour link capacity; traffic delay; effect on personal injury accidents.	Y
Public Transport	Net change in public transport patronage; duration and frequency of bus services.	Y
Pedestrians and Cyclists	Net change in pedestrian and cycle journeys; on-street cycle facilities; effect on personal injury accidents.	Y

The scope of the Transport and Access issues suggested by the application would represent the majority of the key issues in Transport and Access terms that are likely to arise as a result of the development. However it is considered that the TA should explicitly and robustly explain the traffic modelling methodology and assessment.

The TA should also explicitly address the nature and strategic approach to travel plans for the respective parts of the Development. The TA and Travel Plan will form Volume 3 of the ES. The Transport and Access ES Chapter will make reference to the further detail of the assessment methodology provided in the TA and Travel Plan. The chapter will also summarise the methodology used to undertake the assessment, explicitly explaining the scenario's tested to provide a worst-case assessment for the outline element of the planning application consistent with the clearly defined parameters.

Noise and Vibration

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the development with regard to Noise and Vibration Effects, considering both demolition and construction phase (temporary) and operational phase (permanent) effects (excluding vibration).

The submitted scoping report indicates that the Noise and Vibration assessment will assess the following likely significant effects of the development on:

- Existing residential receptors and community uses; and
- Sensitive receptors arising from the Development.

The methodology is detailed within the scoping report submitted as follows.

The effects of noise during the construction phase will be assessed qualitatively in accordance with the British Standard 5228-1:2009+A1:2014 'Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1: Noise'. The focus will be on mitigation measures to be included in a CEMP.

The change in noise levels resulting from additional traffic flows associated with the development will be evaluated. The assessment scenarios are:

- Baseline year;
- Demolition/construction year (2023) without the Development;
- Demolition/construction year (2023) with the Development;
- Opening year (2032) without the Development; and
- Opening year (2032) with the Development.

The magnitude of the impact will then be assessed in accordance with guidance contained in Design Manual for Roads and Bridges Volume 11 Section 3 Part 7 – HD213/ 11 Noise and Vibration.

Site suitability for residential development will be assessed in accordance with the NPPF and appropriate technical noise guidelines, such as BS 8233:2014 Guidance on sound insulation and noise reduction for buildings and Guidelines for Community Noise -World Health Organization, 1999.

An assessment of the likely significant cumulative effects on the environment with respect to noise with the identified committed developments would also be undertaken.

The table below, taken from the submitted scoping report, summarises the Transport and Access effects to be included ('scoped in') for detailed assessment in the ES.

Noise and Construction Vibration Effects

Receptor	Potential Operational Phase Effects	Scoped In
Existing residential receptors and community uses and sensitive receptors arising from the Development.	Temporary noise and vibration effects during demolition and construction.	Y
	Operational phase road traffic affecting existing and new sensitive receptors.	Y
	Operational phase noise affecting indoor noise levels for new sensitive receptors.	Y
	Operational phase noise affecting outdoor public and private amenity spaces noise levels for new sensitive receptors.	Y
	Operational phase mechanical plant and activity noise affecting new and existing sensitive receptors.	Y
	Operational phase non-residential activity transferring through building structures affecting new and existing sensitive receptors.	Y

The scope of the Noise and Vibration issues suggested by the application would represent the majority of the key issues in Noise and Vibration terms that are likely to arise as a result of the development. However, in light of the consultation response from Environmental Health, the

Local Planning Authority would also advise that the ES proportionately address effects on the occupiers of the Development caused by aircraft noise from London Southend Airport (which is monitored every two years and is published in the Noise Action Plan as required by European Directive). It is also considered that, in light of Environmental Health's consultation response and the highlighting of railway related noise and vibration being a current source of complaint, that this issue is specifically and proportionately addressed within the ES.

Air Quality

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the development on the local Air Quality of existing and new receptors.

The submitted scoping report indicates that the Air Quality assessment will assess the following likely significant effects of the development on:

- Existing residential receptors and community uses; and
- Future residents of the Development and users of the proposed retail uses.

The methodology is detailed within the scoping report submitted as follows.

It is proposed that air pollutant concentrations in the area will be assessed to identify current baseline levels and determine any constraints or impacts associated with the development during both the demolition and construction phase and operational phase and the overlap between them. It is therefore proposed that the following scope of works will be carried out:

- Detailed consultation with SSBC;
- Identification of sensitive receptors;
- Review of local monitoring data (where available) and background pollutant maps;
- Detailed air quality dispersion modelling using the Atmospheric Dispersion Modelling System (ADMS) Roads model to quantitatively assess traffic related emissions and to determine the suitability of air quality at the Development site for the introduction of new receptors; and
- Qualitative assessment of construction related impacts.

The air quality impact assessment will include consideration of background concentrations and predicted modelled concentrations for both NO₂ and particulate matter (both size fractions of PM₁₀ and PM_{2.5}), as these are the principal pollutants of potential concern relating to emissions from road traffic.

The modelling exercise will be undertaken for five different scenarios, as follows:

- Baseline year (to complete model verification);
- Demolition/construction year (2023) without the Development;
- Demolition/construction year (2023) with the Development;
- Opening year (2032) without the Development; and
- Opening year (2032) with the Development.

Emission factors to be used within the dispersion modelling exercise will be derived from the most current version of the Emissions Factor Toolkit (EFT), currently version 9.

The tables below, taken from the submitted scoping report, summarises the Air Quality effects to be included ('scoped in') for detailed assessment in the ES.

Local Air Quality Effects

Receptor	Potential Operational Phase Effects	Scoped In
Existing receptors, to be agreed upon with SSBC.	Potential exposure to increased pollution levels during demolition, construction and operation	Y
Future residents of the Development, and users of the proposed retail uses.	Potential exposure to pollution during demolition, construction and operation.	Y

The scope of the Air Quality issues suggested by the application would represent the majority of the key issues in Air Quality terms that are likely to arise as a result of the development. However, in light of the consultation response from Environmental Health, the Local Planning Authority would also draw attention to the EIA scoping report having incorrectly stated that the proposed Development is inside an existing AQMA at The Bell junction. Irrespective of this as the Development would result in more traffic passing through the AQMA at the Bell Junction it is considered that the impact of the development in the Bell Junction AQMA is still considered in this ES chapter.

Also, the ES will need to demonstrate consideration of sensitive receptors close to the Development site located on Victoria Avenue, Fairfax Drive, West Street, East Street and Priory Crescent. This is in relation to an air quality detailed assessment recently undertaken which will lead to formal declaration of (the Borough's) second AQMA later in 2020.

Water Resources and Flood Risk

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the Development on Water Resources and Flood Risk.

The submitted scoping report indicates that the Water Resource and Flood Risk assessment will assess the following likely significant effects of the development on:

- Groundwater;
- Surface water;
- Proposed Development (property and people); and
- Adjacent development (property and people)

The methodology is detailed within the scoping report submitted as follows.

A Flood Risk Assessment (FRA) will be undertaken for the Development based on the requirements of the NPPF. The FRA will be submitted with the planning application and will include:

- A review of all sources of flooding and will describe any flood management measures required for the Development;
- An assessment of the options available for surface water disposal and how these fit with the planning policies, the Sustainable Drainage Systems (SuDS) hierarchy, and best practice;
- An assessment of the attenuation requirements and SuDS techniques employed to deliver such;
- Consideration of pollution prevention measures and the maintenance of the surface water drainage system; and
- Climate change effects.

The ES chapter will also identify and assess the effects of the Development on surface water quantity and quality, groundwater quantity and quality, and wastewater drainage as a result of the change in land use and regime during the demolition and construction phase and operational phase.

The assessment of likely significant effects will be based on a review of published data including evidence base documents, site surveys and site visits, online mapping (including the British Geological Survey, Environment Agency (EA) and Ordnance Survey), and liaison with the Environment Agency, Anglian Water and SSBC.

SSBC will be consulted as the Lead Local Flood Authority (LLFA) to confirm the proposed method of draining the site and to confirm their flood risk and drainage policy.

The table below, taken from the submitted scoping report, summarises the Water Resources and Flood Risk effects to be included ('scoped in') for detailed assessment in the ES.

Water Resources and Flood Risk Effects

Receptor	Potential Operational Phase Effects	Scoped In
Groundwater	Demolition and construction phase and operational phase effects on groundwater quantity and quality.	Y
Surface water	Demolition and construction phase and operational phase effects on surface water quantity and quality.	Y
Proposed Development (property and people)	Demolition and construction phase and operational phase effects on the Development in terms of people's health and safety and damage to property.	Y
Adjacent development (property and people)	Demolition and construction phase and operational phase effects on adjacent development in terms of people's health and safety and damage to property.	Y

The scope of the Water Resources and Flood Risk issues suggested by the application would represent the majority of the key issues in Water Resources and Flood Risk terms that are likely to arise as a result of the development. However, in light of the consultation response from the Environment Agency, the Local Planning Authority would also advise that the ES makes reference to the water resource availability outlined within the Environment Agency's Essex Abstraction Licence Strategy.

Land Contamination

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the development with regard to land contamination.

The submitted scoping report indicates that the land contamination assessment will assess the following likely significant effects of the development with regard to:

- Human Health;
- Existing and Proposed Structures;
- Groundwater;
- Surface Water; and
- Ecology

The methodology is detailed in full within the scoping report submitted as follows.

The methodology for assessing land quality effects is based on the change in land contamination risks between the situation at baseline and those estimated to exist during the demolition and construction phase and operational phase of the Development.

The assessment of land contamination will be carried out in accordance with relevant guidance such as the Environment Agency's Land Contamination Risk Management (LCRM) guidance (2019) and British Standard "Investigation of Potentially Contaminated Sites – Code of Practice", BS10175:2013. This will culminate in the creation of a conceptual site model based on the site's current use (baseline) and the future use during/ following Development. This will identify the existing and future potential source-pathway-receptor linkages and evaluate the plausibility of these, within the context of the site setting, and the likely significant effects will be defined using a set of significance criteria. The assessment will address:

- Human health impacts through inhalation of airborne dusts, ingestion or direct contact with harmful materials as a result of exposure of land contamination;
- Water pollution through exposure of contamination in soil and subsequent migration, through rainwater runoff, to surface watercourses or groundwater aquifers; and
- Ground contamination from new sources of contamination, such as accidental spillage of fuel or other materials.

The assessment will comprise the following stages:

- Baseline survey of land contamination and ground conditions to include a full review of the Envirocheck report, geotechnical and geo-environmental desk study report, and relevant previous reports for the site. This will include any additional information identified from sources such as the British Geological Survey and the Environment Agency websites;

- Consultation will be undertaken with SSBC Environmental Health Officer/ Contaminated Land Officer and EA with regard to known ground conditions and pollution incidents at the site;
- Identification and evaluation of potential impacts (particularly sensitive receptors) with respect to land contamination on the Development and with respect to the Development on land contamination;
- Conceptual site model and qualitative risk assessment of significance and magnitude of current land contamination (i.e. baseline pollutant linkages);
- Conceptual site model and assessment of demolition and construction phase in terms of impacts on land contamination and the impact of land contamination on the demolition and construction phase; and
- Conceptual site model and assessment of likely significant effects during the operational/ post-construction phase.
- A comparison of the difference in risk of each contaminant linkage at baseline to those at construction and at operational stages in order to assess the significance (both beneficial and adverse) of the impacts of the demolition, construction and operational phases. Where there has been an overall decrease in environmental risk, the Development will be considered to have a beneficial effect on the environment in the long term (even though there may be adverse short-term construction effects).

The table below, taken from the submitted scoping report, summarises the Land Contamination elements to be included ('scoped in') for detailed assessment in the ES.

Ground Conditions Receptors and Effects

Receptor	Effects	Scoped In
Human	Risks to site users during demolition and construction phase and operational phase (residential/ commercial land use) from existing sources of contamination including potential presence of soil contamination and ground gas.	Y
Structures	Potential impacts on site structures due to demolition and construction activities relating to risk to structures (foundations and services) from existing ground contamination, if present. Ground stability hazards also to be considered.	Y
Groundwater	Potential impact on groundwater within the underlying aquifer (Secondary A – superficial deposits) from remobilisation of existing contamination or demolition and construction and operation-based contamination sources. Potential construction impacts if dewatering required.	Y
Surface Water	Potential impact on surface water (estuary) from remobilisation of existing contamination or demolition and construction and operation-based contamination sources.	Y

Ecology	Potential for contaminated groundwater to reach estuary, which could harm aquatic/ terrestrial flora and fauna.	Y
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The scope of the Land Contamination issues suggested by the application would represent the majority of the key issues in Land Contamination terms that are likely to arise as a result of the development. However, in light of the consultation response from the Environment Agency, the Local Planning Authority would also advise that the ES should specifically address any significant effects and, a strategy for, identifying and managing unexpected contamination.

Daylight, Sunlight and Overshadowing

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the development with regard to Daylight, Sunlight and Overshadowing.

The submitted scoping report indicates that the Daylight, Sunlight and Overshadowing assessment will assess the likely significant effects of the development with regard to the amenity of occupiers of neighbouring residential properties in Coleman Street; Sutton Road; Southchurch Road, Milton Street, Tyrell Drive, Warrior Square North.

The methodology is detailed within the scoping report submitted as follows.

The assessment will consider the potential loss or gain in existing daylight and sunlight levels at the surrounding sensitive uses. Commercial properties that rely on continuous artificial lighting do not have an expectation for daylight or sunlight, and will therefore not experience significant effects and will not be assessed.

Daylight, sunlight and overshadowing analysis will be undertaken of a 3D model of the maximum parameters of the outline element and the detailed road layout for the detailed element of the Development and surrounding area (accounting for existing and consented future developments).

The approach to the assessment will adopt the principles set out in the BRE Guidelines (Littlefair P., (2011) Site Layout Planning for Daylight and Sunlight: A guide to good practice (2nd Edition), Building Research Establishment Trust, HIS BRE Press).

The table, below taken from the submitted scoping report, summarises the Daylight, sunlight and overshadowing effects to be included ('scoped in') for detailed assessment in the ES.

Daylight, sunlight and overshadowing Effects

Receptor	Daylight, Sunlight and Overshadowing	Scoped In
Properties along Coleman Street	Effects on daylight and sunlight levels	Y
Properties along Sutton Road		Y

Properties along Southchurch Road		Y
Properties along Milton St		Y
Properties along Prittlewell St		Y
Properties along Tyrell Drive		Y
Properties along Warrior Sq North	Changes to overshadowing.	Y
Rear gardens Coleman St		Y
Rear gardens Sutton Road		Y
Rear gardens Prittlewell St		Y

The scope of the Daylight, sunlight and overshadowing issues suggested by the application would represent the majority of the key issues in daylight, sunlight and overshadowing terms that are likely to arise as a result of the development. It is noted that the residential and commercial uses of the Development will be submitted as an outline application, therefore the details of the proposed buildings are not yet known. However, the ES chapter should proportionately consider daylight, sunlight and overshadowing using a model based approach, itself based upon the clearly defined parameter plans to identify likely significant effects including identifying the potential design measures which could be incorporated at detailed design stage as part of the reserved matters, to minimise likely significant sunlight, daylight and overshadowing effects at the different construction phases on occupiers of the Development itself. A daylight, sunlight and overshadowing assessment will be required as part of each reserved matters application when the detail of the proposed buildings is available. Further environmental information may be required in any subsequent application under Regulation 9 (3) of the 2017 EIA Regs.

Wind Environment

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the development with regard to Wind.

The submitted scoping report indicates that the Wind assessment will assess the likely significant effects of the development with regard to the pedestrian level wind environment of the site and its surroundings

The methodology is detailed within the scoping report submitted as follows.

A “3D” computer model of the Development and adjacent areas will be constructed for the assessment comprising the following scenarios:

1. Baseline: A quantified assessment of the existing wind environment at the site used to establish the ‘Baseline Scenario’;
2. Proposed Development: An assessment of the site with the Development (based on the maximum parameters for the outline element and the detailed road layout of the detailed

element) modelled surrounded by existing buildings in order to determine the effect of the 'Proposed Scenario';

3. Cumulative Scenario: The Development (based on the maximum parameters for the outline element and the detailed road layout of the detailed element) within the future surroundings, i.e. including buildings not yet built but with planning consent.

The method for the study combines the use of Computational Fluid Dynamics (CFD) to predict wind velocities and air flow patterns, with the use of wind data from the nearest suitable meteorological station and the recommended comfort and safety standards (Lawson Criteria). The extent of the model comprises the site and a surrounding context within a radius of approximately 400m. The study and subsequent assessment as part of the ES will take into account the following factors:

- The effect of the geometry, height and massing of the Development and existing surroundings on local wind speed and direction;
- The wind speed as a function of the local environment as topography, ground roughness and nearby obstructions (buildings, bridges, etc.); and
- The pedestrian activity to be expected (sitting, standing, strolling, walking and uncomfortable). It should be noted that effects on pedestrian comfort and safety are only considered externally to the building. No assessment will be made of the potential effects of the wind environment inside buildings.

The tables below, taken from the submitted scoping report, summarise the Wind effects to be included ('scoped in') for detailed assessment in the ES.

Lawson's Comfort Assessment Criteria (LDDC)

Comfort Category	5% Exceedance Threshold	Description
Sitting	4 m/s	Light breezes desired for outdoor restaurants and seating areas where one can read a paper or comfortably sit for long periods.
Standing	6 m/s	Gentle breezes suitable for main building entrances, pickup/ drop-off points and bus stops.
Strolling	8 m/s	Moderate breezes that would be appropriate for strolling along a city/town centre street, plaza or park.
Walking	10 m/s	Relatively high speeds that can be tolerated if one's objective is to walk, run or cycle without lingering.
Uncomfortable	>10 m/s	Winds of this magnitude are considered a nuisance for most activities, and wind mitigation is typically recommended.

Lawson's Pedestrian Safety Criteria (LDDC)

Safety Rating	Threshold Mean hourly Wind Speed Exceeded Once Per Annum (0.025%)	Potential effects	Development Constraints
Unsuitable for the general public (S15)	> 15 m/s	Less able and cyclists find conditions physically difficult.	Threshold not to be exceeded in areas accessible to the general public: sitting areas, standing areas, leisure walking areas.
Unsuitable for able bodies (S20)	> 20 m/s	Able-bodied persons find conditions difficult. Physically impossible to remain standing during gusts.	Threshold not to be exceeded in areas with limited public access e.g. maintenance areas, motorways.

Wind Environment

Receptor	Effects	Scoped In
Existing residential receptors – Building entrances, Pedestrian circulation areas, open amenity spaces.	Changes to wind microclimate conditions	Y
Residents and users of the Development – Building entrances, Pedestrian circulation areas, open amenity spaces.		Y

The scope of the Wind issues suggested by the application would represent the majority of the key issues in Wind terms that are likely to arise as a result of the development.

Cumulative Effects

The applicant has confirmed that an assessment will be undertaken of the likely significant effects of the development in conjunction with other committed development in the area.

The submitted scoping report confirms that the likely significant effects of other committed development within the area will be assessed, having regard to approved projects which are of a sufficient scale and reasonably foreseeable to potentially be built out at the same time. Confirmation of these schemes for cumulative assessment is sought from SSBC as part of the EIA Scoping Opinion.

The Environmental Statement should include details of the cumulative impacts of the development. Notwithstanding the information included within the submitted Scoping report, the applicant should undertake a thorough assessment of all consented and forthcoming proposals,

noting that the 2017 Regulations require the information contained within the Environmental Statement to be up to date at the point of determination (previously it was taken to be submission). Cumulative impacts should be considered in terms of both operational cumulative effects as well as the cumulative effects during the construction phase.

The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The scope of the Cumulative Effects issues suggested by the application would represent the majority of the key issues that are likely to arise as a result of the development in conjunction with other committed development within the area. However, the Local Planning Authority would also advise that the applicant satisfy themselves that the ES addresses all committed developments which are relevant at the time of ES determination. Although currently subject of an appeal against the non-determination of the application, and therefore not committed, the ES should take account of the potential outcome and impact of the mixed use commercial development proposal on land at Seaway Car Park which is not a residential scheme but does involve large buildings and will impact traffic /townscape/views from the Pier (Planning Application ref 18/02302/BC4M and appeal reference APP/D1590/W/20/3245194).

Matters proposed not to be considered within the scoping opinion request

Solar Glare

The submitted scoping report states that the proposed buildings would form a part of the outline element of the planning application. They are not anticipated to comprise large areas of highly reflective material which could give rise to likely significant solar glare effects. Therefore, solar glare has been scoped out of the ES as part of this application.

However, the proposed Development includes new buildings several of significant scale, combined mass and height. It is understood that a robust assessment of the solar glare effects relies on detailed façade design, which is not yet known due to the outline nature of the planning application. Finishing materials have not been prescribed so it cannot be assumed, on the basis of the information provided, that the external materials would not cause solar glare effects which are significant in nature and impact. It is considered that solar glare effects should be proportionately considered within the ES and the Daylight, Sunlight and Overshadowing ES chapter should identify the potential design measures which could be incorporated at detailed design stage as part of the reserved matters.

Lighting

The submitted scoping report states that, as the site is in an existing well-lit urban area, the proposals are not anticipated to result in a significant change from the existing light levels on

site. The proposed lighting of Queensway will be of an adoptable standard and meet the upward light elimination, overspill and dimming/switching control requirements as set out by the Institute of Lighting Professionals. A standalone Lighting Assessment will be submitted in support of the planning application, which will set out the detailed lighting proposals for the engineering works for Queensway and the lighting principles for the outline element. As such, the Development is not considered likely to give rise to significant lighting effects on the environment and has therefore been scoped out of the ES.

However, the proposed Development includes new buildings, several of significant scale, combined mass and height plus a new primary 4 lane carriageway and associated lighting infrastructure. It cannot be assumed, on the basis of the information provided, that the external lighting for the Development would not cause effects which are significant in nature and impact. It is considered that lighting effects should be proportionately considered within the ES, drawing on the conclusions set out in the Lighting Assessment report, and should identify the potential design measures with respect to lighting which could be incorporated at detailed design stage as part of the reserved matters.

Operational Phase Vibration

The submitted scoping report states that a survey of vibration from Southend Victoria railway station undertaken in 2019 has been undertaken within the boundaries of the red line of the site (Appendix 1) at the location nearest to railway activity (north-west corner of the site). Details of this survey as well as subsequent analysis and assessment of the impact of operational phase vibration is provided in Appendix 2. This shows that predicted vibration levels and re-radiated ground-borne noise levels are substantially below thresholds for even minor adverse impact during the operational phase. Accordingly, significant vibration impacts during the operational stage from railway activity has been scoped out of the ES.

The submitted Scoping report states that Vibration during the demolition and construction phase will be assessed within the ES.

However it is also considered that, in light of Environmental Health's consultation response and the highlighting of railway related noise and vibration being a current source of complaint, that this issue is specifically and proportionately addressed within the Noise and Vibration chapter of the ES.

Agriculture

The submitted scoping report states that the site is currently developed and there will be no loss of agricultural land. This topic has therefore been scoped out of the ES. It is agreed that Agriculture can be scoped out of the ES.

Accidents and Disasters

The submitted scoping report states that the Development is primarily residential in nature and does not include uses which are considered to be potentially hazardous save for the B2/Sui generis element adjacent to the station. The site is not located in a location which is at risk of disasters such as flooding, land instability or earthquakes. During the demolition and construction phase, the contractor(s) would implement measures in accordance with Health and Safety legislation, and best practice, to minimise the risks of accidents that would have effects

on people or the environment. All such measures would form part of the Construction Environmental Management Plan (CEMP).

In addition, London Southend Airport is located approximately 2.8km north of the site. The site falls within the Inner Horizontal Limit (IHL) (approximately 4.5km from the airport), which limits development within this zone with a set of criteria. London Southend Airport has been consulted during the design process of the proposed development to understand the design limitations within the IHL. The Development will be designed in accordance with the Airport Obstacle Report to ensure obstacles from the proposals are not located in the flight path for missed approaches or holding patterns/circling for any aircraft coming into London Southend Airport.

Therefore, significant effects on the environment emanating from accidents or disasters are not anticipated during the demolition, construction or operational phase of development. This topic has been scoped out of the ES.

The consultation response from London Southend Airport (LSA) states that their calculations show that, the proposed development would conflict with safeguarding criteria unless any planning permission granted is subject to the following conditions:

- Maximum development height must be no taller than 56.46m AOD
- Noting the above, there may be some exception to be no taller than existing building heights in close proximity, however this would need prior agreement with the CAA
- LSA must be consulted when the proposed plans are available and will work with the developers to understand what can be achieved

LSA's consultation response confirms that they consider a need to object to the proposals unless the above mentioned condition/s is / are applied to any planning permission.

As referred to in paragraph 3.5 of this report the stated maximum height of the Development is 89.43mAOD. It is understood the parameter plans will allow this height across only part of the proposed development. It is understood that the Applicant is currently liaising with LSA to undertake the required 'shadowing principle' exercise to ensure the proposed heights of the proposed development are satisfactory to both LSA and the Civil Aviation Authority. In light of LSA's current standing objection based on development height it is considered that the Development's anticipated effects on accidents, insofar as they pertain to aircraft movement to and from LSA, should be addressed proportionately within a specific chapter of the ES which also makes clear and provides the evidence of the involvement of the Civil Aviation Authority as well as LSA in the judgment of the nature and acceptability of any safety risks associated with the Development.

It is therefore considered that Accidents and Disasters should be considered proportionately within the ES,

Waste

The submitted scoping report states that waste will be generated during the demolition/construction phase and the operational phase of development. In terms of the demolition/construction phase, this will primarily relate to the removal of the existing buildings and infrastructure, and the cutting exercise required to bring Queensway up to grade. The waste arising from this stage will either be recycled where feasible, or reused as part of the construction

process, such as for raising levels to bring Queensway up to grade in the early phases of the proposed development. This intention would be secured through the CEMP. A framework CEMP and Recycling/Waste Management Strategy setting out the key principles would form a part of the Construction section of the ES with the final document(s) to be secured by appropriately worded planning condition.

Operational waste would be disposed of in line with SSBC requirements and managed in accordance with all applicable legislation.

On this basis, likely effects of waste generation during the demolition, construction and operational phases of the Development are not considered to be significant and therefore, waste has been scoped out of the ES. It is agreed that waste can be scoped out of the ES.

Climate Change

The submitted scoping report states that climate change and greenhouse gases, as a separate chapter, has been scoped out of the ES. The introductory chapters will, however, summarise the findings of the ES relevant to climate change and the climate change adaptations integrated into the Development. This will draw upon technical chapters and reports, including the Air Quality Assessment and summarise the sustainability and energy provisions included within the Development. For a development of this nature, this is considered a suitably proportionate approach. It is agreed that climate change need not be subject of a specific chapter but can be addressed proportionately with the ES in the manner described.

Conclusion

The submitted scoping report on the whole sets out the likely environmental effects of the proposed development and determines the scope of the future assessment for the EIA in many instances. The report is clear in its explanation of the process to be undertaken. The scoping report clearly identifies a number of the issues that need to be considered within the Environmental Statement, however there are some important omissions including those highlighted in consultation responses from responding agencies which have been replicated in full within this scoping opinion. It is recommended that, with the exception of Agriculture and Waste, all of the other topics that were proposed to be scoped out are in fact included and considered proportionately in the Environmental Statement. In summary, the Local Planning Authority conclude that the following alterations and amendments are made (these are considered in more detail in the main body of the report):

1. Ensure that all evidence is provided in the Environmental Statement for those topics that have been scoped out.
2. That the scoping and subsequent EIA considers all environmental topics covered by the Schedule 4 of the EIA Regulations
3. That as a general principle the Local Planning Authority considers that the ES should robustly explain how the Development's effects have been assessed having regard to all existing development on the site, its current use and floor space and the maximum and minimum parameters of the scheme's proposed built form including: the maximum and minimum number of residential units and floor spaces for each element of the scheme in this respect; the maximum and minimum floor spaces for all non-residential development proposed on the site nominating the exact use and then confirming which use class it falls within; maximum and minimum building

heights and their storeys within the various elements of the scheme; maximum and minimum parking provision throughout the various stages of the scheme, and in all respects ensuring that the ES judgments are robust irrespective of whether these have positive or negative effects. The assessment methodology section of each ES Chapter should set out the relevant minimum and/or maximum parameters for the outline element of the planning application that have been used to assess the worst-case and thus likely significant environmental effects that the Development could generate. Any future reserved matters applications coming forward will have to be consistent with the parameter plans and not lead to greater effects on the environment than that have been assessed at this stage.

4. That the Population and Health chapter of the ES should explicitly and robustly address how the Development impacts on the current residential units on site including number of affordable housing provision, including the loss due to demolition of the existing units, the re-provision and overall replacement of affordable housing created.
5. That the applicant satisfies themselves that the ES addresses all committed developments relevant at the time of ES determination.
6. That Visual receptor groups within the study area and visual envelope should include users of public open space of all forms, not just parks.
7. That the ES will need to appropriately consider and assess the effects of the Development on the identified SPA's, SAC's and Ramsar site in accordance with the Conservation or Habitats and Species Regulations 2017 (as amended).
8. That the Transport Assessment explicitly and robustly explain the traffic modelling methodology and assessment. The Travel Plan should also explicitly address the nature and strategic approach to travel plans for the respective parts of the Development. The Transport and Access ES Chapter should summarise the methodology and refer to the Transport Assessment and Travel Plan where appropriate for the detailed explanation.
9. That the Noise and Vibration chapter of the ES should proportionately address potential effects on the occupiers of the Development caused by aircraft noise from London Southend Airport plus the effects of railway related noise and vibration.
10. That in the Air Quality chapter the ES should clarify that the proposed Development is not inside an existing AQMA at The Bell junction. Irrespective of this as the Development would result in more traffic passing through the AQMA at the Bell Junction it is considered that the impact of the development in the Bell Junction AQMA is still considered in this ES chapter. Also the ES should demonstrate consideration of sensitive receptors close to the Development site located on Victoria Avenue, Fairfax Drive, West Street, East Street and Priory Crescent. This is in relation to an air quality detailed assessment recently undertaken which will lead to formal declaration of (the Borough's) second AQMA later in 2020
11. That in the Water Resources and Flood risk chapter the ES should make reference to the water resource availability outlined within the Environment Agency's Essex Abstraction Licence Strategy.
12. That in the Land Contamination chapter the ES should specifically address any significant effects and, a strategy for, identifying and managing unexpected contamination.
13. That Solar glare effects need not be the subject of a specific chapter but should be proportionately addressed in the ES and should identify the potential design measures which could be incorporated at detailed design stage as part of the reserved matters.
14. That Lighting effects need not be subject of a specific chapter but should be proportionately addressed in the ES and should identify the potential design measures with respect to lighting which could be incorporated at detailed design stage as part of the reserved matters.

15. That railway related noise and vibration be specifically and proportionately addressed within the Noise and Vibration chapter of the ES
16. The characteristics of the development which might give rise to a risk of Accidents and Disasters, insofar as they relate to the impact of aircraft movements to and from LSA, need not be subject of a specific ES chapter but should be proportionately considered within the ES.
17. That Climate change need not be subject of a specific chapter but should be addressed proportionately with the ES in the manner described within the scoping report.
18. That the Land Contamination chapter should address the issue of unidentified contamination and how this will be dealt with strategically
19. That the Daylight, sunlight and overshadowing chapter of the ES chapter should appropriately consider daylight, sunlight and overshadowing and identify the potential design measures which could be incorporated at detailed design stage as part of the reserved matters, to minimise sunlight, daylight and overshadowing effects at the different construction phases on occupiers of the Development itself. It is noted that the residential and commercial uses of the Development will be submitted as an outline application but the ES should show how these impacts could be satisfactorily achieved.
20. That although currently subject of an appeal against non-determination under reference APP/D1590/W/20/3245194, and therefore not committed, the ES should take account of the potential outcome and impact of mixed use commercial development proposal on land at Seaway Car Park which is not a residential scheme but does involve large buildings and will impact traffic /townscape/views from the Pier.

It will be important to ensure that, in taking the EIA process through to the completion of the Environmental Statement, the information contained within the Scoping Report is accurately reflected within the main text of the Environmental Statement. For example, the information provided in response to the items to be scoped out, should be taken through to the main Environmental Statement. Under the 2017 EIA Regulations the Scoping Opinion issued by the Council is binding to the applicant.

Charlotte White
Development Control Team Leader