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LANCASTER CITY COUNCIL
Promoting City, Coast & Countryside

ECONOMIC GROWTH AND REGENERATION DIRECTORATE

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SENT BY EMAIL ONLY TO:
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30 August 2019

Dear Mr Jackson

SCOPING OPINION IN ACCORDANCE WITH REGULATION 15 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 FOR THE DEMOLITION OF EXISTING BUILDINGS/STRUCTURES AND PROPOSED CONSTRUCTION OF MAJOR MIXED USE LEISURE DEVELOPMENT IN ASSOCIATION WITH EDEN PROJECT (INCLUDING USE CLASSES A1, A3, A4, B1, D1, D2 AND SUI GENERIS) INCLUDING PUBLIC REALM, LANDSCAPING, CAR PARKING AND ASSOCIATED ENGINEERING WORKS AT CENTRAL PROMENADE REGENERATION SITE, MORECAMBE, LANCASHIRE.

I refer to your Environmental Impact Assessment (EIA) Scoping request received on the 18th July 2017.

The Regulations require the Local Planning Authority (LPA) to adopt a Scoping Opinion within 5 weeks (of receipt), or such longer period as may be agreed in writing. The LPA requested an extension of time for adopting an Opinion to allow additional time for consultees to provide comments and for the LPA to appropriately assess the proposals. The agreed period for making the Opinion is the 30 August 2019.

This letter and its enclosures constitutes the formal Scoping Opinion of Lancaster City Council and outlines the information that should be included in the Environmental Statement to accompany any forthcoming planning application.

Yours sincerely

Mark Cassidy

MARK CASSIDY
PLANNING MANAGER
Enc.

INTRODUCTION

1.0 This Scoping Opinion is based on information provided to Lancaster City Council (as Local Planning Authority 'LPA') by WSP/Indigo Planning Consultants (Environmental Impact Assessment Scoping Report dated June 2019), together with the comments and opinions resulting from consultation with other statutory and non-statutory bodies, along with an understanding of the specific characteristics of the development and the environmental features likely to be significantly affected. It has been prepared and issued by the LPA in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('The Regulations') having regard to the Development Plan, the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

1.1 Environmental Impact Assessment (EIA) is a systematic assessment process that attempts to identify, assess, and where appropriate, mitigate potential significant effects of a range of environmental impacts that might result from a particular development project or the development project in combination with other committed development. The purpose of the EIA process is to protect the environment by ensuring that a LPA, when deciding to grant a planning permission for a project which is likely to have significant effects on the environment, does so in the full knowledge of the effects and takes this into account in the decision making process.

1.2 The purpose of the Scoping Opinion is to determine the extent of potential environmental issues to be identified, considered and reported in an Environmental Statement (ES) that will accompany any forthcoming planning application.

2.0 SITE DESCRIPTION AND PROPOSED DEVELOPMENT

2.1 The 'Area of Interest' ('the site') as described in the EIA Scoping Report has a site area of circa 14.8 hectares and comprises four main areas:

- The Central Promenade site (Land Allocation DO2 in the Morecambe Area Action Plan, 2014);
- The promenade to the north, east and west of the Central Promenade site, including the Stone Jetty and extending to (but not including) the RNLI lifeboat station;
- Part of Morecambe Bay to the north of the Central Promenade site and the end of the Stone Jetty;
- Marine Road Central and adopted highways towards the railway station, including footpaths and public realm/parking to the south of the Central Promenade site.

2.2 The main part of the site relates to the former Bubbles complex and is largely a brownfield site. However the site also extends in a linear manner to include the formal park and garden (The Memorial Gardens), a children's play area and a café (Clock Tower) and small pockets of landscaping within the site complementing the public realm along the promenade and the Stone Jetty. The site also includes the lighthouse building on the Stone Jetty currently used as a cafe. Land within the site to the north of Marine Road Central is mainly used for leisure and recreational purposes. Land south of Marine Road Central within the site is largely dedicated to parking with some public realm space (Poem Path). The site extends into Morecambe Bay and comprises

intertidal mudflats (Shell Bed Flat) important to wading birds. The site includes the breakwater coastal defence structures, together with the sea defence walls along the promenade.

2.3 There are a number of important environmental and townscape designations affecting the site, including the following:

- Morecambe Bay Special Area of Conservation (SAC), RAMSAR site and Site of Special Scientific Interest (SSSI);
- Morecambe Bay and Duddon Sands Special Protection Area (SPA);
- Morecambe Conservation Area;
- Designated Heritage Assets including (but not limited to) Grade II* listed Midland Hotel and Winter Gardens and Grade II listed Stone Jetty, War Memorial, the Platform and 221 Marine Road Central;
- Flood zones 2 and 3;
- Public Open Space (Memorial Gardens, outdoor event areas, Play Park, Eric Morecambe Statue and Amenity Greenspace).

2.4 The project comprises the demolition of existing buildings and the erection of a major mixed-use leisure development in association with Eden Project (including use classes A1 (retail), A3 (restaurant and cafe), A4 (drinking establishment), B1 (business offices), D1 (non-residential institution) and D2 (assemble and leisure) and Sui Generis uses, public realm and landscaping, car parking and engineering works. The Council acknowledge the project description may be subject to change and refinement as the proposals materialise. Any proposed works (ancillary structures) within the Bay (Ecology Zone) to create habitat mitigation and enhancement measures should also form part of the proposal description (depending on the extent of works proposed).

2.5 The project is Schedule 2 development, specifically Part 10(b) 'Urban Infrastructure Projects'. The scale of the development exceeds the thresholds and criteria set out in the Regulations (exceeds 1 hectares of non-residential development) and the Indicative Criteria in the NPPG. The site is also lies within a Sensitive Area as defined at 2(1) of the Regulations (Morecambe Bay). Consequently, and having regard to the selection criteria set out in Schedule 3 of the Regulations, the Council concur that the proposal would constitute EIA development and an ES would be required to support any forthcoming planning application.

2.6 Within the submitted Scoping Report, in particular Section 14 (Traffic, transport and access), potential mitigation measures and supporting infrastructure off-site have been considered and scoped into the ES, such as works to the existing Park and Ride site at Junction 34 of the M6 motorway. Technically, the Park and Ride site is outside the site area and is not formally part of this Scoping Opinion. Any such works to expand the Park and Ride would be subject to a separate planning application and would potentially require further screening under the EIA Regulations. The LPA would welcome further discussion over the planning mechanisms to potentially link supporting infrastructure proposals (that may be subject to their own planning applications) to the planning application for the main project.

3.0 CONSULTATION

3.1 As part of this Scoping process, the LPA has invited comments from statutory and non-statutory consultees. Unfortunately, not all the consultees have provided comment.

3.2 In accordance with the EIA regulations, the following bodies (statutory and non-statutory) were consulted. A summary of the responses are contained within the Appendix 1).

Statutory Consultation Bodies

- Natural England
- Environment Agency
- Lancashire County Council (Local Highway Authority, Lead Local Flood Authority, Strategic Planning and Public Rights of Way Officer)
- Highways England
- Network Rail
- Historic England
- Morecambe Town Council
- South Lakeland District Council

Non-statutory consultees

- Royal Society for the Protection of Birds (RSPB)
- Lancashire Wildlife Trust
- Greater Manchester Ecology Unit
- Lead Local Flood Authority
- Lancaster City Council (Environmental Health Service, Engineering Team, Planning Policy and Regeneration, Public Realm Manager, Emergency Planning, Waste and Recycling Officer)
- Lancashire Constabulary
- Lancashire Fire and Rescue
- National Trust
- Electricity North West

3.3 The submitted Scoping Report sets out 12 subject areas (paragraph 5.2) intended to form part of the ES. The LPA are satisfied with the scope of subject areas set out in the Scoping Report. Of the 12 subject areas, the LPA are of the opinion that the greatest effects of the proposal on the environment are most likely to be associated with cultural heritage, nature conservation, transportation and accessibility, landscape and visual amenity, noise and air quality and flood risk/drainage. The LPA do not wish to dismiss the importance of the other topics but to stress that a proportionate assessment of the remaining topic areas would be appropriate and reasonable, provided the methodology and approach to assessing each technical topic is consistent across the ES and is in accordance with the Regulations and best practice guidance (as set out in Section 4 of the Scoping report).

4.0 STRUCTURE OF ENVIRONMENTAL STATEMENT

4.1 Schedule 4 of the Town and County Planning (EIA) Regulations 2017 - 'Information for inclusion in environmental statements', sets out the necessary information to be included in an ES. The LPA does not propose to repeat these requirements within this Scoping Opinion. The Opinion focusses on the topics requiring assessment in the ES.

4.2 Determining the significance of any impacts can be contentious as it may involve judgements and expert interpretation. It is therefore prudent that significance is established using transparent methodologies based on defined, up to date and recognised standards, legislation, policy and expert opinion. The ES should therefore be explicit and specifically include reference to the methodologies used.

4.3 A creditable ES needs to demonstrate that it is well written, well structured, objective, transparent and scientifically rigorous. The non-technical summary should provide sufficient information for the non-specialist reader to understand the main environmental impacts of the proposal without reference to the main ES. The non-technical summary should be a standalone document which includes a summary of the description of the development, the main alternatives considered, and the aspects of the environment likely to be significantly affected by the development, the likely significant impacts and the mitigation measures to be implemented. It should include maps and the site layout plan.

5.0 SCOPE OF THE ENVIRONMENTAL STATEMENT

5.1 Following consultation and having regard to the information provided within the Scoping Request report together with the characteristics of the site and the development proposal, as set out above the scope of the ES should cover the topic areas set out at paragraph 5.2 (page 8) of the Scoping Report.

5.2 The LPA are satisfied with the proposed structure of the Environmental Statement as set out in section 4 of your Scoping Report, which follows the requirements of Schedule 4 of the Regulations. The LPA are also satisfied with the general approach to the consideration of alternatives (Regulation 18(3)(d). The requirement to consider main alternatives is strengthened for a project, such as this one, that falls within the Habitat Regulations. Paragraph 8.2 of the Scoping Report indicates that the ES will have reference to '*assessing alternative approaches and mitigation to deliver the scheme objectives*'. The LPA support this approach but wish to highlight this should not be limited to scheme design and layout (or scheme evolution) but also to, for example, alternative accessibility strategies and potential phasing of development having regard to environmental effects and/or the deliverability of mitigation and any supporting infrastructure.

5.3 With regard to the proposed ES methodology, the ES (across all chapters) will need to establish accurate baseline information and provide an analysis of impacts for the whole life-cycle of the project. The environmental baseline should be established through consultation by the applicant with relevant statutory and no-statutory bodies. The LPA agree that the assessment of environmental effects (direct, indirect, positive, negative, permanent, temporary etc) should be based on a worst-case scenario and should include consideration and assessment of both the construction and operational phases of the development for each discipline within the ES. The ES should also consider cumulative (or in-combination) effects of the proposed development (relating to all subject areas) and other development in the surrounding area and planning development within the Land Allocation Development Plan Document. The scope and consideration of other developments should be agreed with the LPA before the ES is prepared. Where potential adverse effects are identified and mitigation is required and proposed, the effects of the mitigation should be considered along with potential monitoring requirements. Securing potential mitigation measures and monitoring (if and where appropriate) will need careful consideration for all relevant topics within the ES. This could include the submission of Heads of Terms for any potential S106 Agreement.

6.0 TOPICS TO BE INCLUDED IN THE ENVIRONMENTAL STATEMENT

6.1 <u>Landscape , seascape, townscape and visual amenity</u>

6.1.1 Section 9 of the submitted Scoping Report provides an acceptable approach to assessing the landscape and visual impacts of the main project. The project area is within the built-up area of Morecambe and occupies a prominent position along the

coastline. Therefore, the approach to adopt a townscape and seascape assessment, encompassing wider landscape impacts beyond the settlement, is an acceptable to the LPA. The suggested approach and methodology appears to broadly accord with current best practice guidance (Landscape Institute and Institute of Environmental Management and Assessment Guidance (3rd Edition) 2013) and is a suitable basis for undertaking the assessment. The proposed viewpoints are all suitable and reasonable suggestions, although additional viewpoints from Torrisholme Barrow and the Ashton Memorial should be explored as part of the scope for the ES.

6.1.2 Given the potential heights of the development and comments from consultees, the LPA are of the opinion the study area should be increased to 15km in order to capture potentially wider landscape and visual effects of the project from both the Forest of Bowland Area of Outstanding Natural Beauty (FoB AONB) and the Arnside and Silverdale Area of Outstanding Natural Beauty (A&S AONB). This should capture the additional viewpoints recommended by consultees, which are as follows:

- Jack Scout (A&S AONB)
- Arnside Knot (A&S AONB)
- King William's Hill (A&S AONB)
- Jubilee Tower (FoB AONB)

6.1.3 The LPA accept that the number of viewpoints has to be reasonable and proportionate to the scale of the project. Consequently, the LPA would recommend further engagement over the selection of the most representative viewpoints in consultation with the key consultees ahead of the formal submission of the planning application and accompanying ES.

6.2 Cultural Heritage

6.2.1 The approach and methodologies set out in the submitted Scoping Report in relation to the assessment of the potential effects of the project on cultural heritage is comprehensive and well thought out. The LPA are satisfied with the scope of the assessment and the designated heritage assets identified therein. The ES must carefully consider the impacts of the proposal on non-designated heritage assets as well as the immediate and most important designated heritage assets surrounding the site and should consider the impacts on potential buried archaeology. The ES should also take account of potential impacts that associated activities (construction phases, operational traffic, serving and maintenance) could have on the understanding and appreciation of the heritage assets in the area.

6.2.2 Determining the significance of any impacts can be contentious as it may involve judgements and expert interpretation. It is therefore prudent that significance is established using transparent methodologies based on defined, up to date and recognised standards, legislation, policy and expert opinion. The ES should therefore be explicit and specifically include reference to methodologies used.

6.2.3 Given the potential heights of the building zones marked out in the Scoping Report and its prominent and sensitive position within the town, the LPA strongly recommended further pre-application engagement with Historic England and the LPA (including our Conservation Officer) to focus on the detailed design of the project. This will be essential to formulate and understanding of the effects of the project on surrounding heritage assets to consider mitigation and consideration of alternative to minimise the level of potential harm.

6.3 Nature Conservation and Biodiversity

6.3.1 This section of the Scoping Report (Section 11) has been prepared by TEP in their role as the developer's ecology advisors. Natural England, Greater Manchester Ecology Unit and Lancashire Wildlife Trust have all commented on the Scoping Report. The assessment in the Scoping Report provides a full understanding and knowledge of the nature conservation interests around the site. The impacts of the proposal on Morecambe Bay will form a critical part of the ES. The Scoping Report fully recognises that alongside the ES, the project will also be subject to a Habitat Regulations Assessment (HRA). It will be essential that the ES is supported be sufficient information to enable the LPA (as the competent authority) to undertake the HRA.

6.3.2 The general approach and proposed methodologies to address the potential effects of the project on nature conservation and biodiversity is acceptable and accords with the best practice guidelines (Chartered Institute of Ecology and Environmental management (CIEEM). This focuses on all tiers of nature conservation interests likely to be affected by the project and sets out reasonable and proportionate assessments to deal with each element of nature conservation interests.

6.3.3 The Scoping Report indicates a number of supplementary assessments/documents that will be undertaken to formulate and consider the environmental effects of the project on nature conservation and biodiversity. This should include a shadow HRA, an Ecology Impact Assessment, Biodiversity Net Gain Statement, Invasive Plant Survey along with a Phase 2 Habitat survey. With regards to the level of survey effort, it is noted at paragraph 11.43 of the Scoping Report that there is no intention to undertake any further bird survey work due to the wealth of existing bird data. Natural England have not confirmed this position. For the purposes of assessing the impacts of the project, it will be essential that the evidence (whether in the form of existing data or additional survey data) appropriately covers the whole winter and migratory period. Any gaps in the existing data would potentially warrant additional surveys to be undertaken. We make you aware of this as it has the potential to affect your intended timeline for planning application submission. As a consequence, the LPA strongly advocate detailed pre-application engagement with Natural England to establish the scope of your assessment.

6.3.3 It is important that the ES considers and assesses the implications of any direct works proposed with the Bay itself (on the breakwaters). The Ecology Zone shown on the submitted Parameters Plan is an area intended to accommodate potential ecology mitigation and ancillary structures. It will be essential that the application and the ES understand precisely what works are proposed within these areas (if necessary) to assess the direct and indirect impacts of such work.

6.3.4 Biodiversity Net Gain should form an important part of the project and the ES. Given the reputation of the Eden Project and the project's connections with the Bay, this project should present an opportunity to showcase the role of planning and development in promoting the importance and education of nature conservation generally.

6.4 Ground Conditions and Geology

6.4.1 The LPA are satisfied with the proposed assessment methodology and accept the topics to be scoped into the ES under this subject area. For the avoidance of doubt, it is accepted that the following topics do not need to form part of the ES:

- Effects on non-statutory sites of geological importance;
- Agricultural classification;
- Impacts on soil quality;
- Impacts on mineral resources;

- Impacts on historical mining activity.

6.4.2 In addition to the assessment proposed, a site investigation for contamination should be included, setting out any remediation (if necessary) as part of the ES. The scope of this should be agreed with the Council's Contaminated Land Officer.

6.4.3 The site includes significant areas of breakwater coastal defence features and the recently constructed sea wall. Any invasive works or significant loading to these features, which includes the extended part of the stone jetty, could affect their flood risk purpose and/or land/structural stability. This should form part of this ES chapter (potentially overlapping with the flood risk chapter). The LPA also wish to point out that the Stone Jetty and the Breakwater rock armour are also navigation markers. Subsequently, any potential alterations to these features would also need to take account of the implications for navigation. The LPA are of the opinion that the effects of the development on marine navigation does not need to form a separate chapter of the ES, but regard should be given to potential effects if the proposal has implications for these features. Environmental Permits and Marine Management Organisation licences may be required for any such works.

6.5 Hydrology, Drainage and Flood Risk

6.5.1 The LPA in consultation with the Environment Agency, the Lead Local Flood Authority and United Utilities, are generally satisfied with the scope of this chapter (section 13 of the Scoping Report). The only element lacking detail in the Scoping Report relates to the control and management of foul water. The ES should consider the effects of the proposal during both construction and the operational phases of the development on the existing foul drainage system. Given the scale of the development, the proposal could have significant implications for the existing network and potentially water quality (where the outfall is into the Bay). The project must deliver appropriate foul water infrastructure. The scope of such should be discussed and agreed in t consultation with United Utilities.

6.5.2 The ES should be supported by a fully detailed Flood Risk Assessment (FRA) (as appendices) which must demonstrate that the development will be safe for its lifetime without increasing the risk elsewhere and where possible seek to reduce the flood risks overall taking account of climate change. The assessment methodology set out in the Scoping Report accords with planning policy and best practice guidance. In addition to the Development Plan policy documents, the Council have Planning Practice Guidance to support developers deliver sustainable surface water drainage systems. The LPA wish to highlight that the control and management of surface water drainage must be taken into account early in the design phases of the project to avoid drainage being retrofitted and overly engineered. Above-ground surface water management is preferable as it offers opportunities to subtly integrate drainage infrastructure into the public realm and landscaping, offering wider ecology and design benefits. The ES should be supported by a detailed drainage strategy to support the project.

6.6 Traffic, Transport and Access

6.6.1 The LPA, in consultation with the Local Highway Authority and Highways England largely agree with the approach adopted in the Scoping Report (section 14) to address the transportation, highway and accessibility effects of the project. The implications of the project on the Strategic Road Network (SRN), the local highway network and the approach to modal shift and accessibility will from a significant consideration of the project. The Transport Vision submitted with the Scoping report is commendable and ambitious and has support from the LPA and the relevant consultees. The delivery of the Vision is perhaps more challenging and will need to be fully examined and

scrutinised to ensure the ES is supported by a realistic and robust Transport Assessment (TA). The TA should establish the full impacts of the overall proposals and the measures and mitigation necessary to establish sustainable development. It should be based on a worst-case scenario and/or include appropriate sensitivity testing. Critically, it should be capable of articulating the transport impacts based upon the current street pattern of the town, but it should also be capable of being sufficiently responsive to any structural changes in the town's highway network that may emerge as a result of any funding being secured through the Future High Streets Fund initiative.

6.6.2 It will be essential that the scope of the TA, which will form the basis of this chapter in the ES, is agreed with the Local Highways Authority and Highways England. In particular, the spatial coverage of the TA; temporary coverage of the TA; baseline data; trip generation and distribution assumptions; junction analysis; and, modelling tools to assess the impacts of the development must be considered and agreed. Please refer to Annex 1 for a summary of the comments from the relevant consultees. The TA must include consideration of level crossings that could be impacted by the proposal, including Schola Green and Bare Lane Level Crossing. The developer is advised that level crossings can be impacted by both an increase in the volume and a change in the character of user.

6.6.3 The transport strategy for the proposal places a reliance on the Park and Ride site at Junction 34 of the M6 motorway. Highways England have expressed significant concern over the potential implications of this, noting its remoteness from the main project site and the sustainability of this in the long-term. If the utilisation of the Park and Ride site is the favoured option to deal with traffic to and from the project, the ES should include details of the potential expansion proposals and the direct impacts this could have on the SRN. It will also be essential to agree the baseline capacity of the Park and Ride site with the Local Highways Authority, as it is becoming (gradually) increasingly popular. Regard should also be given to other proposals in the district that seek to utilise the Park and Ride site (see planning permission 17/00345/FUL for the Royal Lancaster Infirmary) and also wider growth proposals for the district. Other key considerations will include the specific routing of the Eden Park and Ride bus/shuttles. On leaving the Bay Gateway, what is the preferred route towards the development site? How will this impact upon existing road space and ensure that your vehicles – and other buses – are given priority in the highway? The emerging Local Plan evidence has already indicated a need for mitigation to the highway infrastructure around junction 34 to support additional planned growth. The in-combination effects should form important part of this chapter of the ES.

6.6.4 The impacts on the local highway network around the site will depend on deliverability of the Transport Vision, in particular the ambitions to have no fossil fuel vehicles around the site for the last two miles. This is a laudable objective and one that the Council supports in principle. However clarity is needed regarding how this can be achieved; for example how will Eden be able to control this in terms of much needed mobility parking close to the Eden site? Or in terms of delivery vehicles and coach parking and staff parking? It will also depend on the traffic flows and trip distribution figures to be scoped into the TA in consultation with the relevant consultees. Focus locally around the site will relate to cycle and pedestrian flows and movements, service and maintenance provision and public transport. The ES should fully considered and assess accessibility and permeability between the project site (and its main car park Junction 34) and public transport centres, cycle routes and the town centre. The submission of a Travel Plan as part of this chapter of the ES is fully supported. The Travel Plan should be fully developed in consultation with key consultees, stakeholders and local user groups.

6.6.5 The ES should assess the effects of increased footfall at Morecambe Railway Station and the local bus station. Potential mitigation could be in the form of S106 contributions to increase the level of service provision. Mitigation measures should be fully explored as part of the ES.

6.6.6 As indicated in the Scoping Report, the effects of the proposal during the construction stages should form an important part of this chapter of the ES. Consideration should be given to the amenity of the existing community and visitors to the area and the site's sensitive position within the Conservation Area. An indicative Construction Traffic Management Plan should be provided as part of the ES. This will also have links to other chapters in the ES, such as Air Quality.

6.7 Noise and Vibration

6.7.1 The study area and the identified sensitive receptions set in the Scoping Report is largely agreed. The impacts on commercial land uses as well as ecological receptors (overlap with the ecology chapter) should be taken into account in the ES. The ES should undertaken baseline environmental noise surveys to determined exiting ambient and background sound levels in positions to be agreed with the Council's Environmental Health Service. It is noted at paragraph 15.7 of the Scoping Report that there is an assumption that the existing road traffic noise along Marine Road Central will dominate the baseline environmental noise climate at most noise-sensitive receptors. Whilst this may be the case, the ES should consider the implications of potential public realm works along Marine Road Central (as part of the project proposals) that may result in less traffic along sections of this road (i.e. partial pedestrianisation of Marine Road Central), thus potentially reducing background noise levels around the site.

6.7.2 The general approach to addressing noise considerations set out in the Scoping Report is acceptable. However, it is clear that outcome of the TA and transport strategy will guide the considerations, assessment and potential mitigation of certain aspects of the noise assessment forming part of this chapter of the ES. The noise assessment should consider day-time and night-time impacts given the potential effects arising from 'events' likely to be held at the site. The ES should consider the noise impacts of the proposal on adjoining business and community facilities (the 'agent of change'), to ensure the risks of conflict between the project and neighbouring land uses are limited (and mitigated where appropriate).

6.7.3 Concerning the event venue proposals, the Scoping Report (paragraph 15.14) indicates that the intended use and design of the venue will not be sufficiently developed at the planning application stage to enable a full assessment to be undertaken. This has the potential to cause some difficulty in assessing the proposals comprehensively. Whilst it is accepted that internal designs will be subject to change, it is important to know the broad internal layout at the planning application stage and have finished elevational plans (even if these are then amended at a later date through the planning process). The LPA would welcome dialogue with the architects and urban designers (As part of your Development Team) sooner rather than later so that we can work collectively on matters such as design, directional flow of visitors, quality and purpose of the public realm, etc. These are all matters that could impact upon noise transmission. The ES must demonstrate that any prior agreed noise limits (in consultation with the Council's Environmental Health Service) are capable of being achieved at the site. It would not be permissible to simply agree limits without knowing how such limits could be met.

Notwithstanding this, for other reasons (such as townscape effects and assessing the effects of the proposal on the built-heritage of the site and its surrounding), the design of the events venue should be known at the planning application stage. The LPA would wish to engage further on the scope of the types of planning application(s) intended to be submitted for this project.

6.7.4 The noise and vibration chapter within the ES should also consider the full effects, including mitigation, during the construction phases of the development and should consider the requirement for proportionate and reasonable noise monitoring. The effects of vibration, especially during construction, should have regard to land stability and the purpose and function of the coastal flood defences around and within the site.

6.8 Air Quality

6.8.1 The approach to assessing the effects of the proposal on air quality set out in Section 16 of the Scoping Report is acceptable and accords with current policy and best practice guidance. The effects of the proposal on Air Quality (and the extent of the study area) will be predicated by the Transport Strategy and the baseline traffic data to be agreed as part of the TA. The consideration of any impacts on air quality should also have regard to the Council's Planning Advisory Note Low Emissions and Air Quality. As part of the Air Quality Assessment with the ES, point sources of air and odour pollution should also be considered (new or existing).

6.9 Wind, daylight and sunlight microclimate

6.9.1 Given the suggested heights of the proposed buildings the LPA agree with the approach and scope of this chapter of the ES. The wind assessment will also assist in the design and construction of the proposed development to take account of appropriate loadings. The sunlight and day light assessments should assess the impacts of the proposal on the wider public realm. The study area set out in the Scoping Report (paragraph 17.4) is largely agreed. This would need to include the main development site and the gateway locations (far, south and east of the red edge), subject to the detailed design and the proposed heights of the development in these locations.

6.10 Socio-economics

6.10.1 The potential effects of the project could be widespread given the national, if not international, significance of this project in Morecambe. For the purposes of this assessment, the scope of the study area (Local, District and Regional) is acceptable. The key topic areas to form part of the baseline assessment set out in paragraph 18.7 of the Scoping Report are reasonable and proportionate to the scale of the project. The LPA are comfortable with the proposed methodology and would recommend some engagement with the Council's Economic Growth team in formulating the baseline for this assessment. As part of the consideration of socio-economic effects during construction, the ES should include an Employment and Skills Plan.

6.11 Population and Human Health

6.11.1 The assessment of the likely significant population and human health effects has been scoped into the assessment. Whilst not strictly necessary for ES purposes, we welcome its inclusion and wish to encourage you to consider the range of health effects that you have identified during paragraphs 19.12 and 19.14 Planning policy and decisions have an increasingly important role in promoting healthy communities for all sections of society. Poorly-planned and poorly-designed buildings and places, including those that are overly-car-dependent, can deter healthy lifestyles and exacerbate negative physical and mental health effects.

6.11.2 The proposed assessment methodology for this chapter is reasonable and proportionate to the scale of the project. The ES should follow the same approach to Health Impact Assessment's (HIA) and, as a minimum, should address the following key issues:

- Healthy Public Realm
- Active Travel
- Healthy Living
- Biodiversity
- Energy Efficiency
- Safe Environments (designing out crime, resilience to crime and anti-social behaviour, flood risk etc)

7.0 Non-Technical Summary

7.1. A credible ES needs to demonstrate that it is well written, well structured, objective, transparent and scientifically rigorous. The non-technical summary should provide sufficient information for the non-specialist reader to understand the main environmental impacts of the proposal without reference to the main ES. The non-technical summary should be a standalone document which includes a summary of the description of the development, the main alternatives considered, and the aspects of the environment likely to be significantly affected by the development, the likely significant impacts and the mitigation measures to be implemented. It should include maps and the site layout plan.

7.2 This Scoping Opinion shall not preclude the LPA seeking the developer to submit further information in connection with any submitted development application in accordance with Regulation 25 of the 2017 Environmental Impact Assessment (EIA) Regulations.

7.3 The LPA are aware Network Rail are intending to provide formal comments to this Scoping Request. These should also be considered in preparing the ES. The LPA shall issue these when they are formally submitted.

Appendix 1 – Summary of Consultation Responses

Consultee	Summary of Comments
Lancashire County Council (LCC) Local Highway Authority	Strongly recommends the developer engage with the County Council's Development Support Team at the pre-planning stage, particularly given the commendable and ambitious Transport Vision. LCC recognise that the delivery of this Transport Vision has some significant challenges that need to be addressed to deliver such as Vision. LCC recommends that the Transport Assessment (TA) should establish the full impacts of the overall proposals and therefore the measures and mitigation necessary to establish sustainable development. LCC agree with the approach taken in the ES (Section 5) for the Environmental Statement (ES), highlighting the following key points: • Early agreement of the TA and its baseline data, such as traffic flows, traffic growth, trip distribution and agreement of appropriate base and future design years is required to establish details to be used in the ES; • Improvements and other necessary changes to highway infrastructure, parking, public transport, walking and cycling will influence traffic flows and distributions to form the basis of the TA; • Consideration of seasonal/holiday resort traffic flows in the TA; • Highways England should be involved in the formulation of the TA given the potential likely impacts to the Strategic Road Network; • Construction traffic and routing should be carefully considered given the site's location within the Conservation Area; • Where traffic impacts are identified, appropriate and necessary mitigation, such as highway infrastructure changes, should be identified;
Highways England (HE)	HE, in principle, support the general approach to the transport vision associated with the development and the approach taken in the EIA Scoping report, noting it is broadly compliant and applicable to national policy, guidance and best practice. A summary of HE's main points are as follows:

	• Use of Lancaster's Park and Ride has the potential to concentrate visitor traffic close to the SRN in a single point remote from the proposed attraction; • More detail to be provided over how Lancaster's Park and Ride facility can be expanded without having adverse impacts on the SRN; • Traffic modelling for Morecambe should take account of the Bay Gateway. If traffic flows in the modal are pre-opening of the Gateway, new traffic flow data will be required; • A Construction Traffic Management Plan (CTMP) would be expected to mitigate potential construction traffic impacts on the network and surrounding sensitive receptors; • HE support the intention to engage with HE to scope the TA for the ES, noting the following points need agreement: spatial coverage of the TA; temporary coverage of the TA; baseline data; Trip generation and distribution assumptions; junction analysis; and, modelling tools to assess the impacts of the development. • Full junction modelling assessment and TD22/06 analysis will be required for the slip roads at Junction 34 of the M6. HE highlight that the TA for the Local Plan identified mitigation measures for Junction 34; • HE support reference to multi-model trip rates but suggest sensitivity testing is required to show transport impact if the site was access 100% by private cars and having regard to staff traffic flows and parking; • The development should be assessed having regard to other committed developments during both construction and operational stages of the development; • HE have provided their expectations of the TA and its associated chapters. • HE have raised concerns over the transport strategy and the proposals to utilise and expand the Park and Ride site, making it potentially a single remote parking facility for all visitors to Morecambe, thus questioning the long term sustainability of this approach. • HE require detailed consideration of a traffic management strategy as regards to the SRN, noting the applicant will be responsible for the costs of making alterations/additions to the motorway signing, which are likely to be considerable.

Conservation Officer	Agrees that built-heritage should be scoped into the ES, recognising a number of designated and non-heritage heritage assets to be taken into account as part of the assessment. Requests additional viewpoints at Ashton Memorial and potentially Jubilee Tower.
Historic England	Agrees that built-heritage should be scoped into the ES, recognising a number of designated and non-heritage heritage assets to be taken into account as part of the assessment. Indicates that the ES should consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest and recommends engagement with the Historic Environment Record, the Council's Conservation Officer and the County Council's Archaeology Advisors. Given the potential heights of the structures associated with the proposed development and the surrounding landscape character, the assessment should demonstrate the extent of the study area is of an appropriate size to ensure that all heritage assets likely to be affected have been included and properly assessment. Sectional drawings and photomontages are a helpful way to help understand the impacts of the proposal. The ES should take account of potential impacts that associated activities (construction phases, operational traffic, serving and maintenance) could have on the understanding and appreciation of the heritage assets in the area.
Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) Partnership	In relation to Section 9, the AONB Partnership supports the proposed viewpoints 12 and 13, but recommends the inclusion for additional viewpoints in the AONB, namely Jack Scout, Arnside Knot and King William's Hill. With regard to the viewpoints from Warton Crag and Arnside Knott, careful attention is required to ensure appropriate locations are selected where the project can actually be seen, such as the lower outcrops on Warton Cragg and Heathwaite on Arnside Knot.
Natural England (NE)	General Principles of the ES to accord with Schedule 4 of the Regulations. The assessment should consider cumulative effects of the proposal, including all supporting infrastructure. NE's main points are summarised as follows (relates mainly to Section 9 and 11):

	• Agrees that the Ecological Impact Assessment (EcIA) should be developed in accordance with the Chartered Institute of Ecology and Environmental management (CIEEM) guidelines and should form part of the ES; • The ES should thoroughly assess the potential of the proposal to affect designated sites, noting requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) which is in addition to consideration of impacts through the EIA process; • Potential impacts of the proposal on national, regional and local nature conservation designations should be thoroughly assessed and where relevant appropriate mitigation measures should be identified; • Potential impacts of the proposal on protected spices and Habitats and Species of Principal Importance should be thoroughly assessed and where relevant appropriate mitigation measures should be identified, noting the requirements for appropriate survey effort in accordance with NE standing advice; • A Phase 2 habitat survey should be carried out within the site at the appropriate times in the year; • The ES should include historical data for the site affected by the proposal; additional surveys; identification of habitats and species; direct and indirect effects of the proposal upon those habitats and species and full details of any mitigation or compensation that might be required. • Consideration of cumulative and in-combination effects must be included in the ES, together with consideration of alternatives; • A Landscape and Visual Impact Assessment would be required, noting consideration of the direct and indirect impacts of the proposal on the Arnside and Silverdale AONB, as well as having regard to local landscape and seascape character areas. Such to be carried out in accordance with the Landscape Institute and Institute of Environmental Management and Assessment Guidance (3rd Edition) 2013. • The ES should detail measures (and alternative approaches to the design and layout) to demonstrate the building design is of high quality and appropriately responds to the local design characteristics; • The ES should have regard to the England Biodiversity Strategy with particular regard to the effects of air pollution on biodiversity potentially arising from the

	development, having regard to the effects of climate change.
The Wildlife Trust Lancashire, Manchester & N Merseyside	In respect of nature conservation and biodiversity (Section 11), The Wildlife Trust have 3 main points: • Given the scale of the development and projected visitor numbers, the principal impacts will arise from the developments site immediate proximity to Morecambe Bay, particularly in terms of bird disturbance. The Wildlife trust not that this will need to be addressed via a Habitat Regulations Assessment (HRA) alongside the ES. • Accept that the terrestrial development is of limited ecological value; • Given the limited existing ecological value of the site and the developers international reputation, there is an expectation to see significant Biodiversity Net Gain (BNG). The Wildlife Trust note planting on site would not be sufficient but note that the ES will be accompanied with a BNG Statement.
Great Manchester Ecology Unit	In respect of nature conservation and biodiversity (Section 11), The Wildlife Trust have 3 main points: • Given the scale of the development and its relationship with Morecambe Bay, there is potential for the development proposal to cause harm to the European designated sites and that a Habitat Regulations Assessment would need to be undertaken by the competent authority. The potential harmful impacts should be fully considered to inform comprehensive mitigation proposals for any such identified impacts set out in the ES; • Defers the matter of survey effort to Natural England in respect of the designated sites. • All buildings to be affected by the proposals to be inspected for roosting bats and such to be considered in the ES; • Surveys for invasive plant species also to be carried out and considered in the ES; • Biodiversity Net Gain is likely to be mandated within the next year; therefore, the potential for Net Gain should be fully explored in the ES.
Environment Agency (EA)	The EA agree with the scope of **Section 13** of the Scoping Report and recommends the developer engages with them at the pre-application stage to consider the proposal in more detail.

	The proposal should be accompanied by a separate Flood Risk Assessment which must demonstrate that development will be safe for its lifetime without increasing the risk elsewhere and where possible reduce the flood risks overall taking account of climate change. The EA set out the thresholds for requiring an Environmental Permit. Given the proximity of the proposal to existing sea defences, this is likely probably. The EA agree in principle with the Scoping Report in respect of biodiversity having regard to the separate requirements of the Habitat Regulations. The EA wish to encourage the developer to showcase how biodiversity net gain can be delivered from such a large, high profile project.
Lead Local Flood Authority (LLFA) (Lancashire County Council)	The LLFA agree with the scope of **Section 13** of the Scoping Report and recommends the developer engages with the LLFA at the pre-application stage. Contact: Suds@lancashire.gov.uk
United Utilities	Indicates that the planning application should be informed by a site-wide strategy for the sustainable management of surface water; the delivery of foul water infrastructure; the delivery of a clean water supply and water efficiency. Some of the key requirements/considerations which need to be adhered to include (not limited to): • separate systems for foul and surface water; • no reliance on the existing public sewer for the drainage of surface water (unless adequately demonstrated as part of a Sustainable Drainage Strategy having regard to the surface water drainage hierarchy); • flood risk from surface water to be fully considered and appropriate mitigation put in place (e.g. finished floor levels); • waste water infrastructure should seek to avoid pumped solution wherever possible; • management and maintenance of on-site sustainable drainage; • protective measures during construction. In addition, United Utilities have indicated they have asset and property interests affecting the site, which requires appropriate consideration during construction and the operational phases of the development.

	United Utilities recommends the proposals are discussed in more detail as part of their pre-application service.
Morecambe Town Council	Does not wish to make any comments in reps of the Scoping Request.
Lancashire Constabulary	Strongly recommends early engagement with the Constabulary specifically the Courter Terrorism Security Advisors due to the scale and interest of the proposal and the Designing Out Crime Officers. A number of security measures are recommended to be incorporated into the design of the proposal to ensure people feel safe and secure, reduce the opportunities for crime, disorder and anti-social behaviour: • Follow Secure by Design standards; • Lighting scheme to create safe and secure environment; • Natural surveillance across all areas of public open space and public realm; • Careful use of street furniture; • Appropriate CCTV and security systems to be designed in early and not compromised by landscaping proposals; • Security during construction periods will be essential.
Environmental Heath Service	<u>Section 12 – Ground conditions and geology</u> Land contamination included and any planned remediation (if required) to be addressed in the EST <u>Section 15 Noise and Vibration</u> Study Area (paragraph 15.4) – in addition to residential receptors, the ES should consider the impacts on commercial land uses as well as ecological receptors. The proposed transport strategy should inform the noise assessment. The noise assessment should include night time impacts and will need to consider the potential impacts arising from 'events' likely to be held at the development. The assessment will need to consider the impact on construction traffic and construction activities and should select construction methods to minimise impacts on existing receptors. The assessment should consider the need for noise monitoring on site during construction and operational phases of development.

	<u>Section 16 – Air Quality</u> The ES should have regard to the requirements of the Council's Low Emission and Air Quality Planning Advisory Note. Sensitive receptors to include ecological receptors as well as residential receptors. The proposed transport strategy (construction and operational stages) should inform the Air Quality assessment. Point sources of air and odour pollution to be considered in the assessment (new or existing).
Lancashire Fire and Rescue	Standard advice relating to access and facilities for the Fire Service under Building Regulations.
Bay Search and Rescue	No objection to the proposals and not that the project could raise public awareness and add to the safety of the Bay.
Cadent Gas	Advise that there are operational gas apparatus (low to medium pressure) within the vicinity of the application site.