



**MANCHESTER
CITY COUNCIL**

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26th January 2023

FAO Frances Hampson
Deloitte LLP
The Hanover Building,
Corporation Street,
Manchester,
M4 4AH

Dear Sir / Madam

**Environmental Impact Assessment Regulations, the Town and Country
Planning (EIA) (England) Regulations 2017 (as amended) (the “EIA Regulations”).**

Scoping Request Under Part 4 Regulation 15(1)

Site bounded by River Street, Hulme Street and Newcastle Street

Scoping Opinion of Manchester City Council Pursuant to Regulation 15

Further to your request in respect of the above dated 25th November 2022 and your subsequent e-mail 25th January 2023.

In coming to a formal opinion on the scope of the Environmental Statement (“ES”) , Manchester City Council, as Local Planning Authority, has considered the supporting information contained within your “Plot 10, First Street Environmental Impact Assessment (EIA) Screening and Scoping Report November 2022” and e-mail 25th January prepared and submitted by yourselves on behalf of the Applicants First Street Developments and House of Social 1 Ltd (and comments from statutory consultees.

I have now had a chance to consider your scoping request and I outline my response below.

The Proposed Development is considered an EIA development as it falls within the description and thresholds in Schedule 2 10(b) of the EIA Regulations as an ‘Infrastructure Project - Urban Development Project’ which has the potential to have significant effects on

the environment. In accordance with Schedule 2, Categories 10(b) (urban development projects) of the EIA Regulations and owing to the location, scale and nature and of the Proposed Development, I note that you recognise the need for an EIA and have therefore submitted the scoping report for consideration to the City Council, as Local Planning Authority.

Before adopting a Scoping Opinion the City Council, as Local Planning Authority, must take into account the information specified in Regulation 15(6) of the EIA Regulations.

- (a) any information provided by the applicant about the proposed development;
- (b) the specific characteristics of the particular development;
- (c) the specific characteristics of development of the type concerned; and
- (d) the environmental features likely to be significantly affected by the development.

This Scoping Opinion sets out the information that the City Council, as Local Planning Authority, considers should be included in the ES that the applicant intends to submit with the planning application in respect of the Proposed Development.

In formulating this Scoping Opinion the City Council, as Local Planning Authority, has taken account of, the requirements of the EIA Regulations, the nature and scale of the Proposed Development, the nature of the receiving environment, current best practice in the preparation of environmental statements, and the views expressed by the organizations and bodies that responded to consultation on the Scope of the proposed ES.

This Scoping Opinion should not be construed as implying that the City Council, as Local Planning Authority, agrees with the conclusions set out in the Scoping Request regarding impacts of the proposal. This Scoping Opinion is without prejudice to any decisions subsequently taken in respect of any planning application submitted in respect of the Proposed Development.

Your report of November 2022 sets out the proposed chapters that the ES will cover, and the disciplines which you believe should be scoped out of the EIA.

These are as follows:

Scoped In

Air Quality;

Climate Change;

Daylight Sunlight and Overshadowing;

Human Health;

Noise and Vibration;

Socio Economic;

Townscape and Visual;and

Wind Microclimate.

Scoped out

- *Agricultural circumstances;*
- *Aviation*
- *Ecology and nature conservation;*
- *Electronic Interference;*
- *Ground Conditions;*
- *Transport and Access;*
- *Flood Risk and Drainage;*
- *Heritage*

You have not covered Archaeology, Accidents and Disasters, Lighting, Electronic Interference / TV and Telecommunications and Waste.

Below is a consideration of the scoping report for the Proposed Development and comments on the approach which you have outlined.

CONSULTATIONS

Regulation 15 (4) of the EIA Regulations require the City Council, as Local Planning Authority, to consult appropriate bodies prior to adopting a Scoping Opinion.

Having regard to Regulation 2 of the EIA Regulations, the following consultees were consulted who have specific environmental responsibilities and which the City Council, as Local Planning Authority, considers are likely to have an interest in the development proposal.

- Historic England;
- Natural England;
- Environment Agency;
- Greater Manchester Ecology Unit (GMEU);
- Greater Manchester Archeology Advisory Service (GMAAS);
- Transport for Greater Manchester (TfGM);
- City Council Highway Services;
- City Council Environmental Health;
- City Council Flood Risk Management;
- Manchester Airport Group Safeguarding.

All responses of the consultees contacted by the City Council, as Local Planning Authority, during the EIA scoping process are appended to this letter.

You are strongly recommended to consult further with consultees as appropriate throughout the planning application process as the development proposal evolves. It is thereby recommended all consultee responses are reviewed by the applicant in full.

Any subsequent ES submitted with a planning application should reflect the points raised by the consultation bodies where this reflects the requirements of the Regulations. It is recommended that the ES summarises the scoping responses from the consultation bodies and how they are, or are not, addressed in this regard. Any consultation responses received after the date of this letter, that have not been taken into account within this Scoping Opinion, will be forwarded to the applicant and should be given due consideration in the planning application and EIA process.

CONTEXT

The Site is approximately 0.7 hectares and currently vacant. Its last use was as a temporary event space for organised outdoor events including Manchester Pride festival, which ended in August 2021. The Site is bounded by River Street to the north and east, Hulme Street to the south and Newcastle Street to the west. Within the Site, there are two plots: 10a to the west, fronting onto First Street; and 10b to the east, fronting onto River Street. Each plot can be developed and accessed independently of the other. In its current state, the Site is predominantly comprised of hardstanding with small pockets of vegetation. The Site slopes downwards from the south-west to the north-east towards River Street. The Site can be accessed by vehicle via Newcastle Street however this is restricted by a site hoarding around the perimeter and locked gates to north and south

The Site is identified for redevelopment within the endorsed First Street Strategic Regeneration Framework (2020) and lies within the part of the SRF defined as First Street Central (FSC). Immediately to the north and north-west are the completed No.1 and No.8 First St buildings, which are home to commercial. James Grigor Square is located north west of the Site and provides attractive outdoor space.

Beyond this is First Street North ('FSN'), which is now complete. Centred around Tony Wilson Place, FSN is now a cultural hub for the city including HOME a contemporary art, film and theatre complex alongside a wider mix of uses including student accommodation, an MSCP and a range of carefully curated food and drink operators, as well as new public spaces. To the east of the Site are a number of former Mills including Macintosh Mill and Cambridge Mill which are Grade II listed and are in residential and office uses. Immediately west of the Site is Plot 9 of the First Street Masterplan. Planning Permission (132600/FO/2021) was secured for a nine storey 'net-zero' office building, being brought forward by Ask at Plot 9a (the northern segment). In June 2022, it was announced that the Government Property Agency (GPA) will occupy the Plot 9a building once complete. Plot 9b remains a vacant future development site.

To the immediate south Plot 11 (approved under application ref no 125573/FO/2019), which is the construction of four co-living towers of varying heights (between 10 and 45 storeys). Slightly further south of the Site, beyond Parkway Gate and Medlock House student accommodation, is the Mancunian Way – a key arterial vehicle route into the City.

The area which is the subject of this Scoping Opinion is located within the centre of the SRF Area but close to the eastern boundary. The Site is not located within a Conservation Area but is within the setting of a number of listed buildings including Mackintosh Mill and Cambridge Mill which are Grade II listed former Mills as detailed above.

The site lies within a highly accessible City Centre close to Oxford Road and Deansgate Station's and the Deansgate/ Castlefield Metrolink stop. There are high-frequency bus routes on Cambridge Street, Medlock Street, Oxford Road and Whitworth Street West.

SENSITIVE RECEPTORS

The site is located within the Greater Manchester Combined Authority Air Quality Management Area (AQMA). The site is not within, nor does it contain, any ecological designations including sites of specific interest (SSSI), sites of biological importance (SB1) or special protection areas (SPA). The site is not located in an Area of Outstanding Natural Beauty (AONB) or any other area designated for its landscape value. The closest watercourse to the site is the River Medlock located to the north east of the site but outside of the site boundary.

The Site, is mainly located in Flood Zone 1 and this portion of the Site is of a low risk of flooding (indicating a less than 1 in 1,000 annual probability of flooding). The north eastern part of the Site is located within Flood Zone 2 defined as land having a medium probability of flooding (indicating between a 1 in 200 and 1 in 1,000 annual probability of flooding). The site is situated within the Manchester, Salford and Trafford Critical Drainage Area (CDA).

There are no designated heritage assets (Scheduled Monuments, Grade I, II* and II Listed Buildings, Conservation Areas, Registered Parks and Gardens or Registered Battlefields) within the site boundary. The closest Conservation Areas are Whitworth Street (located 360m to the east) and Castlefield (located 433m away).

There are 9 designated heritage assets within a 250m radius of the Site with the closest being Grade II Listed Macintosh Mills located c. 14m to the east. These are as follows:

- Former Cotton Mill On West Side Of Junction With Cambridge Street / Macintosh Mill – Grade II (List Entry Number: 1282998);
- Mill Chimney Stack On West Side Of Junction With Cambridge Street – Grade II (List Entry Number: 1218746);
- Chorlton Old Mill – Grade II (List Entry Number: 1197775);
- Manchester South Junction and Altrincham Railway Viaduct – Grade II (List Entry Number: 1200837);
- Chorlton New Mill and attached chimney – Grade II (List Entry Number: 1197774);
- Mill on North East Corner of junction with Chester Street – Grade II (List Entry Number: 1197776);
- Chatham Mill – Grade II (List Entry Number: 1293040);
- Rochdale Canal lock number 89 (tib Lock), on south side of Havelock Mills – Grade II (List Entry Number: 1247596)
- The Ritz Dance Hall – Grade II (List Entry Number: 1254888)

Due to the high level of built form around the Site it is considered this radius is proportionate for the purposes of this assessment.

PROPOSED DEVELOPMENT

The Proposed Development would involve the erection of 2 buildings within new areas of public realm. Plot 10a would be developed for up to 22,000 sq.m of office space (Ground plus 12 storeys (c 90.3m AOD) and Plot 10b for student accommodation above ground floor commercial (Ground plus 13 storeys (c 85.3 AOD)). There would be 120 cycle parking spaces within 10a and 105 within 10b.

ASSESSMENT OF THE SCOPING REPORT

I have now had a chance to consider your scoping request alongside the consultation responses received and I outline my response below.

Overall I can confirm that the content of the submitted 'Formal Scoping Opinion Request' is considered to be appropriate and will form a generally appropriate structure for the Environmental Statement. This is also reflected in the nature of the consultation responses issued with this letter. You should note the specific points I have made below within the specific discipline areas which reflect the comments of the consultees and particularly regard must be given to these and those of the City Council, as Local Planning Authority.

These matters should also be included and addressed within the relevant chapters of ES.

Discussion of alternatives

Paragraph (3)(d) of Regulation 18, and paragraph 2 of Schedule 4 of the EIA Regulations, require that environmental statements include discussion description of the reasonable alternatives to the Proposed Development and an indication of the main reasons for the option chosen, that have been considered by the applicant.

The alternatives detailed within the scoping report are considered to be acceptable. The ES should include an indication of the main reasons for the option chosen, including a comparison of the environmental effects.

Presentation and content of the Environmental Statement

The purpose of an ES is to enable significant environmental impacts of a proposed development to be fully considered before an application for planning consent is determined.

The ES provides environmental information to aid the decision making process. The ES should be laid out clearly, with minimum use of technical terms (where appropriate) and should provide an objective and realistic description of the likely significant impacts of the proposed development.

The information should be presented in a manner which is comprehensible to the specialist and non-specialist alike. The ES should be concise with supporting technical information placed in appendices

Mitigation

Mitigation measures may fall into a range of categories namely:

- avoidance of impacts;
- reduction in the magnitude of impacts; or
- compensation for losses incurred through unavoidable impacts;

These should be identified in this manner within each of the technical chapters of the ES.

Mitigation measures should not be developed in isolation, as they may relate to more than one aspect of the environment (e.g. mitigation to address issues of landscaping, surface water management, air quality and biodiversity).

The ES should set out the mitigation measures required to prevent, reduce and where possible offset any significant adverse effects. The ES should also identify any residual effects that could be expected to persist even with mitigation in place.

The anticipated effectiveness of any mitigation measures proposed should be addressed within the ES. Only mitigation measures that can be shown to be deliverable (i.e. technically and financially viable), and which the applicant can deliver and implement as part of any planning permission granted, should be taken into account as part of the assessment.

It is further recommended that a section is included in the ES in which the mitigation measures proposed across all the technical chapters are collated and presented as an integrated package.

It is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan.

Cross references and summarising of the findings

All specialist chapters should be cross-referenced to other relevant disciplines (for example air quality impacts on ecology, traffic impacts on air quality). Consideration of the potential for interactions between the different aspects of the environment is essential to the production of a robust assessment.

The ES should not just be a collection of separate specialist chapters, but a comprehensive assessment of the environmental impacts of the proposed components of the wider scheme, and should account for how the identified impacts could be mitigated or avoided, or how suitable compensation could be provided to offset those effects.

In accordance with the requirements of paragraph 6 of Schedule 4 of the EIA Regulations, each technical chapter should include a description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of any difficulties (e.g. technical deficiencies, lack of know-how, etc.) encountered by the applicant during the preparation of the ES and the main uncertainties involved.

ENVIRONMENTAL MATTERS TO BE SCOPED OUT OF THE ES

The City Council comments as follows, based on the information provided, on the matters proposed to be scoped out of the ES.

Agricultural Circumstances

The scoping report states the site is on brownfield land in an urban environment. There will be no likely significant effects on agriculture and therefore this topic area can be scoped out of the EIA.

Aviation

Whilst the tallest element of the Proposed Development (block 10a) is anticipated to extend to no greater than 90.3m. This is marginally above the 90m AOD aviation safeguarding threshold set for developments within the vicinity of an airfield. However, the Site is over 14km away from Manchester Airport's radar system and with other significantly taller buildings surrounding the Site. It is noted that in line with best practice, details of the GPS coordinates and height of the buildings will be provided to NATS as part of ongoing pre-application discussions which the Airport Safeguarding Group have been encouraged in their response. It is considered that the aviation discipline will not give rise to likely significant effects on the environment this discipline can therefore be scoped out of the EIA.

Archaeology

There are no comments within your scoping report in relation to Archaeology however it is considered that this topic matter can be scoped out of the ES but information on this should form part of the supporting documents to the planning application.

Ecology and nature conservation

The comments within your scoping report are noted. The site currently comprises concrete and hardstanding with small patches of ephemeral/short perennial grass. The wider surrounding land use is primarily urban development comprising roads, offices and residential buildings. The River Medlock runs in a culvert some 250m north of the Site.

There is a lack of any significant areas of habitat with potential to support notable species (including, for example, foraging bats or nesting/foraging birds) an assessment of the structures on Site concludes that there is negligible potential to support nesting birds and roosting bats. Due to this and the lack of biodiversity features on the Site along with its urban location it has been assessed as currently being of limited value for ecology and biodiversity.

It is noted that there is the potential to enhance ecology and biodiversity on the site as part of its redevelopment.

On this basis I accept that an ecological assessment can be scoped out of the ES and can instead form part of the supporting documents to the planning application.

Notwithstanding this the following should be submitted to support the application:

- A Phase 1 Habitat Survey, which may help to inform any proposals to improve the nature conservation value of the site / area.
- A Bat survey
- Details of measures to be taken to prevent any potential impacts of the development proposal on the adjacent River Irwell.

- Opportunities for wider environmental gains should also be considered.

It should be noted should the planning submission be delayed beyond survey season 2022/2023 then the survey would need to be revisited.

Electronic Interference / TV and Telecommunications

There are no comments within your scoping report in relation to Television, FM Radio and DAB radio reception however it is considered that this topic matter can be scoped out of the ES but information on this should form part of the supporting documents to the planning application.

Ground conditions

The comments within your scoping report are noted. It is accepted that subject to a Phase I Geo-Environmental Assessment being submitted as part of the supporting documents for the planning application that Ground Conditions can be scoped out of the ES

Heritage

The comments within your scoping report are noted. It is accepted that subject to a Heritage Assessment being submitted as part of the application that Heritage can be scoped out of the ES.

Transport and Access

The comments within your scoping report and are noted. I consider that Transport and Access does not need to be included as part of the EIA and can be scoped out of the ES. However, the application will need to be supported by a full transport assessment at planning submission stage with a particular emphasis on the following:

- Consideration of pedestrian and cycling routing requirements around the development
- Traffic impact assessment
- Construction management requirements
- Waste management requirements
- Travel planning requirements
- The need for on-street parking (such as car club bay and disabled bay provision)

Water Resources (including Drainage and Flood Risk)

The comments within your scoping report are noted and are generally acceptable however the following should be noted:

The proposed development is situated within Flood Zone 1&2. The Site is at low to medium (parts of north east of site) risk of flooding from the River Medlock. The Flood Map for Rivers and Sea can be viewed at: <http://maps.environment-agency.gov.uk/>.

The proposed development is generally within an area at very low risk of surface water flooding. The proposed development is at a low risk of groundwater flooding occurring at the surface. The basement/lower ground level could be at risk of groundwater ingress when perched groundwater levels are high; however, assuming appropriate waterproofing

will be implemented, mitigation measures can adequately manage the risk of groundwater flooding.

The area is situated within the Conurbation Core Critical Drainage Area and in accordance with the Manchester City Council SFRA at least a 50% reduction in surface water runoff should be provided through SUDS as part of any development which is situated on a brownfield site.

Surface water management for the site needs to follow the drainage hierarchy:

- Infiltration into ground
- Connection to the watercourse
- Connection to discharge water sewer and as a last resort;
- Connection to the combined sewer.

Surface water should be managed to ensure there is no increased surface water from the proposed development and runoff from extreme events should be retained within the site such that the adjacent third party land is not affected.

The Government has strengthened planning policy on the provision of sustainable drainage systems (SuDS) for 'major' planning applications which was introduced on 6 April 2015 (Paragraph 103 of National Planning Policy Framework and Ministerial Statement on SuDS). As per the guidance issued by the Department of Communities and Local Government (DCLG), all 'major' planning applications being determined from 6 April 2015, must consider sustainable drainage systems. Due to the size of the development the restriction for implementing SuDS within the site layout is minimal. We would also recommend that SuDS are drawn up within the site layout at the early stages of design.

The suitability of sustainable drainage systems should be assessed in accordance with paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance for Flood Risk and Coastal Change (<http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/>).

Sustainable drainage systems should be designed in line with national Non-Statutory Technical Standards for SuDS (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf) and local policies EN08, EN14 and EN17 of the Core Strategy.

Hydraulic calculations and drawings to support the design need to be provided and updated along with proposed standards of operation and maintenance in accordance with paragraph 081 of NPPF Planning Practice Guidance.

On the basis that the above and any mitigation is captured within the Flood Risk Assessment and Drainage Strategy it is agreed that Water Resources (including Drainage and Flood Risk) can be scoped out of the ES.

Lighting

There are no comments within your scoping report in relation to lighting however it is considered that Lighting is capable of being scoped out of the ES but information on this should form part of the supporting documents to the planning application.

Waste

There are no comments on this within your scoping report. The approach to waste management should cover management of commercial waste with a waste assessment and a completed waste proforma will need to be provided with the application to demonstrate that the commercial waste storage and collection regime will comply with the requirements of GD04. Subject to this detail and a Site Waste Management Plan ('SWMP') forming part of the supporting documents to the planning application, Waste can be scoped out of the ES.

Accidents and disasters

There are no comments on this within your scoping report however it is considered that the nature of the proposed development is such that it not considered to pose risk of major accidents and/or disasters. As such, accidents and disasters can be scoped out of the ES.

Summary

I agree that the matters you have identified to be scoped out of the ES are appropriate with the addition of Archaeology, Accidents and Disasters, Lighting, Electronic Interference / TV and Telecommunications and Waste.

The planning application must be supported by appropriate documentation, including any mitigation, to minimise any effects as a result of the Proposed Development from the matters confirmed above for scoping out. The City Council reserves the right to re-consider this position following a more detailed consideration of the reports which will accompany the planning application.

ENVIRONMENTAL STATEMENT CHAPTERS - SPECIFIC COMMENTS ON THE TECHNICAL CONTENTS

The ES should be proportionate in its consideration of the aspects of the environment listed under Paragraph 2 of Regulation 4 of the EIA Regulations. Those aspects of the environment that are subject to the most significant impacts from the Proposed Development should be the primary focus of the ES.

Your scoping report advises that the ES will cover the following topic areas.

- Air Quality;
- Climate Change;
- Daylight, Sunlight and Overshadowing;
- Human Health;
- Noise and Vibration;
- Socio Economic Issues;

- Townscape and Visual Impact; and
- Wind Microclimate

General Comments

The scoping report identifies the development site as being located within Manchester City Centre. For planning purposes, the development site is located in the Regional Centre (policy EC3) as defined within the Manchester Core Strategy (2012).

The significance of the site in regional terms should be reflected throughout the ES. The Environmental Chapters must therefore consider the impacts of the Proposed Development on the local context 'Regional Centre' together with Manchester City Centre, the North West Region and the national context (where appropriate) in order to determine any wider significant environmental impacts.

Air Quality

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES subject to inclusion of:

An assessment for future receptors (ground floor receptors and upper floor residential) and include PM10 and PM2.5 as well as NO2.

Assessment of fugitive dust emissions and mitigation measures during the demolition and construction phase. Reference to IAQM best practice measures shall be made and adopted through the development. Details of clean air filters should be provided where required along with their location on the building and maintenance / replacement requirements.

It should be noted that sensitive receptors should include any adjacent schools and nurseries.

Climate Change

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES subject to consideration of including a broad approach and methodology for assessing the impact on climate change. Impacts and potential mitigation from the other technical chapters should feed into this assessment particularly around management of surface water, waste management, green and blue infrastructure, biodiversity and ecology, travel planning and efficiency of the building fabric, an assessment of the lifecycle of the building (including management of embodied carbon) and use of renewable energy as part of promoting a low carbon development and reducing emissions and the likely environmental impacts of this.

It should be noted that sensitive receptors should include any adjacent schools and nurseries.

Daylight, Sunlight and Overshadowing

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES

Human Health

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES. It should be noted that sensitive receptors should include any adjacent schools and nurseries.

Noise and Vibration

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES. It should be noted that sensitive receptors should include any adjacent schools and nurseries.

Socio-economic impacts

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES

Townscape and Visual Impact

The comments within your scoping report including the Receptors and Key views within Appendix 4 Visual Zone of Influence and Key Viewpoints are noted and are acceptable in terms of their consideration in the ES.

It is essential that the ES considers the cumulative impacts of other developments in order to full understand the likely impacts of the Proposed Development.

Wind Microclimate

The comments within your scoping report are noted and on this basis are acceptable in terms of their consideration in the ES.

Cumulative impacts

The list of cumulative sites for assessment has been considered in order to assess any cumulative impacts of developments in this part of the City Centre is acceptable in terms of consideration in the ES.

FURTHER INFORMATION

The City Council, as Local Planning Authority, has undertaken a thorough consideration of the information contained within your scoping report together with providing comments from relevant statutory consultees. The issuing of this Scoping Opinion does not preclude the City Council, as Local Planning Authority, from requesting further information at a later stage as the development proposals evolve or whilst a future planning application is being formally considered.

This letter also confirms the matters within part I of Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that need to be covered within the Environmental Statement.

If you wish to discuss the above please contact Angela Leckie on the above number.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie Roscoe', enclosed within a thin black rectangular border.

Julie Roscoe

Head of Planning (attachments sent by e-mail)