EIA Quality Mark Case Study

Edward Street Quarter, Brighton

**Key Issues:**
The first stage was to author and co-ordinate the Environmental Impact Assessment (EIA) Screening Request. The scheme is a Schedule 2 development due to the proposals including more than 150 dwellings. A particularly sensitive issue related to the development was the local built heritage and townscape conditions, as the site is in close proximity to two conservation areas which contain a number of statutory listed buildings and is in a prominent location next to the new American Express building.

The next stage was to author the Health Impact Assessment (HIA) for submission with the planning application. The key issue was ensuring particular attention to detail and robustness as, from previous experience, it was known that Brighton and Hove City Council (BHCC) have an established Public Health Team who would be scrutinising the report in detail.

Finally, late on in the application process, the local authority requested a Habitat Regulations Assessment (HRA): Shadow Screening Report (SSR) around the same time as the People Over Wind case was being widely discussed. Therefore, the final challenge was to demonstrate that the in-combination effect of the proposed development was not likely to lead to a significant effect upon the Special Areas of Conservation (SACs) or their qualifying features. This was particularly important from transport and air quality perspectives. A series of challenges were faced during the completion of each of these assessments, which are discussed in more detail in the section below.

**Purpose of the Project:**
Through the provision of new residential units and commercial space, the development will assist in meeting the objectives of Brighton and Hove’s City Plan. Edward Street Quarter is allocated as a key development site for bringing about the regeneration of the wider development area. The Applicant, Edward Street Quarter Ltd, aims to make the area more attractive for all residents, visitors and workers through the provision of an improved public realm and encouraging more sustainable transport modes.

**Description of the Project:**
The application site is 0.87 hectares in size, located on Edward Street in BHCC. It previously comprised the former American Express building; however, demolition works were completed before the application submission and therefore, the site is currently vacant.

The application site is bounded to the north by the new Amex House, to the east by residential properties on White Street; to the south by further residential properties, a recreational ground and a university building on Edward Street; and to the west by government buildings on John Street.

The proposals involve construction of six separate blocks, ranging in height from three to eight storeys, providing up to 168 residential units and commercial/community floorspace. The proposals also include access and parking provision, public realm improvements, and associated ancillary works.
EIA Learning Outcomes

Lessons Learnt:
CBRE were initially instructed to advise on the EIA strategy. Even though the development is Schedule 2, the site area is relatively small, previously developed and not located within a particularly sensitive area. Therefore, it was considered that EIA could be screened out.

As previously mentioned, due to the location of the site the built heritage and townscape considerations were of particular importance. In order to strengthen the screening assessment, initial visualisation work was undertaken to demonstrate that through design development, the visual impact of the development would be minimised and sensitive to surroundings.

In addition, it was important to monitor the progress of the design in the context of local planning policy and EIA considerations. For example, BHCC have a Tall Buildings Supplementary Planning Guidance which states that ‘mid rise’ tall buildings are considered 6-8 storeys and ‘very tall’ tall buildings are considered over 15 storeys. Therefore, it was advised that the scheme should be kept to 8 storeys and below (i.e. ‘mid rise’ rather than ‘very tall’) to reduce the risk of the BHCC considering the scheme to be an EIA development.

Subsequently, the EIA Screening Request was submitted and a negative Screening Opinion received from BHCC.

Following completion of the screening exercise, CBRE began undertaking the HIA. It was particularly important to ensure the report was robust in this case as, from previous experience, it was known that the BHCC have an established Public Health Team who would be scrutinising the assessment in detail. Upon submission of the report, the main comment of note received from the BHCC was that it was unclear whether or not the development meets the ‘Planning Healthy-Weight Environments’ criteria. In response, CBRE provided a summary table clearly demonstrating how the development meets each element of the criteria, satisfying BHCC.

Based on this experience, CBRE will be using this approach on all future HIAs undertaken, in order to eliminate any around the reporting of effects in relation to these criteria.

Lessons Learnt continued:
The main lesson learnt from the HRA: SSR is the importance of ensuring the technical consultants involved are clear about the approach, in particular which SACs and Special Protection Areas (SPAs) need to be considered (only SACs in this case). This was particular important in the case of the transport consultant who initially viewed the exercise as purely ecological and did not fully understand the potential impact of the traffic. Even though the identified SACs were all located a substantial distance from the site, as the People Over Wind case was being discussed widely at the time, it was a particularly sensitive issue due to the procedural changes. Therefore, a report was undertaken to avoid/minimise the risk of challenge by any surrounding local authorities to the decisions made by BHCC.

As the EIA Screening Request had already been submitted and a negative Screening Opinion received, the HRA: SSR was completed retrospectively. Therefore, there was a risk that the Screening Opinion could be overturned, should the SSR identify any likely significant environmental effects on any of the SACs or their qualifying features during the construction or post-construction phases through any means either alone or in combination with other plans or projects. However, it was concluded that no significant adverse effects were anticipated on the identified SACs so the Screening Opinion remained valid.

Despite the challenges faced on the project, CBRE successfully managed to avoid the need for an EIA or a full HRA to be undertaken, resulting in significant time and cost savings for the Applicant. The proposed development received planning approval in July 2018.

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