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23 November 2020

Dear Mr Soutar,

The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 ("the Order")

Submission seeking approval under Article 4(1)(a) of the Order

Proposer: submitted by the Commissioners for Her Majesty's Revenue and Customs.

Site: Former 'Shearings' coach interchange site, land off Barleycastle Lane / Grappenhall Lane, Warrington, WA4 4SR

Proposal: The submission under article 4 of The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 is for temporary development at the former 'Shearings' coach interchange site, land off Barleycastle Lane / Grappenhall Lane, Warrington for an Inland Border Facility comprising the change of use of the site from an existing coach interchange facility for functions required to be carried out by border department Her Majesty's Revenue and Customs (HMRC) to provide checks on goods moving under a Common Transit Convention (CTC). Market surveillance activities would take place on site involving the checking of imported goods for safety compliance. This would be carried out by the Department for Business, Energy & Industrial Strategy (BEIS). The site is intended to operate from 1st January 2021 until 31st December 2022, 24 hours a day, seven days per week.

The submission is seeking approval for:

- Temporary change of use to provide up to 69 HGV spaces and 71 staff car parking spaces within the red line boundary area shown on Drawing No. 418703-MMD-04-SH-DR-C-0001 P07.
- Refurbishment and extension of existing workshop building, for use as an inspection shed.
- Refurbishment of existing coach interchange building for use as welfare and border processing purposes.
- Erection of 8m, 10m and 12m tall lighting columns, 2.4m high palisade security fencing and CCTV throughout the site.
- Installation of site operation cabins (approximately 2.5m in height).
- Removal of trees and vegetation near the site entrance, the north-east corner of the site and along part of the western boundary of the site.

- Upgrade of existing drainage system.
- Installation of ducting.
- Extension of existing hardstanding.
- Widening of existing site entrance including amendment to existing kerb line on the unadopted access road.

On behalf of the Secretary of State I have considered the documents submitted to him on 13 November 2020 under article 4(1)(a) of The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 and other relevant material.

I have considered the likely significant environmental impacts of the proposal and have issued a Screening Direction under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) confirming that the proposal is not EIA development as defined in those regulations. A copy of the Direction is attached as Annex 1.

Decision: Approval is given for the site to be developed in accordance with the Proposal and the approved plans and documents listed in Annex 2.

Any development on the site pursuant to the Order must comply with the conditions in Schedule 2 of the Order. This approval is also subject to the additional conditions listed in Annex 3 of this letter.

Yours sincerely,

LUKE HALL MP

Annex 1 – Screening Direction under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

The development proposed comprises the temporary change of use of the site from an existing car park to a temporary Inland Border Facility to provide 69 heavy goods vehicles spaces and 71 staff parking spaces for functions required to be carried out by border departments. Heavy Goods Vehicles are assumed to originate from Liverpool and Heysham ports. Her Majesty's Revenue and Customs ('HMRC') will provide checks on goods moving under a Common Transit Convention (CTC). Market surveillance activities would take place on site involving the checking of imported goods for safety compliance. This would be carried out by the Department for Business, Energy & Industrial Strategy (BEIS). The site is intended to operate from 1st January 2021 until 31st December 2022.

The proposed development falls within the description at Paragraph 10(b) of Schedule 2 to the EIA Regulations and exceeds the threshold in Column 2 of the table in that Schedule.

I have considered the information provided by the Commissioners for Her Majesty's Revenue and Customs as part of the submission.

Having taken into account the criteria in Schedule 3 to the EIA Regulations, I conclude the proposal would not be likely to have significant effect on the environment for the following reasons:

- The Former Shearings site is located within an industrial estate and comprises an existing consented coach interchange facility.
- The closest residential receptor is the Grade II listed Beehive Farmhouse, which, along with other receptors on the access route (including air quality management areas and noise important areas), is not predicted to experience significant noise or air quality effects.
- Footpaths with views of the site are present to the west of the site. However, site views would be in the context of the existing industrial estate development and partially screened by vegetation.
- The site benefits from existing drainage and the design includes a new bypass separator to manage pollution and runoff.
- The project will give rise to a number of different adverse impacts through its lifetime including; those associated with the use of natural resources and production of waste; impacts to receptors from increased noise, vibration and emissions to air; impacts associated with accidents particularly during construction; and impacts due to cumulation with other development.
- The impacts will occur during construction, operation and reinstatement of the site but will be temporary in nature and occur mostly on a localised scale. Impacts likely to occur at greater distances from the site result mostly from anticipated changes in vehicle movements on the affected road network (ARN).
- Existing and/or approved developments with the potential to give rise to cumulative impact have been identified as the Six 56, residential development between Stretton Road and Tarporley Road and the Warrington Garden Suburb emergency local plan allocation. Cumulative impacts with these projects are considered unlikely due to the status and relative consenting and delivery timelines for these projects.

The significance of the impacts has been considered having regards to the type and characteristics of each impact. The impacts that result from the project will be localised and will affect a relatively limited number of receptors, the impacts will be temporary and occur during distinct phases of the project's lifecycle. The impacts are reversible and will be subject to measures and conditions which will effectively reduce their effect.

Information provided in support of the application demonstrates that the project will result in no new exceedances of air quality objectives or significant increases in noise and vibration emissions. The existing drainage control measures are considered to be effective in managing pollution and discharges from the site. The proposed lighting design will reduce the effect of lighting impacts during operation.

The project is required to adhere with measures including those specified in standard health and safety procedures, the Construction and Operational Management Plans, the Reinstatement Plan and site-specific conditions. All such plans are subject to approval by the Secretary of State and the provision of these is considered in the border department's analysis of the likely environmental effects and assessment of the proposals.

The screening takes into account the measures in the Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020, and in the Register of Environmental Actions and Commitments in Appendix B of the Analysis of Likely Environmental Effects of the Development, that are to be embedded within the Construction Management Plan, Operational Management Plan and the Reinstatement Plan through the following conditions:

1. The conditions specified in Schedule 2 to the Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 save that for the purposes of this approval only:

The following further conditions:

2. The use of the site for the purposes in articles 3(1)(a) and (b) of The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 (the Order) authorised by this approval shall cease on 31 December 2022.
3. On or before 30 June 2022, a Reinstatement Plan, including a timetable for the completion of reinstatement works, shall be submitted to the Secretary of State in accordance with the requirements of Part 4 of Schedule 2 to the Order and all reinstatement works shall be completed by 31 December 2023 unless agreed otherwise.
4. The measures detailed in row AQ1, L1, L2, L3, GS1, GS2, GS3, B2, B3, B4, M1, NV1, NV2, NV3, PH1, RDWE1, RDWE2 and C1 of the Register of Environmental Actions and Commitments (Table B.1 of Annex B, Analysis of Likely Environmental Effects of the Development) (the REAC) must be included as part of the Construction Management Plan to be submitted for approval.
5. The measures detailed in row L1, GS1, GS4, B3, B4, M2, M3, NV4, NV5, PH1, RDWE2 and C2 of the REAC must be included as part of the Operational Management Plan to be submitted for approval.

6. The submission requirements of Schedule 2 Part 3.1(e) of the Order shall include a highway mitigation and monitoring scheme. The scheme shall include, but not be limited to, the provision of local signage and measures to monitor the routing of HGVs, and details of the policies, procedures and a timetable of implementation of measures to monitor and mitigate the impacts of the development in relation to junction 20 of the M6.

7. The submission requirements of Schedule 2 Part 3.1(f) of the Order shall include details of the design specification and location, along with the timetable for implementation and monitoring of, oil interceptors.

8. The submission requirements of Schedule 2 Part 3.1(g) of the Order shall include a scheme of noise monitoring and management measures in respect of Beehive Farm.

9. The measures detailed in row AQ1, L1, L2, GS1, GS2, B1, B2, B3, B4, M1, NV1, NV2, NV3, PH1, RDWE1, C1 and C3 of the REAC must be included as part of the Reinstatement Plan to be submitted for approval. In addition, any vegetation that is required to be removed to facilitate the Scheme shall be replanted during the decommissioning and reinstatement phase of the development. Replanting shall be on a like-for-like basis supported by an appropriate planting specification.

Informatives

The Secretary of State's expectation is that details of the construction/widening of the site access will be provided in the Construction Management Plan, under the requirements of Schedule 2 Part 2(1) to the SDO.

The Secretary of State's expectation is that a Staff Travel Plan will be provided in the Operational Management Plan, under the requirements of Schedule 2 Part 3(1) to the SDO.

Impacts from the project are considered to be localised, temporary and reversible. With the measures proposed to manage and reduce impacts significant effects are unlikely to occur. Accordingly, the project is not considered to be EIA development. This conclusion specifically takes into account the characteristics of the impacts associated with the development and emphasis has been placed on the temporary and reversible nature of the impacts.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulation 5(6)(a) of the EIA Regulations, I direct that this development is not EIA development.

Annex 2 – Approved plans and documents

The plans and documents approved by this decision are:

- Scheme Red Line Boundary (Drawing No: 418703-MMD-04-SH-DR-C-0001 (P07))
- Site Plan (Drawing No: 418703-MMD-04-SH-DR-C-0102 (P05))

Annex 3 – Conditions

1. The conditions specified in Schedule 2 to the Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 save that for the purposes of this approval only:

The following further conditions:

2. The use of the site for the purposes in articles 3(1)(a) and (b) of The Town and Country Planning (Border Facilities and Infrastructure) (EU Exit) (England) Special Development Order 2020 (the Order) authorised by this approval shall cease on 31 December 2022.
3. On or before 30 June 2022, a Reinstatement Plan, including a timetable for the completion of reinstatement works, shall be submitted to the Secretary of State in accordance with the requirements of Part 4 of Schedule 2 to the Order and all reinstatement works shall be completed by 31 December 2023 unless agreed otherwise.
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5. The measures detailed in row L1, GS1, GS4, B3, B4, M2, M3, NV4, NV5, PH1, RDWE2 and C2 of the REAC must be included as part of the Operational Management Plan to be submitted for approval.
6. The submission requirements of Schedule 2 Part 3.1(e) of the Order shall include a highway mitigation and monitoring scheme. The scheme shall include, but not be limited to, the provision of local signage and measures to monitor the routing of HGVs, and details of the policies, procedures and a timetable of implementation of measures to monitor and mitigate the impacts of the development in relation to junction 20 of the M6.
7. The submission requirements of Schedule 2 Part 3.1(f) of the Order shall include details of the design specification and location, along with the timetable for implementation and monitoring of, oil interceptors.
8. The submission requirements of Schedule 2 Part 3.1(g) of the Order shall include a scheme of noise monitoring and management measures in respect of Beehive Farm.
9. The measures detailed in row AQ1, L1, L2, GS1, GS2, B1, B2, B3, B4, M1, NV1, NV2, NV3, PH1, RDWE1, C1 and C3 of the REAC must be included as part of the Reinstatement Plan to be submitted for approval. In addition, any vegetation that is required to be removed to facilitate the Scheme shall be replanted during the decommissioning and reinstatement phase of the development. Replanting shall be on a like-for-like basis supported by an appropriate planting specification.

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