

M20 Junction 10a

TR010006

Appendix 4.2 Scoping Opinion Comments and Responses

APFP Regulation 5(2)(q)

Revision A

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009



Volume 6.3
July 2016

M20 Junction 10a

TR010006

Appendix 4.2 Scoping Opinion Comments and Responses

Volume 6.3

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1. Scoping Opinion Comments and Responses

- 1.1.1 In January 2015 a Scoping Opinion was sought from the Planning Inspectorate (PINS). An Environmental Scoping Report was submitted to PINS by Highways England under Regulation 8 of the Infrastructure Planning (EIA) Regulations 2009. It set out the proposed scope of works and methods to be applied in carrying out the Environmental Impact Assessment (EIA) and the proposed structure of the Environmental Statement (ES).
- 1.1.2 The Scoping Report was issued to 66 bodies by PINS, of which 21 consultees replied by the statutory deadline. A Scoping Opinion was received from PINS in March 2015. Table 1.1 contains all the comments received in the Scoping Opinion, the action to be undertaken following the comments, and the subsequent outcome of these actions (how they have been addressed or incorporated in the ES).

Table 1.1 Scoping Opinion Comments, Actions and Outcomes

Scoping Opinion ref. (Para / Appendix no.)	Section of Scoping Opinion	Respondent	Scoping Opinion Comment (Note these include references to the Environmental Scoping Report)	Action	Outcome
2.14	The Proposed Development, Alternatives.	PINS.	Section 2.4 of the Scoping Report briefly describes three design options considered. The Scoping Report does not explain the reasons for the choice of Option 3, or for the decisions made about its design. No details of the alternative options for the proposals have been included.	Provide additional details on the options selection process.	Further detail provided in Chapter 3 Consideration of Alternatives, Volume 6.1.
2.19	The Proposed Development, Description of the proposed development.	PINS.	Figure 1 provides the proposed layout of the scheme, however it is noted that this layout does not entirely reflect the description in 2.18 above (see Scoping Opinion reference 2.28 below).	Ensure scheme description is accurate.	An updated Scheme description is provided in Chapter 1 Introduction, Volume 6.1, with more detailed information in Chapter 2 The Proposed Scheme, Volume 6.1. These align with the design drawings (Figures 2.1, 2.2, 2.4a to d and 2.5, Volume 6.2).
2.20	The Proposed Development, Proposed access.	PINS.	The Scoping Report does not specifically describe the access requirement for the construction and maintenance of the proposed development. Section 4.1 of the Scoping Report states that an eight week public consultation will be held in 2015 to present the scheme in more detail and seek further views on the project proposals. The consultation will focus on the development of the preferred route and provide details on issues including access arrangements.	Include construction information within the ES.	Construction information has been provided in Section 2.6 of Chapter 2 The Proposed Scheme, Volume 6.1, with additional information within the Buildability Report, Appendix 2.1, Volume 6.3.
2.22	The Proposed Development, Construction.	PINS.	A construction programme has not been included in the Scoping Report and it is not indicated that one will be provided. No details of likely construction activities, methods and anticipated duration of works have been provided.	Include construction information within the ES.	Construction information has been provided in Section 2.6 of Chapter 2 The Proposed Scheme, Volume 6.1, with additional information within the Buildability Report, Appendix 2.1, Volume 6.3. This includes the construction activities, methods, programme and the phasing of works.
2.23	The Proposed Development, Construction.	PINS.	Section 11 Table 11.1 of the Scoping Report outlines materials which are likely to be used however exact materials are not known at this stage. Section 11.4.1 states that a Site Waste Management Plan (SWMP) would be prepared and adopted by the contractor and would include details of the amount and type of waste that would be produced on site and how it would be reduced, re-used and disposed of.	SWMP to be produced by the Contractor.	The need for a SWMP has been noted in Chapter 10 Materials, Volume 6.1, and the Outline Construction Environmental Management Plan (Outline CEMP), Appendix 17.1, Volume 6.3.
2.24	The Proposed Development, Construction.	PINS.	The Scoping Report states that a Construction Environmental Management Plan (CEMP) will be included within the DCO application providing details of specific mitigation measures required to reduce the construction related impacts (paragraph 10.6.1 of the Scoping Report).	CEMP to be produced.	An Outline CEMP has been produced, contained in Appendix 17.1, Volume 6.3.
2.26	The Proposed Development, Construction.	PINS.	The use of materials during maintenance is anticipated to be minimal; no information is provided on the anticipated traffic impacts associated with maintenance of the proposals.	Traffic impacts associated with scheme maintenance to be reviewed.	The full set of additional maintenance requirements for the Scheme was obtained. Upon analysis most of these have minimal impact upon traffic due to the low levels of overnight traffic volumes.

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2.27	The Proposed Development, Description of the application site and surrounding area.	PINS.	In addition to detailed baseline information to be provided within topic specific chapters of the ES, the Secretary of State would expect the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.	Ensure scheme description is accurate and context and surrounding area are also described	Information on the site location and context is provided in Chapter 2 The Proposed Scheme, Volume 6.1. Environmental mitigation measures are also provided in Chapter 2 The Proposed Scheme, Volume 6.1.
2.28	The Proposed Development, Description of the application site and surrounding area.	PINS.	It is understood that, while detailed aspects of scheme design are required to remain flexible at this stage, a preferred option for the layout of the proposals has been reached. This option is described in Section 2.5 of the applicant's Scoping Report. Figure 1 presented in the Scoping Report does not match the junction layout at the A2070 and new link road described in the text as a roundabout, this point has also been highlighted by Ashford Borough Council (ABC) and Mersham & Sevington Parish Council in their scoping consultation responses in Appendix 2 (of the Scoping Opinion). In addition, the total land-take required for the proposals is cited differently at points in the Scoping Report. The applicant should ensure that the description of the proposed development that is being applied for is as accurate, firm and consistent throughout as this will form the basis of the environmental impact assessment.	Ensure Scheme description is accurate	An updated Scheme description is provided in Chapter 1 Introduction, Volume 6.1, with more detailed information in Chapter 2 The Proposed Scheme, Volume 6.1. These align with the design drawings (Figures 2.1, 2.2, 2.4a to d and 2.5, Volume 6.2).
2.29	The Proposed Development, Description of the application site and surrounding area.	PINS.	The Scoping Report contains limited information on the dimensions of the different elements of the proposed scheme, such as cuttings, embankments, and bridge structures. Given that the proposed bridges and other new structures would be amongst the most visually prominent features of the proposals, this information will be particularly relevant to the landscape and visual assessment and assessment of impacts on the setting of built cultural heritage assets. These design aspects will also be of relevance to other topic areas, including noise impacts, air quality impacts, drainage, and impacts on soils. It will important to indicate in the ES what design information, including figures, has been used to inform the assessments.	Ensure Scheme description is accurate and be clear on information used to inform assessments.	An updated and detailed Scheme description is provided in Chapter 1 Introduction and Chapter 2 The Proposed Scheme, Volume 6.1. The descriptions in Chapter 2 The Proposed Scheme, Volume 6.1, relates to a series of design drawings (Figures 2.1, 2.2, 2.4a to d and 2.5, Volume 6.2).
2.30	The Proposed Development, Description of the application site and surrounding area.	PINS.	It is understood that a draft DCO is to be submitted, the applicant should clearly define what elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter. Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be considered as part of an integrated approach to environmental assessment.	Clearly define what elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter.	The Consenting regime is noted in Chapter 1 Introduction, Volume 6.1. Further information is noted in the Case for the Scheme (DCO submission document 7.1). The Scheme is described in Chapter 2 The Proposed Scheme, Volume 6.1.
2.31	The Proposed Development, Description of the application site and surrounding area.	PINS.	Section 14.6.1 of the Scoping Report mentions acquisition of the property 'Lagonda Lodge' at the eastern extent of the proposals due to temporary works. The proposed DCO boundary shown in Figure 1 of the Scoping Report does not appear to include this property. It will be important for the ES to be clear on the DCO boundary on which the assessment is based, and if any areas outside of the DCO boundary will be affected by the development.	Ensure DCO boundary is clear.	The Red Line boundary has been included on Figures 2.1 and 2.2 (Volume 6.2 of the ES) and the Scheme Description has been updated and included in Chapter 2 'The proposed Scheme' contained in Volume 6.1 of the ES.
2.32	The Proposed Development, Description of the application site and surrounding area.	PINS.	The Secretary of State recommends that the ES should include a clear description of all aspects of the proposed development, at the construction and operation stages, and include: <ul style="list-style-type: none"> • Land use requirements, including both temporary and permanent land take. • Site preparation. 	Ensure clear descriptions within the ES of all aspects of the proposed development at construction and operation.	Construction information has been provided in Section 2.6 of Chapter 2 The Proposed Scheme, Volume 6.1, with additional

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			<ul style="list-style-type: none"> • Construction processes and methods. • Transport routes. • Operational requirements including the main characteristics of the production process and the nature and quantity of materials used, as well as waste arising's and their disposal. • Maintenance activities including any potential environmental or navigation impacts. • Emissions - water, air and soil pollution, noise, vibration, light, heat, radiation. 		information within the Buildability Report (Appendix 2.1, Volume 6.3). This includes site preparation, construction process and methods and site access. Emissions covered in Chapters 5 Air Quality, Chapter 7 Landscape and Visual Impact, Chapter 9 Geology and Soils, Chapter 10 Materials, Chapter 11 Noise and Vibration, and, Chapter 14 Road Drainage and the Water Environment, Volume 6.1.
2.33	The Proposed Development, Description of the application site and surrounding area.	PINS.	The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.	Ensure environmental effects of wastes are assessed	Chapter 10 Materials, Volume 6.1, assesses the material usage and waste arising during the construction of the Scheme. Mitigation measures are also outlined within the chapter including the production of a Site Waste Management Plan (SWMP) and a Construction Environmental Management Plan (CEMP).
2.34	The Proposed Development, Alternatives.	PINS.	The ES requires that the applicant provide 'An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects' (See Appendix 3 of the Scoping Opinion). This has not been provided within the Scoping Report as the reasons for selecting the 'preferred route' are not provided. The Secretary of State recommends that a section be included within the ES to briefly explain the process taken and give reasons for the choice made. The applicant's attention is also drawn to advice from ABC in this regard (Appendix 2 of the Scoping Opinion).	Include additional description of preferred route selection	Additional information on route selection and alternatives considered are provided in Chapter 3 Consideration of Alternatives, Volume 6.1.
2.35	The Proposed Development, Flexibility.	PINS.	The Secretary of State notes the intention where the details of the scheme cannot be defined precisely for the EIA to assess the likely worst case scenario. The Secretary of State welcomes the reference to Planning Inspectorate Advice Note 9 'Using the 'Rochdale Envelope' but also directs attention to the 'Flexibility' section in Appendix 3 of this Opinion which provides additional details on the recommended approach. The Secretary of State notes in Section 3.1 of the Scoping Report that the footprint of the proposals has been fixed, and agrees that this provides a degree of certainty for the basis of assessment, but encourages the applicant to consider the implications of any design parameters which remain flexible.	Flexibility and Rochdale envelope to be considered	Chapter 4 EIA Methodology, Volume 6.1, discusses the use of the Rochdale Envelope.
2.36	The Proposed Development, Flexibility.	PINS.	The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. It is a matter for the applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.	Options to be assessed should be narrowed where possible	An updated and detailed Scheme description is provided in Chapter 1 Introduction and Chapter 2 The Proposed Scheme, Volume 6.1. The footprint of both the Main and Alternative Schemes has been fixed, however, where other design elements remain uncertain, this has been stated within the Limitations and

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					Assumptions sections of Chapters 4 to 14, Volume 6.1. As the Scheme will progress from an outline towards a detailed level of design, the ES has assessed a realistic worst case scenario for adverse and beneficial effects where any uncertainty exists and has therefore reported a higher level of likely impacts and effects.
2.38	The Proposed Development, Proposed access.	PINS.	The Scoping Report does not provide details of the access requirements required during the construction phase. The Secretary of State would expect to see a full detailed description within the ES with accompanied figures where relevant. Any proposed road closures or diversions, should also be clearly identified within the ES, again with accompanying figures where appropriate.	Ensure scheme description is accurate and includes construction site transport arrangements.	Chapter 2 The Proposed Scheme, Volume 6.1, describes the construction site transport arrangements where known.
2.40	The Proposed Development, Construction.	PINS.	The Secretary of State notes that no information has been provided in the Scoping Request regarding the size and location of construction compounds. Whilst it is appreciated that this information may not be available at this stage in the evolution of the project, applicants are reminded that this information will be required and should be included in the DCO boundary.	Ensure scheme description is accurate and includes construction compounds.	Chapter 2 The Proposed Scheme, Volume 6.1, describes the construction compound arrangements with further details in the Buildability Report, Appendix 2.1, Volume 6.3.
2.41	The Proposed Development, Construction.	PINS.	The Secretary of State considers that information on construction including: phasing of programme; construction methods and activities associated with each phase; siting of construction Scoping Opinion for Proposed M20 junction 10a compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff) should be clearly indicated in the ES.	Ensure scheme description is accurate and includes: <ul style="list-style-type: none"> • Phasing of programme. • Construction methods and activities associated with each phase. • Siting of construction compounds (including on and off site). • Lighting equipment/requirements. • Number, movements and parking of construction vehicles (both HGVs and staff). 	Chapter 2 The Proposed Scheme, Volume 6.1, describes the construction details and assumptions with further details in the Buildability Report, Appendix 2.1, Volume 6.3.
2.42	The Proposed Development, Operation and Maintenance.	PINS.	Information on the operation and maintenance of the proposed development should be included in the ES and should cover but not be limited to such matters as: the number and types of vehicle movements generated during the operational stage, the frequency of any maintenance works, the number of workers, equipment arrangements and access requirements needed.	Ensure scheme description is accurate and includes: <ul style="list-style-type: none"> • The number and types of vehicle movements generated during the operational stage. • The frequency of any maintenance works. • The number of workers. • Equipment arrangement. • Access requirements needed. 	Chapter 2 The Proposed Scheme, Volume 6.1, describes the construction details and assumptions with further details provided in the Buildability Report, Appendix 2.1, Volume 6.3. This includes vehicle movements. Plant and access requirements. The full set of additional maintenance requirements for the Scheme was obtained. Upon analysis most of these have minimal impact upon traffic due to the low levels of overnight

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					traffic volumes.
3.2	EIA Approach and Topic Areas, Introduction.	PINS.	Applicants are advised that the scope of the DCO application should be clearly addressed and assessed consistently within the ES.	Ensure DCO application scope is clear.	Chapter 1 Introduction, Volume 6.1, describes the scope of the DCO application.
3.4	EIA Approach and Topic Areas, ES Approach.	PINS.	Whilst early engagement on the scope of the ES is to be welcomed, the Secretary of States notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the Secretary of State or the consultees. The Secretary of State would suggest that the applicant ensures that appropriate consultation is undertaken in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used.	Ensure appropriate consultation is undertaken.	Chapter 4 EIA Methodology, Volume 6.1, describes the consultation undertaken and the ongoing consultation.
3.5	EIA Approach and Topic Areas, ES Approach.	PINS.	The Secretary of State recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.	Study areas to be defined for each topics and agreed with consultees where possible.	All specialist ES chapters (Chapters 5 to 15, Volume 6.1) note the study areas used.
3.8	EIA Approach and Topic Areas, Matters to be Scoped Out.	PINS.	Whilst the Secretary of State has not agreed to scope out certain topic or matters within the Opinion on the basis of the information available at the time, this does not prevent the applicant from subsequently agreeing with the relevant consultees to scope matters out of the ES, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES in order to demonstrate that topics have not simply been overlooked.	Topics to be scoped in and out to be confirmed in the ES. Should elements of a topic be scoped out these should be confirmed within individual specialists chapters.	Specialist topics (Chapters 5 to 14, Volume 6.1) are clear where elements have been scoped out of the assessment.
3.10	EIA Approach and Topic Areas, National Policy Statements (NPSs).	PINS.	The relevant NPS [the NPS on National Networks, published December 2014] for the proposed development sets out general principles of assessment that should be applied to the EIA for the proposed development. When undertaking the EIA, the applicant must have regard to these principles and all other relevant policies in the National Networks NPS.	ES should have regard to the National Networks NPS.	Noted.
3.12	EIA Approach and Topic Areas, Environmental Statement – Structure.	PINS.	The Secretary of State recommends that the ES should also include a description of the proposed construction programme and methods either within the project description or as a separate section.	Construction programme to be provided.	Chapter 2 The Proposed Scheme, Volume 6.1, outlines the Construction Strategy and includes details on the programme and the phasing of the works.
3.13	EIA Approach and Topic Areas, Topic Areas, Air Quality (see Scoping Report Section 6).	PINS.	The Secretary of State notes the methodology identified within the Scoping Report and the use of the DMRB and relevant IANs as guidance for the assessment. The Secretary of State notes that a further IAN has recently been published, IAN 185/15, which is of relevance to this topic area. The Secretary of State encourages the applicant to refine the methodology applied to the specific nature of the proposals, taking into account consultation with ABC and other relevant authorities. ABC has provided comment regarding the methodology of this assessment in their response in Appendix 2.	IAN 185/15 will be followed in the assessment of air quality impacts within the ES. Consultation with ABC to be undertaken.	All the relevant IANs have been accounted for within the assessment including IAN 185/15. The assessment methodology has followed all relevant guidance and taken account of consultation responses from ABC.
3.14	EIA Approach and Topic Areas, Topic Areas, Air Quality (see Scoping Report Section 6).	PINS.	It is noted that it is intended to undertake a Simple Assessment in relation to regional effects, and a Detailed Assessment of local effects. It will be important in the ES to clearly justify and explain the approach taken to the assessment.	ES to explain approach to assessment of air quality effects.	Addressed within Chapter 5 Air Quality, Volume 6.1.
3.15	EIA Approach and Topic Areas, Topic Areas, Air Quality (see Scoping Report Section 6).	PINS.	It is noted from the Scoping Report that no Air Quality Management Areas (AQMA) have been designated by Ashford Borough Council. However, the Secretary of State considers that impacts to air quality should be assessed in relation to all relevant sensitive receptors in the area, including residential receptors and ecological receptors, and welcomes the approach outlined in Section 6.5 of the Scoping Report. Receptors considered in the assessment should be clearly identified and should be agreed with Ashford Borough Council and other relevant authorities.	Consultation with ABC to be undertaken	All applicable receptors have been included within the air quality model presented within Chapter 5 Air Quality, Volume 6.1.
3.16	EIA Approach and	PINS.	The Secretary of State recommends that the air quality assessment ensures that the 'worst	Noted.	Assessed in ES using

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	Topic Areas, Topic Areas, Air Quality (see Scoping Report Section 6).		case' scenario is assessed during both construction and operation and its significance is clearly evaluated. Any air quality modelling scenarios should be carried out on this basis and take into account peak emission rates during construction and during operation.		period traffic flow data to capture peak periods. See Chapter 5 Air Quality, Volume 6.1.
3.17	EIA Approach and Topic Areas, Topic Areas, Air Quality (see Scoping Report Section 6).	PINS.	As well as the emissions related to vehicular movements associated with the proposal, the assessment should take account of effects due to an increase in airborne pollution including fugitive dust especially during site preparation, demolition and construction.	Noted.	Assessed qualitatively in Chapter 5 'Air Quality' (Volume 6.1) as per DMRB guidance Volume 11 Section 3 Part 1.
3.18	EIA Approach and Topic Areas, Topic Areas, Air Quality (see Scoping Report Section 6).	PINS.	Consideration should be given to appropriate avoidance and mitigation measures, including appropriate actions to address dust complaints, and where measures are proposed their likely effectiveness must be assessed.	Noted.	Mitigation measures, where appropriate, are incorporated into Chapter 5 Air Quality, Volume 6.1.
3.19	EIA Approach and Topic Areas, Topic Areas, Cultural Heritage (see Scoping Report Section 7).	PINS.	The Secretary of State welcomes the intention for consultation with stakeholders throughout the assessment and encourages the applicant to use this consultation to determine the need for detailed field work to address any gaps in existing knowledge. The applicant's attention is drawn to advice from English Heritage regarding the study area applied to the assessment and the approach to cumulative impact assessment (Appendix 2).	Consultation with HE to be undertaken.	Consultation has been held with Historic England. Designated assets located outside of the study area which could be affected by the Scheme have been taken into consideration in the Cultural Heritage assessment, presented in Chapter 6 Cultural Heritage, Volume 6.1.
3.20	EIA Approach and Topic Areas, Topic Areas, Cultural Heritage (see Scoping Report Section 7).	PINS.	The Secretary of State considers that the information gathered to inform the assessment in Section 10, Geology and Soils, may be useful to take into account when assessing the likelihood of encountering buried heritage assets, for example when considering known deposits of made ground.	Noted.	Taken into consideration in the Cultural Heritage assessment, presented in Chapter 6 Cultural Heritage, Volume 6.1.
3.21	EIA Approach and Topic Areas, Topic Areas, Cultural Heritage (see Scoping Report Section 7).	PINS.	The Scoping Report describes the study area intended for use in the assessment, and the Secretary of State notes the intended use of a 'ZVI' to identify receptors, it has been assumed here that this refers to a 'Zone of Visual Influence'. The applicant is reminded to explain terms fully in the ES and if a ZVI is to be applied that this should be shown on an appropriate plan or figure. Cross reference should be made to the Landscape and Visual section of the ES where appropriate.	Noted.	Chapter 7 Landscape, Volume 6.1, describes the Zone of Theoretical Visibility (ZTV). The Visual Envelope is presented in Figure 7.1 (Volume 6.2).
3.22	EIA Approach and Topic Areas, Topic Areas, Cultural Heritage (see Scoping Report Section 7).	PINS.	The setting of cultural heritage resources could be affected; this includes historic buildings, historic landscapes and archaeological sites and the Secretary of State welcomes the intention for these to be addressed in the ES. English Heritage and ABC have also provided comment on the scope of the assessment in Appendix 2, highlighting the particular importance of certain local heritage features including Grade 1 Listed St Mary's Church at Sevington and Hatch Park Registered Park and Garden.	Noted.	Taken into consideration in the Cultural Heritage assessment, presented in Chapter 6 Cultural Heritage, Volume 6.1.
3.23	EIA Approach and Topic Areas, Topic Areas, Cultural Heritage (see Scoping Report Section 7).	PINS.	The Secretary of State welcomes the approach set out in the Scoping Report to identification of impacts and effects, and encourages the applicant to clearly set out in the ES what effects are predicted on specific receptors. A distinction should be made between avoidance measures and specific mitigation measures, and the ES should describe the predicted residual effects on heritage receptors.	Noted.	Taken into consideration in the Cultural Heritage assessment, presented in Chapter 6 Cultural Heritage, Volume 6.1.
3.24	EIA Approach and Topic Areas, Topic Areas, Landscape and Visual (see Scoping Report Section 8).	PINS.	The landscape and visual assessment in the scoping report refers to the Zone of Theoretical Visibility (ZTV). The Secretary of State advises that the ES should describe the model used, provide information on the area covered and the timing of any survey work and the methodology used. The Secretary of State recommends that the study area applied and the location of viewpoints should be agreed with the local authorities, and notes comments from ABC regarding expansion of the study area to include consideration of Kent Downs Area of Outstanding Natural Beauty (AONB) and views from the Wye and Crundale Downs, the latter of which is also referred to by Mersham & Sevington Parish Council in their comments in Appendix 2 of the	Consultation with ABC to be undertaken.	Taken into consideration in the Landscape and Visual impact Assessment, presented in Chapter 7 Landscape, Volume 6.1.

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			Scoping opinion.		
3.25	EIA Approach and Topic Areas, Topic Areas, Landscape and Visual (see Scoping Report Section 8).	PINS.	The Secretary of State also considers that there may be a need to clarify how this fits or overlaps with the ZVI referred to in the Cultural Heritage assessment. Cross reference to other technical assessments should be made, in particular the Cultural Heritage assessment. In addition, for example, landscape impacts or any mitigation proposed may affect ecological receptors and site drainage.	Noted.	Taken into consideration in the Landscape and Visual Impact assessment, presented in Chapter 7 Landscape, Volume 6.1.
3.26	EIA Approach and Topic Areas, Topic Areas, Landscape and Visual (see Scoping Report Section 8).	PINS.	It is recognised that limited information is available at this stage, and the Secretary of State welcomes the intention to undertake a full assessment encompassing landscape character and visual effects. The applicant's attention is drawn to advice from Natural England (NE) in Appendix 2 of the Scoping opinion regarding the presentation of the findings of the assessment, scope, and methodology. It will also be essential to consider cumulative effects with other projects, and the Secretary of State notes the approach outlined in Section 16 of the Scoping Report (see Paragraphs 3.69 to 3.72 below).	Noted.	Taken into consideration in the Landscape and Visual Impact assessment, presented in Chapter 7 Landscape, Volume 6.1. Cumulative Effects are assessed in Chapter 15 Combined and Cumulative Effects, Volume 6.1.
3.27	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	The Secretary of State recommends that desk study information gathered should be up to date and that information should be sought from a wide range of appropriate sources, and notes the approach outlined in Paragraph 9.7.1 of the Scoping Report. It is noted from the Scoping Report that access constraints were encountered during field survey work, and the Secretary of State encourages the applicant to ensure field survey data is adequate to inform the assessment. Any limitations to the assessment should be identified in the ES and the implications of these for the assessment made clear.	Noted.	Desk study undertaken in August 2015. Any constraints and implications are clearly detailed in the Technical Appendices and Chapter 8 Nature Conservation, Volume 6.1.
3.28	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	The Secretary of State recommends that the proposals should address fully the needs of protecting biodiversity. The assessment should cover habitats, species and processes within the site and its surroundings. The Secretary of State draws attention in particular, but not exclusively, to the effects on grassland and woodland habitats, hedgerows, dormouse, great crested newt, water vole, and breeding birds, and highlights comments from NE in Appendix 2 of the Scoping Opinion regarding protected and important species and habitats. The Secretary of State recommends that the impacts of habitat fragmentation are fully assessed and measures to avoid and reduce these impacts are sought.	Noted.	Chapter 8 Nature Conservation, Volume 6.1, has considered the effects of fragmentation and habitat loss. Appropriate mitigation has been included in the Environmental Masterplan (Figures 2.6 and 2.7, Volume 6.2).
3.29	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	While potential impacts are identified in Table 9.3 limited detail is presented in the Scoping Report on the habitats and species populations present, their distribution within the study area, and the extent to which they would be affected. The Secretary of State notes and welcomes the ecological investigation work presented in Table 9.4 and would expect the outcomes of this work to be clearly presented in the ES, and used to inform the assessment of effects and the design of mitigation measures. The Secretary of State notes the comment from the Environment Agency (EA) regarding the presence of otters within the wider area, and the need to survey for this species to inform the assessment. The EA also request that local records centres are informed of any records gained and the Secretary of State supports this.	Noted.	The survey data has been clearly detailed in the Technical Appendices and summarised in Chapter 8 'Nature Conservation' (Volume 6.1). We will be pleased to share the survey information with the local Biological Records Centre, and have discussed the findings with several local conservation groups already and will work with them on how best to share the data. Consultation has been undertaken with local conservation groups who were interested to meet with us (East Kent Badger, Kent Bat, Kentish Stour Countryside Project, Kent Wildlife Trust). Kent Reptile and Amphibian Group, Kent Mammal Group and Kent and Medway Biological Records

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					Centre were also invited to meet with us but either declined or did not respond.
3.30	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	The potential impacts on designated sites should be addressed including local level nature conservation designations. The Secretary of State notes that while both nationally and locally designated sites have been identified within the study area, no international sites have been and no need for Habitats Regulations Assessment has been ascertained at this stage. Section 4 of this Opinion contains advice regarding Habitat Regulations Assessment.	Noted.	An Assessment of Implications on European Sites (AIES) has been produced as the Scheme meets guideline screening criteria 4 of DMRB (2009) Volume 11 Section 4 Part 1 HD44/09 Environmental Assessment; Assessment of Implications on European Sites 'Crossing/adjacent to, upstream of, or downstream of, watercourses designated in part or wholly as SACs, cSACs, pSACs, SPAs, pSPAs or Ramsar sites'. AIES submitted to Natural England.
3.31	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	It is noted from the Scoping Report that potential disturbance, air quality, and water quality impacts on ecological receptors have been identified, and cross reference should be made to these specialist reports. It should be noted that whether or not impacts produce significant effects is likely to vary between topic areas and receptors, with some receptors being more sensitive to change than others.	Topics and chapters to be cross referenced where appropriate.	Addressed.
3.32	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	The effects of disturbance during operation as well as short term construction effects should be addressed. The Secretary of State recommends the need to consider cumulative and combined impacts and advises this is particularly relevant in terms of assessing the impacts on ecology (see Paragraphs 3.69 to 3.72 below).	Cumulative and combined assessment to be carried out.	Cumulative and Combined assessment undertaken, see Chapter 15 Combined and Cumulative Effects, Volume 6.1.
3.33	EIA Approach and Topic Areas, Topic Areas, Nature Conservation (see Scoping Report Section 9).	PINS.	Opportunities for enhancements for biodiversity should be sought within the scheme design, and consideration should be given to the coherence of landscape planting, drainage features, and other aspects of the soft estate in creating a network of habitats within the landscape. The Secretary of State notes NE have highlighted the need to include opportunities for enhancement in the assessment (comments provided in Appendix 2).	Biodiversity enhancement to be considered within the scheme design.	An Environmental Masterplan (Figures 2.6 and 2.7, Volume 6.2) has been produced which incorporates mitigation and enhancement measures within the Scheme design. This is further described in Chapter 2 The Proposed Scheme, Volume 6.1.
3.34	EIA Approach and Topic Areas, Topic Areas, Geology and Soils (see Scoping Report Section 10).	PINS.	The Secretary of State notes the study area of the proposals footprint with a 250m buffer zone, and encourages the applicant to ensure that this is clearly justified in the ES and that agreement is sought from consultees on its selection. The applicant's attention is drawn to comments from the EA regarding the investigation of land contamination within the ES (Appendix 2).	Noted.	Justification for buffer set out in Chapter 9 Geology and Soils, Volume 6.1.
3.35	EIA Approach and Topic Areas, Topic Areas, Geology and Soils (see Scoping Report Section 10).	PINS.	The applicant's Scoping Report identifies Wye and Crundale Downs SSSI 5km north of the proposals. The potential for direct or indirect impacts on this site is identified with a low probability in the Scoping Report. It will be important in the ES to clearly explain the search area applied to identify designated sites and other potential receptors, as this site does not lie within the study area described in Section 10.2. NE has identified the need to consider impacts on important sites for geology in their comments (Appendix 2) but have not specifically identified this SSSI.	Noted.	Addressed by above section.
3.37	EIA Approach and Topic Areas, Topic Areas, Geology and	PINS.	The Secretary of State seeks some clarification in the ES around the methodology applied to the assessment, and considers that Table 10.3 should refer to 'magnitude of impact' rather than 'magnitude of effect'. Throughout Section 10 the terms 'impact' and 'effect' appear to be used	Noted.	'Significance of Effects' is described in Chapter 4 EIA Methodology, Volume 6.1.

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	Soils (see Scoping Report Section 10).		interchangeably, and it will be important in the ES to distinguish between these.		
3.38	EIA Approach and Topic Areas, Topic Areas, Geology and Soils (see Scoping Report Section 10).	PINS.	The assessment of cumulative effects is likely to be of high relevance to this topic area, especially with respect to impacts on agricultural land, given the known plans for development within the area (see Paragraphs 3.69 to 3.72 below).	Combined and cumulative assessment to be carried out.	Combined and cumulative assessment undertaken, see Chapter 15 Combined and Cumulative Effects, Volume 6.1.
3.39	EIA Approach and Topic Areas, Topic Areas, Materials (see Scoping Report Section 11).	PINS.	Section 11.2 'Study Area' appears to be a description of the key elements of the proposals, and no description of the study area to be applied to the assessment is provided. It will be important to define the study area in the ES for the assessment of effects associated with the use of materials and the management of waste.	Study to be defined, or adequate description provided as to why study area cannot be defined.	The study area is determined by the influence of the Main and Alternative Schemes rather than through a set geographical area.
3.40	EIA Approach and Topic Areas, Topic Areas, Materials (see Scoping Report Section 11).	PINS.	Section 11.3 refers to baseline knowledge and desk study information gathered in October 2014, however, no detail is provided on this information and how it has been used to inform the proposed scope of the assessment. The Secretary of State would expect the ES to provide this information and to clearly show how it has been used to inform the assessment.	Improved description of baseline and desk study to be added.	An improved description of baseline and desk study has been added, which includes current waste arisings in Kent and the wide area and waste management facilities and disposal arrangements.
3.41	EIA Approach and Topic Areas, Topic Areas, Materials (see Scoping Report Section 11).	PINS.	The Scoping Report recognises potential impacts arising from the transportation of materials and waste. The ES should as far as practicable identify where potential traffic movements would be routed. Cross-reference to the assessment of traffic effects should be made in the ES as appropriate; and the information in the materials assessment is also likely to inform the assessment of traffic and transport effects.	Traffic impacts associated with scheme waste to be assessed.	It has not been possible to quantify the traffic impacts associated with Scheme waste. However, it has been addressed qualitatively.
3.42	EIA Approach and Topic Areas, Topic Areas, Materials (see Scoping Report Section 11).	PINS.	The Secretary of State welcomes the intention to take account of materials to be removed from the site and the disposal of material to landfill. The Secretary of State advises that the ES should clarify the types of all wastes to be processed in the ES, and would encourage the application of the waste hierarchy identified in Section 11.4.1 of the Scoping Report which places disposal as a last resort after re-use and recycling. Cross-reference should be made with the Geology and Soils assessment, in particular with respect to contaminated land arisings.	Noted.	The types of waste arisings has been discussed in Chapter 10 Materials, Volume 6.1, and the use of the waste hierarchy has been proposed. Chapter 9 Geology and Soils, Volume 6.1, has been cross-referenced.
3.44	EIA Approach and Topic Areas, Topic Areas, Noise and Vibration (see Scoping Report Section 12).	PINS.	In addition to the DMRB and IAN guidance identified in the Scoping Report, the Secretary of State notes that a further IAN has recently been published, IAN 185/15, which is of relevance to this topic area. The Secretary of State welcomes the intended liaison with Local Environmental Health Officers regarding baseline information, and recommends that the methodology and choice of noise receptors should be agreed with them and with the Environment Agency. ABC provides baseline information regarding the past conversion of Highfield House Care Home to eight residential properties in their response in Appendix 2.	IAN 185/15 will be followed in the assessment of noise and vibration impacts within the ES. Consultation with ABC to be undertaken.	IAN 185/15 has been used in the traffic flows. Comments by ABC in stakeholder engagement influenced choice of baseline monitoring locations. A noise and air-specific meeting was set up with ABC to discuss the Scheme.
3.45	EIA Approach and Topic Areas, Topic Areas, Noise and Vibration (see Scoping Report Section 12).	PINS.	Information should be provided on the types of vehicles and plant to be used during the construction phase, and the anticipated extent and duration of construction activities including demolition, excavation, and surfacing works. Once operational, noise sources generated should be identified and assessed. Where appropriate, effective measures should be provided to mitigate against noise nuisance. The applicant's attention is drawn to comments from Mersham & Sevington Parish Council regarding noise impacts associated in particular with the proposed junction at the A2070 and new link road (Appendix 2).	Noise and vibration impacts associated with scheme construction traffic to be assessed.	These have been provided and addressed in Chapter 11 Noise and Vibration, Volume 6.1.
3.46	EIA Approach and Topic Areas, Topic Areas, Noise and Vibration (see Scoping Report Section 12).	PINS.	Noise impacts on people should be specifically addressed; particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays. ABC have provided comment on the importance of considering impacts on local residents, including vulnerable residents of Pilgrims Hospice (Appendix 2). Consideration should be given to monitoring noise complaints during construction and when the development is operational.	Noted.	Night-time impacts have been considered in so far as the traffic forecasts permit in Chapter 11 Noise and Vibration, Volume 6.1.

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3.47	EIA Approach and Topic Areas, Topic Areas, Noise and Vibration (see Scoping Report Section 12).	PINS.	The noise and vibration assessments should take account of the traffic movements along access routes, especially during the construction phase. The results from the noise and vibration assessments will also provide information to inform the ecological assessments and it is noted that Hatch Park / Bockhanger Wood SSSI is identified as a potential receptor in the Scoping Report (Section 12.3.1).	Topics and chapters to be cross referenced where appropriate.	Chapter 11 Noise and vibration, Volume 6.1, has taken account of the traffic movements along access routes. Noise and Vibration have advised that construction traffic will result in an increase in HGV traffic of approximately 2% and increase in total traffic of approximately 1%. These increases would result in noise changes of less than 1dB. Therefore this is not considered to be a significant change.
3.48	EIA Approach and Topic Areas, Topic Areas, Noise and Vibration (see Scoping Report Section 12).	PINS.	The Secretary of State welcomes the use of a Glossary at the end of the Scoping Report but notes that indices of noise levels are not included. It will be important to explain the technical terms used within the ES, to assist readers with the interpretation and understanding of the noise and vibration assessment.	Glossary to be updated.	Chapter 18 Glossary, Volume 6.1, has been updated accordingly.
3.49	EIA Approach and Topic Areas, Topic Areas, Effects on All Travellers (see Scoping Report Section 13).	PINS.	The Secretary of State encourages the development of the assessment of transport impacts in association with the local highways authority, in particular with regard to establishing baseline conditions and with regard to impacts on local roads and the study area applied to this. The Secretary of State would expect on-going discussions and agreement of the scope and outcomes of the assessment, where possible.	Consultation with the local highways authority to be undertaken.	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and Kent County Council (KCC).
3.50	EIA Approach and Topic Areas, Topic Areas, Effects on All Travellers (see Scoping Report Section 13).	PINS.	The need for and the likely nature of traffic management and local closures or diversions required during construction should be described in the ES as far as possible. It will be important to establish a clear basis for the assessment of effects on road users of the M20 and the surrounding road network. The Secretary of State draws the applicant's attention to comments made by Tunbridge Wells Borough Council regarding potential impacts on the wider road network, specifically those linking south Ashford to Tunbridge Wells borough. Mersham & Sevington Parish Council have also commented regarding impacts on local roads and the current baseline conditions (Appendix 2).	Noted.	An overview of Traffic Management is provided in the Buildability Report, Appendix 2.1, Volume 6.3, and Chapter 12 Effects on All Travellers, Volume 6.1. The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. Reference should be made to the Traffic Assessment (DCO submission document 7.2) for further detail.
3.51	EIA Approach and Topic Areas, Topic Areas, Effects on All Travellers (see Scoping Report Section 13).	PINS.	The Secretary of State welcomes the inclusion of Table 13.1 identifying non-motorised user amenities and how these may be affected by the proposals. A clear indication should be given as to how the proposals will affect the existing and future facilities in the Ashford area and what mitigation would be appropriate in the short, medium and long term. The applicant's attention is drawn to comments from Mersham & Sevington Parish Council's comments regarding cyclists and pedestrians (Appendix 2).	Noted.	An overview of NMU mitigation can be found in Chapter 12 Effects on all Travellers, Volume 6.1 with operation (in the short, medium and long term) effects on NMUs also considered.
3.52	EIA Approach and Topic Areas, Topic Areas, Effects on All Travellers (see Scoping Report Section 13).	PINS.	The ES should describe the types and numbers of vehicles and plant to be used during the construction phase, including those involved in the transport of waste stored temporarily on site. It will be essential to ensure that the worst-case scenario for peak traffic levels on the network and at key junctions is assessed in terms of traffic impacts.	Noted.	An overview of vehicle movements and plant is provided in Section 2.6 of Chapter 2 The Proposed Scheme, Volume 6.1, and the Buildability Report, Appendix 2.1, Volume 6.3.

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					A qualitative overview is provided for construction stage effects on motorised users in Chapter 12 Effects on all Travellers, Volume 6.1. Consideration has also been given for peak traffic levels on the network (including key junctions) as part of the Driver Stress Operation Assessment as well as Appendices 12.3 and 12.4, Volume 6.3.
3.53	EIA Approach and Topic Areas, Topic Areas, Effects on All Travellers (see Scoping Report Section 13).	PINS.	The anticipated negative and beneficial effects of the scheme during operation should be fully assessed, with respect to vehicles and non-motorised traffic. The Secretary of State notes the identification of operational increase in driver stress (Section 13.6.2 of the Scoping Report) and draws the applicant's attention to comments from Mersham & Sevington Parish Council regarding this aspect (Appendix 2). Opportunities for enhancement of existing amenities should be sought and presented in the ES, for example within the area of the A2070 which would become redundant under the proposals.	Noted	The ES notes the provision of replacement land in Section 2.5 of Chapter 2 The Proposed Scheme and in Chapter 12 Effects on all Travellers, Volume 6.1.
3.54	EIA Approach and Topic Areas, Topic Areas, Effects on All Travellers (see Scoping Report Section 13).	PINS.	The Secretary of State recommends that full consideration be given to the potential cumulative effects of the project with other plans and projects, in particular with regard to traffic flows associated with development to the south of the proposed link road given the high degree of probability that the proposed new junction 10a will facilitate development of this area. The applicant's attention is drawn to comments from Kent County Council and from Mersham & Sevington Parish Council regarding this development area and its relation to the junction 10a proposals (Appendix 2).	Cumulative and combined assessment to be carried out.	A combined and cumulative effects assessment has been undertaken; see Chapter 15 Combined and Cumulative Effects, Volume 6.1.
3.55	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	The Scoping Report provides details of baseline conditions with respect to existing community facilities and private assets, and existing planning allocations and context. The Secretary of State encourages the applicant to liaise with local stakeholders to ensure that the study area applied is appropriate and that all community aspects which could be subject to effects are taken into account. ABC provides baseline information in their response in Appendix 2 regarding planning context and existing applications.	Community and local stakeholder consultation to be undertaken.	The study area was informed by DMRB guidance and baseline analysis within Chapter 13 Community and Private Assets, Volume 6.1, considered both community facilities and private assets within that study area. Further extensive baselining was undertaken as part of the Economic Development and Land Use Report, Appendix 13.1, Volume 6.3.
3.56	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	The Scoping Report identifies the key impacts of the proposals on existing assets, including properties and landholdings under the footprint directly affected, community facilities, development land, and land in agricultural use which will be lost or subject to severance. The applicant is directed to comments in Appendix 2 from Mersham & Sevington Parish Council regarding impacts on existing property and agricultural land.	Noted	Chapter 13 Community and Private Assets, Volume 6.1, has provided an assessment of the impact of the Scheme on private property and land use affected by the Scheme.
3.57	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	As well as the impact of loss of fertile agricultural land, the Secretary of State welcomes the intention in the Scoping Report that the ES will fully assess how existing farmland will be affected by severance. The ES should show clearly how access to retained farmland will be maintained or replaced during construction and operation, and what significant residual effects are likely to remain. Cross-reference to the assessment of traffic effects may be relevant with respect to movements of diverted agricultural traffic. The Scoping Report also identifies disruption to drainage, and the economics of farming operations as potential impacts to be assessed. It will be important to cross refer to other technical assessments where appropriate, for example when assessing the impacts to drainage of farmland, showing clearly the basis for the assessment.	Topics and chapters to be cross referenced where appropriate.	Farm viability is considered as part of Chapter 13 Community and Private Assets, Volume 6.1. This considers the impact on retained agricultural land including issues of access.

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3.58	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	Community facilities and private assets in Ashford and the area surrounding the proposals are likely to be directly and indirectly affected, and it will be important to ensure these impacts are fully assessed. The effectiveness of avoidance and mitigation measures, such as the provision of alternative accesses or alternative routes, should be specifically addressed and the residual effects identified.	Noted	Impacts on community facilities (including on public open space) and on private assets (including affected land and local businesses) have been considered within Chapter 13 Community and Private Assets, Volume 6.1. This chapter also contains information on alternative routes.
3.59	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	The proposed scope does not include an assessment of the employment opportunities associated with the scheme, and the Secretary of State considers that this aspect should be included in particular with respect to local effects. The Secretary of State recommends that the types of jobs generated should be considered in the context of the available workforce in the area, this applies equally to the construction and operational stages. The Scoping Report does make reference to the proposals relationship to allocated employment and development land to the immediate south at Sevington, and it will be important for the ES to also clearly explain this relationship and the implications for the assessment. The applicant's attention is drawn to comments in Appendix 2 from Mersham & Sevington Parish Council regarding this aspect.	Employment opportunities to be assessed in the ES.	The scope of Chapter 13 Community and Private Assets, Volume 6.1, has been expanded to consider socio-economic and economic development as a result of the Scheme, specifically the potential employment opportunities of the Scheme in relation to both construction and operation
3.60	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	In Section 14.6.1 of the Scoping Report, under 'Community Land', reference is made to the reclamation of the section of the A20 which would become redundant under the proposals to provide public open space. The Secretary of State assumes this is a reference to the A2070, as shown on Figure 1 'Scheme Layout' in Appendix A of the Scoping Report. In any case, the Secretary of State strongly encourages the applicant to maximise opportunities to provide enhancements to community public open space within the scheme design.	Noted.	Opportunities to provide enhancements to community public open space have been explored. Replacement Open Space has been identified and is outlined in Section 2.5 of Chapter 2 The 'Proposed Scheme, Volume 6.1.
3.61	EIA Approach and Topic Areas, Topic Areas, Community and Private Assets (see Scoping Report Section 14).	PINS.	In Section 14.6.1 the Scoping Report describes the intention to acquire a private property 'Lagonda Lodge', to the south of Kingsford Street at the eastern extent of the proposals, for the purposes of temporary works. The proposed DCO boundary shown in Figure 1 of the Scoping Report does not appear to include the boundaries of this property, and the Secretary of State stresses to the applicant the importance of clarity in the ES regarding this aspect.	Ensure scheme description is accurate.	An updated and detailed Scheme description is provided in Chapter 1 Introduction and Chapter 2 The Proposed Scheme, Volume 6.1. Lagonda Lodge is not going to be acquired.
3.62	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	The Secretary of State welcomes the provision of a Flood Risk Assessment (FRA) to accompany the ES and the on-going consultation with the EA; and notes the EA's previous comments with respect to the scheme design (provided in Appendix 2) and offer to review a draft FRA in their scoping consultation response (Appendix 2). As outlined in Section 15.7.1 of the Scoping Report, it will be essential in the ES to describe the drainage scheme design on which the FRA and EIA is based.	Noted. Liaison with the Drainage Designer required.	The Drainage Design has been included within the FRA (Appendix 14.2, Volume 6.3).
3.63	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	The application of guidance within the DMRB and the EA South East River Basin Management Plan in order to set the study area and approach to the assessment is noted, as well as the other guidance identified in Section 15.4 of the Scoping Report. ABC have highlighted the Council's Sustainable Drainage Supplementary Planning Document (SPD) (Appendix 2) and the Secretary of State advises the applicant to liaise with the Council regarding the requirements of this policy and with respect to achieving a scheme drainage design that provides strategic and long term benefits.	Noted.	Discussions have been held with ABC and the EA to agree the Drainage Strategy. The requirements of the SPD have been taken into account in the drainage design.
3.64	EIA Approach and Topic Areas, Topic Areas, Road Drainage	PINS.	Potential impacts on the public sewer network should be addressed, including the need to address easements and impacts arising from vibration during the construction works.	Noted.	Not sufficiently addressed owing to insufficient information at this stage.

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	and the Water Environment (see Scoping Report Section 15).				
3.65	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	Mitigation measures should be provided in detail, and the Secretary of State advises that reference should be made to other regimes (such as pollution prevention from the EA). The applicant's attention is drawn to the comments from the EA regarding how land contamination is investigated within the ES (Appendix 2) with respect to the risk to groundwater. On-going monitoring should also be addressed and agreed with the relevant authorities to ensure that any mitigation measures are effective.	Noted.	The EA no longer supports the Pollution Prevention Guidance documents (PPGs), which were withdrawn 17/12/15. Reference therefore cannot be made to these documents.
3.66	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	The Secretary of State notes the intention for a number of drainage lagoons as part of the project, and encourages the applicant to maximise their potential to enhance the roadside environment for biodiversity and in terms of visual effects. Cross reference to other technical chapters should be made in the ES where appropriate.	Noted. Liaison with the Drainage Designer required.	Discussions have been held with ABC and the EA to agree the Drainage Strategy and maximising the ecological potential of attenuation ponds.
3.67	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	The applicant's attention is drawn to comments made by The River Stour (Kent) Internal Drainage Board regarding ABC's Sustainable Drainage SPD and maximising the opportunities for beneficial environmental effects associated with the drainage design for the proposals (Appendix 2).	Noted. Liaison with the Drainage Designer required.	Discussions have been held with ABC and the EA to agree the drainage strategy and maximising the ecological potential of attenuation ponds.
3.68	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	Paragraph 15.3.1 of the Scoping Report makes reference to the Aylesford Stream, it is not clear if this is the same watercourse as Old Mill Stream (as referred to elsewhere in the Scoping Report), Scoping Opinion for Proposed M20 junction 10a which would concur with the description provided. It will be important to have consistency in the ES in the nomenclature of environmental receptors and features.	Noted.	Aylesford Stream used throughout documents for consistency.
3.69	EIA Approach and Topic Areas, Topic Areas, Road Drainage and the Water Environment (see Scoping Report Section 15).	PINS.	The Secretary of State recommends that full consideration will need to be given to the potential cumulative effects of the project with other plans and projects, both in terms of flood risk and in terms of water resources and existing infrastructure (also see Paragraphs 3.69 to 3.72 below).	Cumulative and combined assessment to be carried out.	An assessment of combined and cumulative effects has been undertaken; see Chapter 15 Combined and Cumulative Effects, Volume 6.1.
3.70	EIA Approach and Topic Areas, Topic Areas, Consideration of Combined and Cumulative Effects (see Scoping Report Section 16).	PINS.	The Secretary of State notes and welcomes the approach to cumulative and combined assessment outlined in Section 16 of the Scoping Report, and notes the list of developments for provisional inclusion in the assessment including the mixed-use Sevington development immediately to the south of the proposed link road.	Noted.	The list of proposed developments have been updated in line with the updated Uncertainty Log provided by the Traffic Modellers at AECOM and input from ABC.
3.71	EIA Approach and Topic Areas, Topic Areas, Consideration of Combined and Cumulative Effects (see Scoping Report Section 16).	PINS.	Canterbury City Council has provided information on other proposals and strategic sites within their area (see Appendix 2). These proposals and allocations would introduce new areas of housing, commercial areas including retail, community facilities, new road infrastructure, and public open space. The EIA should take this into account where appropriate, in particular within the assessments related to traffic, community effects, landscape, and air quality.	The proposed developments listed by Canterbury City Council as developments to consider within the assessment have been reviewed. Contact to be made with Traffic Modellers for justification as to why they did not assess these developments further away from the site.	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. In order to align the assessment of Combined and Cumulative Effects with the Traffic Model and the recently publish PINS 'Advice Note Seventeen: Cumulative

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					Effects', only those developments included in the Traffic Model, and those assessments included within the largest 'Zone of Influence' (ZOI) considered in the individual topic chapters of the ES, have been included in the assessment for Cumulative Effects. As such, proposals outside of these study areas have not been considered as the Zones of Influence are unlikely to overlap.
3.72	EIA Approach and Topic Areas, Topic Areas, Consideration of Combined and Cumulative Effects (see Scoping Report Section 16).	PINS.	The ES should clearly set out the basis for the assessment, including the scope used to identify other developments, and provide an indication of certainty about the results of the assessment. Natural England, ABC, and Mersham & Sevington Parish Council have provided comments regarding the approach to the cumulative assessment (Appendix 2).	The proposed developments listed by Ashford Borough Council as developments to consider within the assessment have been reviewed. Contact to be made with Traffic Modellers for justification as to why they did not assess these developments further away from the site.	Chapter 15 Combined and Cumulative Effects, Volume 6.1, clearly sets out the scope used to identify other developments, following the PINS 'Advice Note Seventeen: Cumulative Effects' closely, as well as setting out clearly assumptions and limitations associated with the proposed developments assessed in the chapter. The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. In order to align the assessment of Combined and Cumulative Effects with the Traffic Model and the recently publish PINS 'Advice Note Seventeen: Cumulative Effects', only those developments included in the Traffic Model, and those assessments included within the largest ZOI considered in the individual topic chapters of the ES, have been included in the assessment for Cumulative Effects. As such, proposals outside of these study areas have not been considered as the ZOIs are unlikely to overlap.
3.73	EIA Approach and Topic Areas, Topic Areas, Consideration of Combined and Cumulative Effects	PINS.	The assessment of cumulative and combined effects is particularly important for a number of environmental topic areas, as noted above, and the ES should address each topic area fully. The applicant should be aware that impacts assessed as not significant alone could become significant when assessed in combination with others, or when considered together with the effects of other proposals.	The methodology that will be used to assess the combined and cumulative effects will take into consideration impacts	Each topic area is addressed fully within Chapter 15 Combined and Cumulative Effects, Volume 6.1. In addition, the

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	(see Scoping Report Section 16).			assessed as not significant, as well as those that are assessed as significant.	assessment of both combined and cumulative effects has taken into consideration impacts assessed as not significant, as well as those assessed as significant.
4.5	Other Information, Habitats Regulations Assessment (HRA).	PINS.	It is the applicant's responsibility to provide sufficient information to the Competent Authority (CA) to enable them to carry out a HRA if required, or to provide sufficient information to satisfy the Secretary of State (as the CA) that an HRA is not required (i.e. that the proposed development is not likely to affect a European site and/or a European marine site). It is noted that Section 9.3.1 of the applicant's Scoping Report states that no SACs where bat species are the primary qualifying species have been identified within 30km of the proposals. It would be advisable for the applicant to state in their ES if they do not anticipate a HRA will be required in support of the proposed development, as there are no European sites within the study area applied (which should be defined). The study area may be most appropriately defined by having regard to potential pathways for effects, rather than by setting an arbitrary distance. The Secretary of State recommends that early agreement on this approach, with the relevant Statutory Nature Conservation Bodies (SNCBs) is sought, and that there is evidence of this agreement as part of the DCO application.	Consultation with Natural England to be undertaken.	An Assessment of Implications on European Sites (AIES) has been produced as the Scheme meets guideline screening criteria 4 of DMRB (2009) Volume 11 Section 4 Part 1 HD44/09 Environmental Assessment; Assessment of Implications on European Sites 'Crossing/adjacent to, upstream of, or downstream of, watercourses designated in part or wholly as SACs, cSACs, pSACs, SPAs, pSPAs or Ramsar sites'. AIES submitted to Natural England.
4.9	Other Information, Sites of Scientific Interest (SSSIs).	PINS.	The Secretary of State notes that Hatch Park / Bockhanger Wood SSSI is located close to the proposed development. Where there may be potential impacts on the SSSIs, the Secretary of State has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information. Under s28(G), the Secretary of State has a general duty '... to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest'. Under s28(I), the Secretary of State must notify the relevant nature conservation body (NCB), NE in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the Secretary of State must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.	Noted.	Consultation NE undertaken. The proximity of Hatch Park SSSI has been considered, although no works would be undertaken within the SSSI. At present, CRoW Assent is not deemed necessary.
4.12	Other Information, SSSIs.	PINS.	If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the Secretary of State. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(I) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.	Consultation with Natural England to be undertaken.	Consultation NE undertaken. The proximity of Hatch Park SSSI has been considered, although no works would be undertaken within the SSSI. At present, CRoW Assent is not deemed necessary.
4.14	Other Information, European Protected Species (EPS).	PINS.	If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.	Noted.	Consultation NE undertaken. Ghost Licences have been produced for Badgers, GCN and Dormice. These have been submitted to NE for review in advance of the DCO submission. A Letter of No Impediment is being sought.
4.15	Other Information,	PINS.	Applicants are encouraged to consult with NE and, where required, to agree appropriate	Consultation with Natural	Consultation NE

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	EPSs.		requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NE whether any issues have been identified which would prevent the EPS licence being granted.	England to be undertaken.	undertaken. Ghost Licences have been produced for Badgers, GCN and Dormice. These have been submitted to NE for review in advance of the DCO submission. A Letter of No Impediment is being sought.
4.16	Other Information, EPSs.	PINS.	Generally, NE are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NE will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NE will either issue 'a letter of no impediment' stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NE consider the proposals do not meet licensing requirements and what further information is required before a 'letter of no impediment' can be issued. The applicant is responsible for ensure draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NE.	Letters of no impediment to be sought.	Consultation NE undertaken. Ghost Licences have been produced for Badgers, GCN and Dormice. These have been submitted to NE for review in advance of the DCO submission. A Letter of No Impediment is being sought.
4.17	Other Information, EPSs.	PINS.	Ecological conditions on the site may change over time. It will be the applicant's responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals ² . Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals. In England the focus concerns the provision of up to date survey information which is then made available to NE (along with any resulting amendments to the draft licence application). This approach will help to ensure no delay in issuing the licence should the DCO application be successful. Applicants with projects in England or English waters can find further information on Natural England's protected species licensing procedures by clicking on the following link: http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf	Noted.	Surveys have been undertaken over 2015 to update records. Further surveys will be required in advance of works in order to meet NE licensing criteria.
4.20	Other Information, Other Regulatory Regimes.	PINS.	The Secretary of State recommends that the applicant should state clearly what regulatory areas are addressed in the ES and that the applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.	Noted.	Addressed in Chapter 1 Introduction, Volume 6.1.
4.27	Other Information, The Environmental Permit.	PINS.	The Environment Agency encourages applicants to engage with them early in relation to the requirements of the Environmental Permitting process. Where a project is complex or novel, or requires a Habitats Risk Assessment, applicants are encouraged to "parallel track" their environmental permit applications to the Environment Agency with their DCO applications to the Planning Inspectorate.	Consultation with the EA is underway.	Consultation with the EA is underway.
4.28	Other Information, The Environmental Permit.	PINS.	When considering the timetable to submit their environmental permit application, applicants should bear in mind that the Environment Agency will not be in a position to provide a detailed view on the permit application until it issues its draft decision for public consultation (for sites of high public interest) or its final decision. Therefore the applicant should ideally submit its environmental permit application sufficiently early so that the Environment Agency is at this point in the determination by the time the Development Consent Order reaches examination.	Consultation with the EA is underway.	Environmental permits and Flood Defence Consents to be disapplied and included within the DCO. Discussion ongoing with the EA regarding this process.
4.29	Other Information, The Environmental Permit.	PINS.	It is also in the interests of an applicant to ensure that any specific requirements arising from permitting are capable of being carried out under the works permitted by the DCO. Otherwise there is a risk that requirements under permitting could conflict with the works which have been authorised by the DCO (e.g. a stack of greater height than that authorised by the DCO could be required) and render the DCO impossible to implement.	Consultation with the EA is underway.	Environmental permits and Flood Defence Consents to be disapplied and included within the DCO. Discussion ongoing with the EA regarding this process.
4.30	Other Information, Health Impact Assessment.	PINS.	The Secretary of State considers that it is a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the applicant should have regard to the responses received from the relevant consultees regarding health, and in particular	Health Impact Assessment Navigation document to be produced.	A Health Impact Assessment (HIA) Navigation document has

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			to the comments from the Health and Safety Executive (see Appendix 2).		been produced (Appendix 4.3, Volume 6.3). The HIA has been integrated into the Environmental Impact Assessment (EIA).
4.31	Other Information, Health Impact Assessment.	PINS.	The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.	Health Impact Assessment Navigation document to be produced.	No specific consultation undertaken regarding methodology.
4.32	Other Information, Transboundary Impacts.	PINS.	The Secretary of State has noted that the applicant has not indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.	Section 4.4 of the Scoping Report states "no transboundary effects are anticipated" and therefore no assessment of impacts on another EEA is proposed. This will be reiterated in the ES.	Chapter 4 EIA Methodology, Volume 6.1, states that transboundary effects have not been considered within the ES as none of the proposed topic study areas reach other EEA member states.
4.34	Other Information, Transboundary Impacts.	PINS.	The Secretary of State recommends that the ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.	Section 4.4 of the Scoping Report states "no transboundary effects are anticipated" and therefore no assessment of impacts on another European Economic Area (EEA) is proposed. This will be reiterated in the ES.	Section 4.7 of Chapter 4 EIA Methodology, Volume 6.1, states that transboundary effects have not been considered within the ES as none of the proposed topic study areas reach other European Economic Area (EEA) member states.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 1.8.3 Local Policy The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites Infrastructure DOD 2012 and Chilmington Green AAP 2013.	Noted.	Noted.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 2.5 Development of preferred option Is the description accurate for the scheme shown in figure 1 e.g. does it include a roundabout at the junction of the existing A2070?	Ensure scheme description is accurate.	An updated Scheme description is provided in Chapter 1 Introduction, Volume 6.1, with more detailed information in Chapter 2 The Proposed Scheme, Volume 6.1. These align with the design drawings (Figures 2.1, 2.2, 2.4a to d and 2.5, Volume 6.2).
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 3.1 Alternatives This should outline the main alternatives studied by the applicants and an indication of the main reasons for the choice made taking into account the environmental effects.	Include additional description of preferred route selection.	Chapter 3 Consideration of Alternatives, Volume 6.1, of the ES describes the main alternatives and gives greater detail about the preferred route selection.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 4.3 Proposed Location Ashford's Future is no longer in existence.	Noted.	Noted.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Section 6 Air Quality It will be important that the effects on local air quality for residents is thoroughly assessed and includes locations within at least 200m of affected roads where people may experience a change in local air quality.	Include within the Air Quality assessment.	All applicable receptors have been included within the air quality model. The assessment is presented within Chapter 5 Air Quality, Volume 6.1. Note that receptors were also

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					discussed with ABC on 21/03/16.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Section 7 Cultural Heritage An integrated consideration of the historic landscape is encouraged. For the consideration of Cultural Heritage there should be an assessment of archaeology, historic buildings and the historic landscape - all in one section. Historic landscape features can be heritage assets in their own right but they also help to place archaeological sites and historic buildings in their landscape and chronological context.	Include within the Cultural Heritage assessment.	Included within Cultural Heritage assessment, presented within Chapter 6 Cultural Heritage, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 7.3.4/7.3.5 historic buildings/Historic Landscapes The consideration of the impact on the setting of the Grade 1 listed Sevington Church and the manorial complex is important and should definitely be included as part of an EIA process, if an EIA is being undertaken anyway. There needs to be a thorough specialist assessment of the significance of Sevington Church and the adjacent manorial site and all grade II listed buildings in surrounding settlements that may be affected by the development, such as Court Lodge, Sevington. There may also be effects on the setting of the grade II registered Hatch Park landscape. There also needs to be a historic landscape assessment characterising the historic landscape around Sevington church.	Include within the Cultural Heritage assessment.	Included within Cultural Heritage assessment, presented within Chapter 6 Cultural Heritage, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Section 8 Landscape Paragraph 8.2 study area As the development site is within 2.5 km of the Kent Downs AONB, consideration should be given to the direct and indirect effect upon this designated landscape and in particular the effect upon its purpose for designation within the environmental impacts assessment, as well as the content of the relevant management plan for the Kent Downs AONB. Receptors should include views from public areas/public rights of way from the Wye and Crundale Downs including the Devil's Kneading Trough.	Include within the Landscape assessment.	Addressed in the Landscape and Visual impact Assessment, presented in Chapter 7 Landscape, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 8.4.1 Policies Please refer to section 1.8.3 comments. This should include Ashford Borough Council's Landscape Character SPD adopted 2011.	Include within the Landscape assessment.	Addressed in the Landscape and Visual impact Assessment, presented in Chapter 7 Landscape, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Section 12 Noise and Vibration It will be important that the effects on Noise and Vibration in particular on local residents is thoroughly assessed. The impacts on Pilgrims Hospice in particular during construction needs to be considered in view of the vulnerability of residents.	Include within the Noise and Vibration assessment.	Addressed in the Noise and Vibration assessment, presented in Chapter 11 Noise and Vibration, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Paragraph 12.3.1 There are two references on pages 87 and 108 to Highfield House Nursing Home. This property was partially demolished and subsequently converted to Highfield Court (Nos 1 and 2) and Highfield Mews (Nos 1 to 6, being two apartments and six bungalows)	Noted.	Noted.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Section 14 Community and Private Assets Paragraph 14.2.1 The effects of the scheme on unimplemented planning permissions and upon development allocations in the adopted Ashford Borough Local Plan 2000. The adopted Ashford Borough Local Plan (ABLP) has been superseded by the Urban Sites and Infrastructure Development Plan Document adopted October 2012. There are still saved ABLP policies.	Noted.	Noted.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council	Table 14.1 The site policies U19 and U14 are those found in the adopted Urban Sites and Infrastructure Development Plan Document and not the Ashford Borough Local Plan. Planning Permission application ref 14/00255/AS was for 28 dwellings (not 37) and refused planning permission in November 2014. Reference is made to Planning application ref 14/00910/AS Erection of a commercial unit of 5,239sqm comprising light industrial (B1c) and storage & distribution (B8) of 3706.6sqm (including 959sqm of operational mezzanine); with ancillary retail (A1) 873.7sqm, and ancillary office (B1a) of 658.7sqm with associated car parking, landscape and drainage works. Land west of Highfield Lane and East and North of, Church Road, Sevington. There is no decision at present on this scheme. It is related to planning application 14/00906/AS which is mentioned in the table.	Noted.	Noted.
Appendix 2	Respondents to	Ashford	Section 15 Road Drainage and the Water Environment	Noted. Liaison with the	Discussions have been held

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	Consultation and Copies of Replies.	Borough Council.	The Environmental Scoping Report does not make reference to ABC's sustainable drainage SPD within section 15.4 'Guidance and Best Practice'. This is a fundamental local planning policy and should be considered throughout the design phase of the project to ensure that the scheme is in line with these requirements. We feel that within the proposed FRA (and drainage strategy within) for the scheme, ABC's sustainable drainage SPD should be considered throughout and the scheme should be designed to meet the local planning policy standards. The FRA should take detailed consideration of surface water management of the scheme to the latest requirements and design standards. In the interests of Ashford's long term sustainable drainage development and the desire to continually reduce flood risk within the area through development suitable surface water and flood risk management methodologies should be proposed. Consideration should be given to the potential wider benefits that can be provided as part of the scheme, not only to areas inside the site boundary but also to the local surrounding area.	Drainage Designer required.	with ABC and the EA to agree the drainage strategy. The requirements of the SPD have been taken into account in the drainage design.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	Due to the nature of the readily responding catchment of the Aylesford Stream, its susceptibility to flooding throughout several locations in Ashford and therefore it is deemed of local significance that work is being undertaken on the upstream reach of the stream which could have and influence throughout Ashford. Therefore, maximising improvements to the Aylesford Stream compared to the status quo may not only provide mitigation against the increase in surface water runoff as part of the works, but also provide long term benefits to the wider area, we feel these should be considered from the outset of the next phase of design.	To be considered within the FRA and water ES chapter.	The proposed drainage design represents an improvement on the current situation, and will provide attenuation up to the 1-in-100 year (plus 40% climate change allowance) event in all locations where possible, in comparison to the existing system which is designed to attenuate the 1-in-5 year event.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	A good example of an improvement which should be considered is the significant betterment of the existing EP2 balancing pond. In section 15.3.3 'Flood risk' it is stated that the existing EP2 balancing pond, attenuates runoff from the M20 to a 1-in-5 year event and with an allowable discharge rate from the pond of 7 l/s/ha. As it is proposed that this is being replaced by a new balancing/attenuation pond, with improvements to the existing pond to move it out of the floodplain, this should be designed in line with ABC's sustainable drainage SPD, this would require it to accommodate the 1-in-100 year event + a 30% allowance for Climate Change and a maximum peak discharge rate of 4 l/s/ha.	Discussed with the EA and ABC 17/02/2015, where it was suggested that the HE would only accept 1-in-100 plus 20% CC. ABC noted that this may be acceptable as it would represent such an improvement on the existing situation.	The drainage design provides attenuation up to the 1-in-100 year (plus 40% climate change allowance) event in all locations apart from a small area of slip roads, where ground levels do not allow attenuation to be provided.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	We feel the EA's previously agreed approach should be reconsidered in light of new guidance on Climate Change and the potential for increased rainfall intensities during the project's lifetime. In line with ABC's sustainable drainage SPD the new attenuation pond at the A2070/A20270 link road junction should have a 30% allowance for Climate Change, rather than the 20% previously used. Any increase in floodplain storage that can be provided as part of the compensatory flood storage recognised as a requirement within the scheme could further improve the economic viability of the scheme. There is the potential that increasing flood storage within the upstream reaches of the Aylesford Stream could potentially reduce flood risk downstream, which may even include properties within the South Willlesborough Area of Ashford, these benefits should be investigated within the FRA.	Discussed with the EA and ABC 17/02/2015, where it was suggested that the HE would only accept 1-in-100 plus 20% CC. ABC noted that this may be acceptable as it would represent such an improvement on the existing situation.	The drainage design provides attenuation up to the 1-in-100 year (plus 40% climate change allowance) event in all locations apart from a small area of slip roads, where ground levels do not allow attenuation to be provided.
Appendix 2	Respondents to Consultation and Copies of Replies.	Ashford Borough Council.	We hope that this scheme can become an exemplar national scheme using recognised best practice, which can have substantial localised benefits to Ashford's water environment and overall wider economy.	To be considered within the FRA and ES chapter.	The proposed drainage design represents an improvement on the current situation, and will provide attenuation up to the 1-in-100 year (plus 40% climate change allowance) event in all locations where possible, in comparison to the existing system which is designed to attenuate the 1-in-5 year event.
Appendix 2	Respondents to Consultation and	Ashford Borough	Consideration of combined and cumulative effects It is noted that the developments in table 16.1 are a provisional list to be considered and may be	To be included in Chapter 15 'Combined and	Sevington Phase 2 has been included in Chapter 15

Scoping Opinion ref. (Para / Appendix no.)	Section of Scoping Opinion	Respondent	Scoping Opinion Comment (Note these include references to the Environmental Scoping Report)	Action	Outcome
	Copies of Replies.	Council.	subject to change. Sevington phase 2 is not within the current U19 policy allocation under the Adopted Urban Site and Infrastructure DPD2012. Other schemes beyond the ABC's boundaries such as the Lydd airport expansion development may need to be considered.	Cumulative Effects' (Volume 6.1).	Combined and Cumulative Effects, Volume 6.1. The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. In order to align the assessment of Combined and Cumulative Effects with the Traffic Model and the recently published PINS 'Advice Note Seventeen: Cumulative Effects', only those developments included in the Traffic Model, and those assessments included within the largest ZOI considered in the individual topic chapters of the ES, have been included in the assessment for cumulative effects. As such, proposals outside of these study areas have not been considered as the ZOIs are unlikely to overlap.
Appendix 2	Respondents to Consultation and Copies of Replies.	Canterbury City Council.	Strategic Sites The Council wish any future Environmental Statement to consider the following strategic sites that are being proposed as part of Canterbury City Council's emerging local plan. These are as follows: <ul style="list-style-type: none"> • Site 1: South Canterbury including a new junction to the A2. • Site 9 at Howe Barracks. • Site 10 at Kent & Canterbury Hospital. Please see the following link to our local plan which gives further details on the above sites: http://www.cartogold.co.uk/Canterbury/ Whilst not an allocated site, the Council is aware that developers are preparing an application for an area of land off Cockerling Road in Thanington. The latest proposals are for approximately 750 dwellings, 8,000m2 of B1 floor space, up to 1,000m2 of A1-A5 uses, a primary school, up to 5,000m2 of community uses, up to 2,000m2 of leisure uses, local recycling facilities, areas of formal and informal open space and associated utilities and transport infrastructure, landscaping and associated ground works. The Council has not received any formal proposals at the time of writing.	The proposed developments listed by Canterbury City Council as developments to consider within the assessment have been reviewed. Contact to be made with Traffic Modellers for justification as to why they did not assess these developments further away from the site.	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. In order to align the assessment of Combined and Cumulative Effects with the Traffic Model and the recently published PINS 'Advice Note Seventeen: Cumulative Effects', only those developments included in the Traffic Model, and those assessments included within the largest ZOI considered in the individual topic chapters of the ES, have been included in the assessment for cumulative effects. As such, proposals outside of these study areas have not been considered as the ZOIs are unlikely to overlap.
Appendix 2	Respondents to Consultation and Copies of Replies.	English Heritage.	As anticipated by this report, an Environmental Impact Assessment for the above project should scope in the potential effects upon all designated historic assets and their settings (i.e. World Heritage Sites, Listed Buildings (all grades), Scheduled Monuments plus other nationally important archaeological sites, Registered Historic Parks and Gardens, Registered Battlefields,	Include within the Cultural Heritage assessment.	Taken into consideration within the Cultural Heritage assessment presented in Chapter 6 Cultural Heritage,

Scoping Opinion ref. (Para / Appendix no.)	Section of Scoping Opinion	Respondent	Scoping Opinion Comment (Note these include references to the Environmental Scoping Report)	Action	Outcome
			Conservation Areas), together with potential impacts on non-designated features of local historic, archaeological or architectural interest and value, since these make an important contribution to the local distinctiveness of an area and its sense of place. This covers buildings, archaeology, historic open spaces, historic features and the wider historic landscape.		Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	English Heritage.	We agree it is reasonable because of the nature of the proposed development for the study area to be based on a 1km radius from the centre point of the scheme, but the EIA should not rule out the possibility of heritage assets of any of the above types outside that 1km zone being affected by the scheme, especially where the nature of their significance makes them particularly sensitive to changes within their settings over a wider area. Such an example in this case might be the way in which the spires of the parish churches at Ashford, Willesborough, Aldington and Sevington, among others, were designed to be seen and intervisible over large distances, perhaps as way-finding on a pilgrimage route.	Include within Cultural Heritage assessment.	Taken into consideration within the Cultural Heritage assessment presented in Chapter 6 Cultural Heritage, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	English Heritage.	The effects on the significance of any of the above heritage assets of the proposed road (in both its construction and operation) will need to be assessed in relation to both its physical impacts and changes within the assets' settings. For further information on setting, please refer to the consultation document Good Practice Advice Note 3 - the Setting of Heritage Assets, and previous EH guidance, the Setting of Heritage Assets 2011. The EIA should especially consider the effects of the scheme on the setting of the Grade I listed Church of St Mary, Sevington and the associated settlement that grew up around it.	Include within Cultural Heritage assessment.	Taken into consideration within the Cultural Heritage assessment presented in Chapter 6 Cultural Heritage, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	English Heritage.	Sevington is significant as a small historic settlement that survives unusually intact and still with a strong sense of the agricultural setting that relates to functionally to it and which provides an attractive buffer to nearby urban development. The spire of its church, a grade-I listed building of outstanding heritage significance, retains its intended commanding presence over the surrounding houses and this countryside despite the intrusion of existing roads. These positive elements of the church's setting make a key contribution to its significance, as well as to many of Sevington's grade-II listed houses and farm buildings. The EIA will need to assess how these aspects of the buildings' significance will be affected and, where appropriate, mitigated by the proposed development.	Include within Cultural Heritage assessment.	Taken into consideration within the Cultural Heritage assessment presented in Chapter 6 Cultural Heritage, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	English Heritage.	Cumulative impacts of development will also need to be considered (and not only in relation to archaeological sites as implied at 7.8.2), so the effects of the road on the above assets are not considered in isolation from, for example, the major new development at Sevington associated within it and upon which we have been consulted by the Local Planning Authority on an application for planning permission.	To be considered in the cumulative effects assessment as part of Chapter 15 Combined and Cumulative Effects.	Following guidance produced by PINS 'Advice Note Seventeen: Cumulative Effects', cumulative effects on local archaeology as a result of the Main and Alternative Schemes in conjunction with other developments (including Stour Park Phase 2) have been assessed to ensure that any adverse residual cumulative effects on archaeology can be avoided wherever possible, and suitable mitigation in place.
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	Flood risk We would refer you to our comments made to Mott MacDonald in our letter dated 23rd December 2014 (Our Reference: KT/2014/119293/01) enclosed. Further, we note in Chapter 15 (Road Drainage and the Water Environment) of the Environmental Scoping Report that a Flood Risk Assessment (FRA) will support the planning application. The applicant may wish to consider providing the EA with a draft FRA in order to receive early feedback on this document prior to submitting the planning application.	Supply draft FRA to EA prior to submitting the planning permission.	To be provided to the EA if possible.
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	Fisheries and Biodiversity The range of surveys and methodologies proposed to assess the impacts on riverine nature conservation interests are acceptable. However, a recent, reliable record of otters at Westbere, c. 26km west of the site raises the importance of surveying for otters, previously thought to be absent from Kent. It is not thought likely that this sighting has been reported to the Kent and Medway Biological	Include within Nature Conservation assessment. Otter surveys are scheduled.	Potential presence of otter has been considered, and this record has been cited in the Technical Appendix of the ES.

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			Records Centre (KMBRC) so will not be reported during desk-based work for this project. Use of the Highways Agency's Design Manual for Roads and Bridges (DMRB), Volume 10 Environmental Design, and any pertinent updates to this publication, is also essential in minimising the adverse effects of this proposal on the re-colonisation of Kent by otters. We request that all ecological survey data for the proposal be shared with KMBRC.		
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	The report suggests that our guidance 488_10, EA (2011) Assessing new modifications for compliance with WFD, Environment Agency, 2011 and 488_10_SD01 Detailed Supplementary Guidance note, Environment Agency, 2011 will be used for the WFD Compliance Assessment. This guidance has been replaced recently with a new assessment process, details of which will be available on request from the Area Geomorphologist.	WFDa will be carried out and form an appendix to the ES. The new Screening Assessment methodology will be followed, as discussed.	New guidance has been used in the preparation of the WFD assessment and discussion with the EA about the conclusion of the assessment are ongoing
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	<p>Land contamination</p> <p>This site overlies a chalk aquifer, any pathways for contamination must be strictly controlled to avoid pollution of the principle from any historic contamination identified on the site from previous uses. At this stage, we will not provide detailed site-specific advice or comments with regard to land contamination issues apart from identifying the site sensitivity as above. Whilst we will not be providing specific advice at this stage in the planning process, it is recommended that the requirements of the National Planning Policy Framework (NPPF) are followed. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Therefore, in completing any site investigations and risk assessments the applicant should assess the risk to groundwater and surface waters from contamination which may be present and where necessary carry out appropriate remediation. In making our response we have considered issues relating to controlled waters The evaluation of any risks to human health arising from the site should be discussed with the Environmental Health Department. We recommend that the applicant:</p> <ul style="list-style-type: none"> • Applies the risk-based framework set out in the Model Procedures for the Management of Land Contamination (CLR 11) and follow the guidance in that document so that the best decision are made for the site. • Refers to the Environment Agency guidance on requirements for land contamination reports. • Uses BS 10175 2001, Investigation of potentially contaminated sites – Code of Practice as a guide to undertaking the desk study and site investigation scheme. • Uses MCERTS accredited methods for testing contaminated soils at the site. • Consult our website at www.gov.uk/search?q=environment+agency for further information about any permission that may be required. 	To be included in the Geology and Soils Chapter.	Addressed in Chapter 9 Geology and Soils, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	<p>SCHEME LAYOUT COMMENTS</p> <p>(Drawing Number: 49326354/PD/BO/100 B) by URS</p> <p>We will require further clarification (e.g. through the provision of drawings etc.) with regard to the provision of suitable vehicular/plant access to the Aylesford Stream in order for the Environment Agency's FCRM Operations Field team to continue to carry out maintenance works (e.g. hand cutting and de-silting) within the channel of this watercourse. The scheme layout drawing seems to depict access from the southbound A2070 and adjacent to the new attenuation pond (NP2). Please note the WFD classification of the Aylesford Stream has gone down from GOOD to MODERATE.</p> <p>Any new trash screens to culverts and other structures / works within the channel of the Aylesford Stream (e.g. including retraining the river, culvert extension, removal of existing structures etc) and within 8 metres of the river banks (as well as over and under the river) will need to receive prior flood defence consent from the Environment Agency. Please Contact: PSO.EastKent@environment-agency.gov.uk for further guidance.</p>	To be included in the Road Drainage and Water Environment chapter.	Flood Defence Consents to be disapplied and included within the DCO. Discussion ongoing with the EA regarding this process, which includes making allowance within the design for the EA's access requirements.
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	<p>LACTON FARM CULVERT DESIGN</p> <p>(Drawing Number: HAXXXXXX MMGJV XXX P1) by Mott MacDonald / Grontmij</p> <p>We will require suitable location plan depicting the new channel section and bypassed channel including upstream and downstream grid references (NGR) and lengths. An as built topographic survey with grid references will also be required. This information will be used to amend our records of this main river watercourse. Please note the inclusion of mammal ledges within the</p>	To be included in the Road Drainage and Water Environment chapter, as discussed with the EA 17/02/2015.	Mammal ledges will be included within the Lacton farm culvert, but no other changes are proposed. The two new slip roads will be carried over the Aylesford

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			existing and extended Lacton Farm Culvert should be confirmed and depicted on a revised drawing. However this is subject to the hydraulic conditions within the culvert being suitable, which should be confirmed in writing. Long culverts are known to be barriers to fish passage due to lack of light. Given a scheme of this magnitude could, we suggest suitable lighting (sustainable) be investigated. We require further clarification as to whether the bypassed channel of the Aylesford Stream will be retained as a backwater (e.g. as noted in paragraph 7.2 of the URS Meeting Record 20-10-2014) or infilled as suggested by this drawing. Also, confirmation is required on the removal of the existing weir at the upstream end of the culvert. Initial designs showed this to be removed.		Stream on clear span bridges and no culvert extension or stream diversion will be required.
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	DESIGN RATIONALE STATEMENT In terms of surface water drainage we would support the discharge rate of 4 litres/second/hectare. With regards to page 2 M20 Mainline and Proposed J10a works, paragraph 2: floodplain compensation is required on a level for level and volume for volume basis. Flood model: our Ashford Updates 2012 model is currently our most up to date model. For enquiries with regard to data please contact: kslenquiries@enviromentagency.gov.uk. Having reviewed the location of the three new surface water attenuation ponds, we note on the URS drawing discussed above, that they are located outside the floodplain (using the undefended scenario for the 100 year plus climate change event).	To be discussed with the EA.	Drainage design and run off rates have been discussed and agreed with the EA and ABC. A discharge rate of 4 l/s/ha south of the M20 and 2 l/s/ha to the north of the M20 (to reflect the different geology of the area) has been agreed
Appendix 2	Respondents to Consultation and Copies of Replies.	The Environment Agency.	PROPOSED GROUND INVESTIGATION We generally accept the proposals in principal but have the following comments: Please ensure that the intrusive works investigates all potential sources of contamination. Currently there appears to be no site investigation within the nursery. If the nursery is considered a potential source of contamination then it should be investigated. If the balancing ponds include proposals to discharge to ground then these should not be sited on land impacted by contamination or land previously identified as being contaminated. We accept, in principal, the proposals for mitigation measures during the ground investigation. Please note that there may be limited cap material on site, so there may be a requirement to import clay soil to improve the final surface of the trail pits. We accept using contaminated land risk assessment approach at this site.	To be discussed with the EA.	No discharge to ground is proposed as part of the drainage design. Attenuation ponds would be impermeable, with all outfalls to surface watercourses. Ground Investigation (GI) was undertaken in the Nursery area in the 2015 Concept GI. This and the findings of the contamination samples and assessment undertaken are explained in detail in the supporting Contaminated Land Desk Study and Preliminary Interpretative Report technical appendix for Chapter 9 Geology and Soils.
Appendix 2	Respondents to Consultation and Copies of Replies.	Health and Safety Executive.	HSE does not comment on Scoping Reports, but the following information is likely to be useful to the applicant; This application includes within the project site boundary a Major Accident Hazard Pipeline (Ashford PRS/Lyminge). The major accident hazard pipeline is operated by Southern Gas Networks (SGN). The pipeline passes under the M20 between junction 10 and the proposed junction 10a. The proposed A20270 link road will also cross the route of the pipeline. Since the works will entail excavation and piling for new structures, HSE strongly recommends that at the earliest opportunity, the applicant liaises with the Pipeline Operator (SGN). There are three particular reasons for this: (i) The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline. (ii) The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline or its operation, if the development proceeds. (iii) To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.	Design engineers to liaise with Southern Gas Networks.	An initial New Roads and Street Works Act (NRSWA) C2 – Scheme Identification and Preliminary Inquiry and C3 Budget Estimates for the Scheme has been conducted with Southern Gas Networks (SGN). In advance of the submission of a C4 - Detailed Estimate , a meeting was held on the 16th May 2016 between MMSJV and representatives of SGN. The existing high pressure 18” gas main will require a diversion and will be replaced with a 450mm

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					steel main. Ongoing dialogue between Highways England's consultants and SGN during further design phases.
Appendix 2	Respondents to Consultation and Copies of Replies.	Kent County Council.	Thank you for the consultation on the scoping of the Environmental Impact Assessment for the above site. The local highway authority requests that future design work of 'the scheme' provides sufficient flexibility to allow a safe and suitable means of highway access to be formed between points 'A' and 'B', as shown in Figure 1 below, to serve the site immediate south of the proposed 'link road' which is subject to 'Policy U19 – Sevington' in the adopted Ashford Borough Council Urban Sites and Infrastructure DPD. Figure 1. Suggested spatial scope for highway access to serve site Policy U19	Noted.	The Alternative Scheme allows for a safe and suitable means of highways access between points 'A' and 'B' to serve the site south of the proposed 'link road' subject to Policy U19 (Stour Park development).
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The retention of the existing Highfield Lane bridge requires the southern crossing arm of the new junction to be moved east of its originally intended position and therefore closer to housing at the end of Kingsford street (p12 refers). If the southern arm of the new junction is located where Highfield Lane currently crosses the M20, J10A will have less impact on the housing in Kingsford Street and may result in Lagonda Lodge being retained rather than falling within the scheme footprint. The loss of residential accommodation is a large adverse impact of the scheme (p113 refers) so the loss of Lagonda Lodge and Highfield, added to the loss of commercial property at Beauchamp Clerk Nurseries, Willesborough Garden Centre and Sweatman Mowers is to be avoided. It is noted that there are three garden related businesses operating on the footprint and the concentration of these three businesses in a single place is unique and advantageous to the community and would be impossible to replicate elsewhere.	Design engineers to consider.	Highfield Lane Bridge is no longer being retained. Lagonda Lodge is no longer being acquired by the Scheme and is outside of the DCO boundary.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	There are a number of properties affected by the loss of land from their properties. That are Ransley House (note this will doubtless have commercial effect on the kennels business located there as the land lost is integral to the business operations), Court Lodge Farm, the Hatchins and numbers 46, 86, 96 and 98 in Church Road. These are listed on p111. Ransley House and Court Lodge Farm are listed properties and the permanent land take from listed properties will be of regional significance (p39 defines).	To be included in the Community and Private Assets assessment.	Demolition of private property and associated land take, loss of community land and effects on agricultural land are all considered in Chapter 13 Community and Private Effects, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The list of roads affected by the Scheme are listed on p96 but this list should be expanded to take the full effect of additional traffic flows into Ashford not just via Hythe Road (which is listed) but past the Designer Outlet Village (which is already a congestion spot). The point is that we know the Scheme will result in building a further 12,989 houses and 19,756 jobs (these are listed on page 136) and this will have very significant traffic movements in and around Ashford. The Environmental Impact Report should carefully consider whether Ashford can cope, and not just look at roads 250m from the new Scheme.	Traffic modelling report to provide justification for the schemes that have been modelled.	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. Please see the Traffic Assessment (DCO submission document 7.2) for further detail. The traffic data has been used by a number of ES topic chapters, Volume 6.1, to inform the assessment.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	In the number of jobs created by the Scheme, 2,500 jobs at Sevington Phase II are included. This land is outside the land allocated for development and including these jobs would lead residents to conclude that the development is given de facto support and will happen. Sevington Phase II is said to be part of a list of "proposed developments within Ashford Borough [that] have been identified". This statement is incorrect as ABC has not identified Phase II Sevington so the Environmental Impact Report should not consider unallocated development sites in Ashford as it leads stakeholders to conclude that the required procedures to allocate sites for development are not being followed.	Traffic modelling report to provide justification for the schemes that have been modelled	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. Please see the Traffic Assessment (DCO submission document 7.2) for further detail. The Stour Park development is considered in Chapter 15 Combined and Cumulative Effects, Volume 6.1.
Appendix 2	Respondents to	Mersham and	Developments and strategic planning decisions that have been taken in surrounding districts	Traffic modelling report to	Note that outside the

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	Consultation and Copies of Replies.	Sevington Parish Council.	should be taken into account. A good example here is Lydd Airport. If this expands it will result in more traffic at the scheme and this will result in noise, air pollution, vibration, and driver stress. The report says at page 111 that "other planned developments on the study area have not yet been assessed". It is essential that all schemes are assessed as to their impact on traffic flows.	provide justification for the schemes that have been modelled.	confines of the boundary the modelling relies on national forecasts to cater for forecast growth as what is effectively classed as 'background' traffic growth. While appreciating that potentially all the surrounding authorities may wish to examine model output to inform their plan making processes/ reassurances that their future proposed development scenarios can be accommodated, it is necessary to rely on national growth figures outside a fairly tight boundary to avoid introducing significant levels of uncertainty that could render the whole exercise fairly meaningless - in addition there is also a resource issue attached to compiling and agreeing the log given that many of the neighbouring authorities are still in the process of securing public approval (i.e. they are not fully ratified) for their future landuse strategies over the modelling horizon. By using national figures the assumption is that future growth associated with the surrounding area will be represented as far as practicable. The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. Please see the Traffic Assessment (DCO submission document 7.2) for further detail.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The DCO for the SELEP scheme is on hold (p137 refers). For this reason the planning applications which are dependent of the SELEP (i.e. the AXA scheme and the Kent Wool growers) should also be put on hold as it is impossible to determine these two planning applications until the outcome of the SELEP is known. For that reason I would urge the Highways Agency to object to these two applications.	Discuss with ProjectTeam.	The DCO for the SELEP Scheme has been withdrawn.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The scheme would results in the loss of 12ha of permanent agricultural land which is classified as Grade 2 and Grade 3a (Page 112). Both of these grades are good quality land and are therefore the most productive and flexible. NPPF says "Planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where	Design engineers to consider.	Agricultural Land is considered in Chapter 13 Community and Private Assets, Volume 6.1.

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			significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality" (this rule came out in 2002). Alternative arrangements much therefore be investigated again to the Scheme, such as expanding existing J10. The options considered in December 2005 should be reassessed in the light of new planning guidance issued in 2012 for agricultural land and it is very likely that in the light of these new planning rules that Option 1 (from the original 2005 option assessments listed in page 11) would now be the preferred option.		
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	There are significant access issues between Highfield Lane and Kingsford Street and the scheme will result in additional traffic flows through the centre of Mersham if this is not addressed. It is necessary to ensure that traffic cannot travel directly from Highfield Lane to Kingsford Street as this will increase traffic through the sensitive village centre. Unless a way can be found to address this the Scheme must not proceed.	Design engineers to consider.	This issue is being addressed by the Stour Park development Planning Application.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	Part of the Scheme lies in Flood Zone 3a - High Probability. This means there is a greater than 1-in-100 probability of river flooding (p121 refers). Clearly a lot more work is required here before the Scheme can proceed, not only is there a risk to flooding in the area but there is the added complication of runoff water from the scheme being contaminated with petrol, diesel and the like so when there is a flooding event it will cause extreme damage to property if the water is mixed with fuel. Whilst the water quality in the Aylesford Stream is classed as High Quality we do know that water quality in the Great Stour and East Stour is of Medium Quality (p124 refers). There may therefore be an effect of run off from the Scheme where water that flows into the Aylesford Stream is contaminated with petrol and diesel during operation and construction. This may ultimately affect the Great Stour quality. It is quite likely that properties near or on the floodplain (e.g. Bridgefield and Finberry) will be at greater risk of flooding due to changes to the extent of the floodplain downstream from the scheme.	To be included within the FRA and Road Drainage and Water Environment chapter.	An FRA has been carried out, which shows that there would be no increase in flood risk from the proposed M20 junction 10a Scheme. Pollution control measures (interceptors, pernstocks and the attenuation ponds) have been incorporated into the drainage design, to minimise the risk to watercourses from a spillage.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The scheme is near to and will be built partly on the old Ashford Corporation Tip in Mersham. Drilling through the old landfill site may release a number of contaminants as record keeping in the 60's and 70's was not as diligent as they are today. This risk is that once breached the landfill will cause harmful substances to leach into the groundwater and such sites are best left free from development.	To be included with the Geology and Soils chapter.	Taken into consideration in the Geology and Soils assessment presented in Chapter 9 Geology and Soils, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	There was a significant pollution incident near to the site of the scheme in 2003 (p68 refers) and greater detail of what this was needs to be sourced so that the effect of construction in areas affected by the pollution incident can be assessed. We do know that the scheme land has been contaminated by Mercury (p68, presumably these two facts are linked) so there is a question whether the construction of the scheme will release this and other pollutants into the stream or into the atmosphere during construction.	To be included with the Geology and Soils chapter.	Taken into consideration in the Geology and Soils assessment presented in Chapter 9 Geology and Soils, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The views from the Wye and Crundale Downs site including Devil's Kneading Trough must be assessed. There is a terrific vista from these areas into Sevington and Mersham and the view from these important sites must be protected from development.	To be included within the Landscape assessment.	View from Devil's Kneading Trough was included as a receptor and assessed within the Landscape and Visual impact Assessment, presented in Chapter 7 Landscape, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The loss of the footbridge over the A2070 (p112) and replacement with two signalised crossings at the southern end of the link road would result in significantly longer journey times for pedestrians who use the bridge. It will also impact cyclists who use the bridge. The journey to cross the A2017 from one part of Sevington to the other will be much more difficult than is currently the case and the footbridge must be retained.	To be included within the Effects on All Travellers assessment.	The existing Church Road footbridge would be replaced by a new cycle friendly, Equality Act (2010) compliant footbridge which would minimise journey times for NMUs.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	There is great confusion over what is planned for the link road - p112 refers to two signalised crossings and p12 refers to a roundabout. Before an Environmental Impact Report can be written the designers need to be clear. The impact of each will be different, particularly on the noise on the Highfield Estate and Sevington Church. Now the residents suffer from the noise of lorries moving slowly to the J10 in low gear as J10 is at the top of an incline. Will this matter get worse with the inclusion of either a roundabout or traffic lights at the southern end of the link road? There is also the very important question of the gradient of the link road along with at least one set of traffic lights on the link road - will residents on Kingsford Street be faced with the	Ensure scheme description is accurate.	An updated Scheme description is provided in Chapter 1 Introduction, Volume 6.1, with more detailed information in Chapter 2 The Proposed Scheme, Volume 6.1. These align with the design

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			same noise pollution as the Highfield residents currently suffer?		drawings (Figures 2.1, 2.2, 2.4a to d and 2.5, Volume 6.2).
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	Sevington Church is a delightful, well used Church. It is Grade I. One very pleasant aspect of the Church is the pealing of bells (often change ringing) and there is fear that this unique attribute of the Kent Countryside will be lost from Sevington for good. This is because the southern end of the link road will be within about 70 yards of the church. The southern end of the link road will have either a roundabout or a signalised crossing which will drown out the pealing. It will also cause the loss of amenity land between the church and Aylesford Stream. There is a popular and well used tract past the church towards the stream which is popular with dog walkers and for general amenity use.	Potential noise, amenity and visual effects will be addressed within the ES.	Addressed within Chapter 7 Landscape, Chapter 11 Noise and Vibration, Chapter 12 Effects on All Travellers, and Chapter 13 Community and Private Assets, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The junction of Barrey Road and the A2020 is badly in need of upgrading to traffic lights or a roundabout. There have been a good number of accidents where slow moving traffic joins fast moving traffic. This must be included as part of the scheme if the scheme is to proceed.	Design engineers to consider.	Refer to the Consultation Report (DCO submission document 5).
Appendix 2	Respondents to Consultation and Copies of Replies.	Mersham and Sevington Parish Council.	The access to the William Harvey Hospital from Mersham and Sellindge will be greatly hampered by the new road layout as car journeys will have to cross two big roundabouts at new J10A and old J10. This will add over 250m to journey lengths and will add significant stress to those already seeking to get to hospital. For similar reasons it is important that the access to the A2070 from London is maintained at J10 so traffic can more quickly access the hospital. Without it journey distances will increase by over 500m.	Design engineers to consider.	Effects of the Scheme in operation on Driver Stress have been considered in Chapter 12 Effects on All Travellers, Volume 6.1, with consideration for speeds and traffic flows at peak times as required in DMRB Volume 11 Section 3 Part 9 Vehicle Travellers.
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Designated nature conservation sites Development is within close proximity of Hatch Park SSSI. Further information can be found on www.magic.gov.uk website. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within this site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects. The EIA will need to take into account the ecological and geodiversity impacts of local wildlife sites from the development. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.	To be included within the Nature Conservation assessment.	Taken into consideration in the assessment of Nature Conservation, presented in Chapter 8 Nature Conservation, Volume 6.).
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Protected Species Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010. The ES should assess the impact of all phases of the proposal on protected species. NE advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, etc. and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment. The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System. The area affected should be surveyed by competent ecologist and where necessary, licenced ecologists. at appropriate times of year, depending on specific species. Survey results, impact assessment appropriate accompanying mitigation strategies should be included as part of the ES. Natural England has adopted https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals#standing-advicefor-protected-species for protected species which includes links to guidance on survey and mitigation.	To be included within the Nature Conservation assessment.	Surveys have been undertaken in accordance with guidance and any limitations have been identified. Survey results are presented within Chapter 8 Nature Conservation, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Habitats and Species of Principal Importance The application should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication 'Guidance for Local Authorities on Implementing the Biodiversity Duty'. Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material	To be included within the Nature Conservation assessment.	Presence of priority species has been considered in Chapter 8 Nature Conservation, Volume 6.1, and the desk study has identified historic records of these species.

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			consideration...in the making of planning decisions'. (Government Circular 06/2005) NE advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP. Surveys should establish whether any scarce or priority species are present. The ES should include details of: historical data from previous surveys, additional surveys carried out as part of this proposal, present habitats and species and status, the indirect and direct effects on present habitats and species by the development, full details of any mitigation or compensation that might be required. The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.		
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England	Contacts for Local Records Applicants should seek further information from appropriate bodies.	To be included within the Nature Conservation assessment	Data from the local records centre and the Highways EnvIS database have been procured. Badger records have been requested. Consultation has been undertaken with local conservation groups who were interested to meet with us (East Kent Badger, Kent Bat, Kentish Stour Countryside Project, Kent Wildlife Trust).
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England	Designated Landscapes and Landscape Character - Nationally Designated Landscapes Development is within close proximity to Kent Downs AONB, consideration should be given to any indirect effects upon this designated landscape and in particular the effect upon its purpose for designation within the environmental impact assessment, as well as the content of the relevant management plan for Kent Downs. Landscape and Visual Impacts NE would wish to see local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include; assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on decision makers to consider the impacts of landscape when exercising their functions; a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. NE supports the publication Guidelines for Landscape and Visual Impact Assessment, produced by the Landscape Institute and the Institute of Environmental Assessment and Management (3rd Ed. 2013). NE encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The EIA should; ensure building design is of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit; include the cumulative effect of the development with other relevant existing or proposed developments in the area. NE advises that this should also include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application; refer to the National Character Areas found on NE website. Links for Landscape Character Assessment at a local level are also available on the same page. Heritage Landscapes. You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm	To be included within the Landscape assessment	Addressed in the Landscape and Visual impact Assessment, presented in Chapter 7 Landscape, Volume 6.1.

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Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Access and Recreation NE encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate. Rights of Way, Access land, Coastal access and National trails. The EIA should consider potential impacts on access land, public open land and rights of way in the vicinity of the development. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.	To be included in the Effects on All Travellers assessment.	Potential effects on PRoW are addressed in Chapter 12 Effects on All Travellers, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Soil and Agricultural Land Quality Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.	To be included with the Community and Private Assets Chapter.	Taken into consideration in the Chapter 13 Community and Private Assets, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Air Quality Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.	To be included within the Air Quality chapter.	NOx and nitrogen deposition at designated sites within 200m of the affected road network have been assessed and discussed with the project ecologist to determine significance. The assessment is presented within Chapter 5 'ir Quality, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Climate Change Adaptation The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The application should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 109), which should be demonstrated through the ES.	To be included within the Nature Conservation assessment.	We have sought opportunities for ecological networks where possible, and have included these in the Environmental Masterplan (Figures 2.6 and 2.7, Volume 6.2).
Appendix 2	Respondents to Consultation and Copies of Replies.	Natural England.	Cumulative and in-combination effects A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment. The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information): (a) Existing completed projects. (b) Approved but uncompleted projects. (c) Ongoing activities. (d) Plans or projects for which an application has been made and which are under consideration by the consenting authorities. (e) Plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.	Cumulative and combined assessment to be carried out.	A combined and cumulative assessment have been undertaken in Chapter 15 Combined and Cumulative Effects, Volume 6.1.
Appendix 2	Respondents to Consultation and Copies of Replies.	River Stour (Kent) Internal Drainage	Site is partly within the River Stour (Kent) Internal Drainage Board's district. Any works likely to affect any ordinary watercourse may require the Board's formal consent. There are no IDB adopted (maintained) water courses which would be directly affected by the proposal. Provided	To be included within the FRA.	Discussions have been held with ABC and the EA (the IDB) to agree the Drainage

Scoping Opinion ref. (Para / Appendix no.)	Section of Scoping Opinion	Respondent	Scoping Opinion Comment (Note these include references to the Environmental Scoping Report)	Action	Outcome
		Board.	that surface water drainage from the site is appropriately attenuated, in strict accordance with Ashford Borough Council's SuDS SPD, the Board will have no objections to this development.		Strategy.
Appendix 2	Respondents to Consultation and Copies of Replies.	River Stour (Kent) Internal Drainage Board.	Aylesford Stream is very flashy and suffers from rapid flooding. It is believed that development proposals such as this offer the opportunity to rectify some of the damaging effects of previous inappropriate development, which took little or no account of off-site flood risk. The Board strongly urges all developers to incorporate 'open' SuDS wherever possible, in preference to closed underground storage systems, due to the environmental benefits they provide.	To be included within the FRA.	The proposed drainage design represents an improvement on the current situation, and will provide attenuation up to the 1-in-100 year (plus 30% climate change allowance) event in all location where possible, in comparison to the existing system which is designed to attenuate the 1-in-5 year event. This has largely been achieved through the incorporation of three proposed new drainage ponds in the design.
Appendix 2	Respondents to Consultation and Copies of Replies.	River Stour (Kent) Internal Drainage Board.	A Flood Risk Assessment and a Surface Water Drainage Strategy are still to be produced in support of the development application. Send copies to the Board when completed.	To be included within the FRA.	FRA and drainage design have been produced and will be sent to the EA (the IDB) if possible.
Appendix 2	Respondents to Consultation and Copies of Replies.	Tunbridge Wells Borough Council.	The Council supports in principle the improvement scheme to junction 10a of the M20; however, it has concerns regarding the impact of the proposed junction on roads that link south Ashford to the eastern parts of Tunbridge Wells borough, these being the A268 and B2086.	Traffic modelling report to provide justification for the schemes that have been modelled	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. Please see the Traffic Assessment (DCO submission document 7.2) for further detail.
Appendix 2	Respondents to Consultation and Copies of Replies.	Tunbridge Wells Borough Council.	We would recommend that some broader consideration be given to the transport impacts, including vehicular trips, within the Environmental Statement, particularly as they affect Tunbridge Wells borough.	Traffic modelling report to provide justification for the schemes that have been modelled.	The list of proposed developments included in the Traffic Model was drawn up in consultation with ABC and KCC. Please see the Traffic Assessment (DCO submission document 7.2) for further detail.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	In order to ensure that health is fully and comprehensively considered the Environmental Statement (ES) should provide sufficient information to allow the potential impact of the development on public health to be fully assessed.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the ES. PHE however believes the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept that, in some circumstances particular assessments may not be relevant to an application, or that an assessment may be adequately completed using a qualitative rather than quantitative methodology. In cases where this decision is made the promoters should fully explain and justify their rationale in the submitted documentation.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.

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Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	The attached appendix outlines generic areas that should be addressed by all promoters when preparing ES for inclusion with an NSIP submission. We are happy to assist and discuss proposals further in the light of this advice.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	General approach The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA1. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases. It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body. Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES2.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	Receptors The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	Impacts arising from construction and decommissioning Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for. We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	Emissions to air and water Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts. When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these: <ul style="list-style-type: none"> • Should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary. • Should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment. • Should consider the construction, operational, and decommissioning phases. • Should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts. • Should fully account for fugitive emissions. • Should include appropriate estimates of background levels. • Should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air). 	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.

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			<ul style="list-style-type: none"> Should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data. Should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels). If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1. This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion. Should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development. 		
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken. PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England	Additional points specific to emissions to water When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these: <ul style="list-style-type: none"> Should include assessment of potential impacts on human health and not focus solely on ecological impacts Should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.). Should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure. Should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc.) alongside assessment of potential exposure via drinking water. 	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England	Land quality We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report. Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed and the potential impact on nearby receptors and control and mitigation measures should be outlined. Relevant areas outlined in the Government's Good Practice Guide for EIA include: <ul style="list-style-type: none"> Effects associated with ground contamination that may already exist. Effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination. Impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc. 	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	Waste The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal). For wastes arising from the installation the EIA should consider: <ul style="list-style-type: none"> The implications and wider environmental and public health impacts of different waste 	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.

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			<p>disposal options.</p> <ul style="list-style-type: none"> Disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated. 		
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	<p>Other aspects</p> <p>Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects. The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations. There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report, jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." PHE supports the inclusion of this information within EIAs as good practice.</p>	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	<p>Liaison with other stakeholders, comments should be sought from:</p> <ul style="list-style-type: none"> The local authority for matters relating to noise, odour, vermin and dust nuisance the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act. The local authority regarding any impacts on existing or proposed Air Quality Management Areas. The Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops. The Environment Agency for matters relating to flood risk and releases with the potential to impact on surface and groundwaters. The Environment Agency for matters relating to waste characterisation and acceptance. The Clinical Commissioning Groups, NHS commissioning Boards and Local Planning Authority for matters relating to wider public health 	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	<p>Environmental Permitting</p> <p>Amongst other permits and consents, the development may require an environmental permit from the Environment Agency to operate (under the Environmental Permitting (England and Wales) Regulations 2010). If so, the installation will need to comply with the requirements of best available techniques (BAT). PHE is a consultee for bespoke environmental permit applications and will respond separately to any such consultation.</p>	Consultation with the EA.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.
Appendix 2	Respondents to Consultation and Copies of Replies.	Public Health England.	<p>Human health risk assessment (chemical pollutants)</p> <p>The points below are cross-cutting and should be considered when undertaking a human health risk assessment:</p> <ul style="list-style-type: none"> The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES. Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used. When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account. When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed 	Health Impact Assessment Navigation document to be produced.	Addressed within the Health Impact Assessment Navigation document, Appendix 4.3, Volume 6.3.

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			region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach ⁵ is used.		