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Ms Sophie Diver
Highways Agency
Lateral
8 City Walk
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Your Ref:

Our Ref: TR010007

Date: 27 January 2014

Dear Ms Diver

Planning Act 2008 (as amended) – Section 51

Application by Highways Agency for an Order Granting Development Consent for the A160 Highway Improvements - Immingham

Advice on Environmental Impact Assessment

I write to provide you with advice under S51 of the PA2008 on making your application. Without predetermining matters that are properly for the appointed Examining authority, officers are of the view that the Environmental Statement (ES) should contain more information in order to assist the examining authority to understand the Environmental Impact Assessment process undertaken.

Project boundary

The only figure within the ES to define the Development Consent Order (DCO) application (red line) boundary is the Environmental Masterplan (Appendix 2.1); this shows permanent and temporary land take within a red line and dotted red line, respectively.

The outermost temporary land take dotted line on the masterplan matches the application's Works Plans (Document 5.3) with the exception of a long access road from Ulceby Road (A1007) past Ryehill Farm to the area of the pipeline diversions on that A160 being identified on sheet 1 of the Works Plan but not the masterplan. As the construction access point to this road is detailed on the masterplan, it is assumed that continuation of it to the A160 is an omission. You are advised to confirm and provide a revised masterplan to include all permanent and temporary land take.

Project description

The project description within the ES is limited and despite a request in the Planning Inspectorates scoping opinion it does not include the necessary details/information on

the dimensions of the different elements of the proposed development. For example there are no details of the dimensions of the road bridge at Town Street or of the bridge beneath the railway, nor of embankments or cuttings required for the development (i.e. no details of the vertical alignment). It is noted that the size and design of the development can be deduced from the engineering drawings provided with the DCO applications (Documents 5.7-5.11); however these do not form part of the ES. Without this information it is unclear to the reader which design parameters have been used to inform the assessment.

It is also noted that the photomontages provided within the ES (Document 6.2.6) are stated to be for illustrative purposes and cannot therefore be relied upon for dimensions or accuracy. You are advised to provide confirmation of the engineering design used as the basis for the presentation of the photomontages.

The ES states that four high pressure gas mains currently run under the existing road, and either two or three of these would need to be diverted, subject to the results of a separate risk assessment to be carried out by the relevant statutory undertakers (paragraph 2.8.1). The precise locations of the third-party gas pipelines diversions are not identified in the ES; although a number of 'service utility working areas' (temporary land take) are shown on Figure 2.2.

The Authorised Development described in the DCO (Schedule 1) also details the diversion of numerous water pipelines, electric cables, and an oxygen pipeline (works numbers 9, 10, 11, 12, and 30) in addition to the high pressure gas pipelines diversions (works numbers 14 and 15). Paragraph 2.8.2 states that the construction phase impacts identified in the ES include the impacts of the works associated with the pipeline diversions, however it is unclear where in the assessment this has been considered, and whether the applicant has addressed all of these utility diversions listed in the DCO within the assessments.

The limited information on the design of the proposed development within the ES means that it is not possible to readily determine the basis upon which the assessments have been undertaken. It is also not known if consultees have had access to this information during the statutory consultation. This is of particular importance for the landscape and visual assessment as the depths of cuttings and heights of embankments, overbridges and associated structures would inevitably impact upon the assessment outcome. In this regard it is noted that the methodology referred to in the landscape and visual impact assessment, DMRB Interim Advice Note 135/10 Landscape and Visual Effects Assessment, sets out at Annexes 1 and 2 that '*Define Project Characteristics... Size and extent... Location and alignment... Type... Massing*' comprise the first stage of the methodologies for assessment of landscape and visual effects.

The applicant is strongly advised to address these issues in the Pre-examination period; in preparation for the examination of the application. It is likely that the ExA will set a deadline for receipt of amended/updated documentation early in the Examination timetable.

Other matters

The ES does not contain a contents page for the appendices; as such the appendices are difficult to navigate and it is unnecessarily difficult to determine whether all of the

necessary documents have been provided. Therefore, you are advised to provide a contents page of the appendices.

Yours Sincerely,

Robert Ranger

Robert Ranger
Case Manger

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.