



Meeting note

File reference	A585 Windy Harbour to Skippool Improvement Scheme
Status	Final
Author	Robert Ranger
Date	8 January 2018
Meeting with	Highways England
Venue	Temple Quay House
Attendees	The Applicant <i>Highways England:</i> David Hopkin (Project Manager) Ryan Rawson (Project Support) Amarjit Doow-Powell (DCO & Statutory Process Manager) Tamlyn Embley (Senior Environmental and Sustainable Development Advisor) <i>Arcadis:</i> David Hourd (Technical Director – Environmental Planning) Kate Burrows (Principal Consultant - Environmental Planning) Nick Henderson (Project Manager) The Planning Inspectorate (the Inspectorate) Emma Cottam (EIA and Land Rights Advisor) Katherine King (EIA and Land Rights Advisor) Clare Richmond (EIA and Land Rights Advisor) Robert Ranger (Case Manager)
Meeting objectives	Project update meeting
Circulation	All

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) explained the duties placed upon it under section 51 of the Planning Act 2008 (as amended) (PA2008). A note of the meeting would be taken recording the key points discussed and any advice issued by the Planning Inspectorate. The note would be published on the Inspectorate's website. Any advice issued by the Inspectorate would not constitute legal advice upon which the Applicant, or others, could rely.

Project Update

The Applicant provided a brief introduction to the project. The project was the subject of a preferred route announcement in October 2017. The project team anticipate statutory consultation will commence in March 2018, in advance of an application

submission in October 2018. Sub-options within the preferred route will be selected in advance of statutory consultation. The Inspectorate advised that consultation material should make clear how options had been refined and that the Applicant explain this in their Consultation Report.

Applicant's Scoping Report and Inspectorate's Scoping Opinion

The Inspectorate explained that the Applicant's Scoping Report for the project was clearly laid out, in particular noting that the description of the development was of a high standard and supported by clearly labelled layout plans. The provision of a table summarising matters proposed to be scoped out, transboundary information, information on transport modelling and the suite of figures, drawings and plans were noted to be helpful.

The Applicant provided a framework for discussions following their review of the Inspectorate's Scoping Opinion, which is appended at **Annex A** to this note. The Inspectorate noted that the Scoping Opinion is based on the information available at that point in time. The Inspectorate referred to paragraph 3.1.2 of the Scoping Opinion, which explains: *'The Inspectorate is content that this [Scoping Opinion] should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such aspects/matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken'*.

Key points from the discussion are summarised as follows:

- The Inspectorate advised that a justification was required in the Scoping Report to support the proposed scope out of an assessment of human health impacts associated with PM_{2.5}, notwithstanding the guidance on PM_{2.5} in the DMRB. A qualitative statement relating to PM_{2.5} levels was discussed as a potential way of covering issues relating to PM_{2.5} for this project. The Inspectorate advised the Applicant to justify the chosen approach in the ES and agree it with relevant consultees.
- The Applicant will seek agreement with Historic England and the local planning authorities (as appropriate) regarding the inclusion of particular designated heritage assets and historic landscapes in the heritage assessment.
- The Applicant has now received correspondence from Natural England (NE) regarding the species which NE considers should be assessed in the ES.
- The Applicant explained that Skippool Marsh and Thornton Bank Biological Heritage Site (BHS) does not have any features considered to be sensitive to nitrogen deposition. This will be reflected in the ES.
- The Applicant confirmed that an assessment of impacts to barn owls will be undertaken and presented in the ES. The Inspectorate advised that any confidential information which forms part of the DCO application should be separated from other documentation and clearly labelled.
- The Applicant explained that following production of the Scoping Report, it has worked with the local planning authorities to agree the locations of

representative viewpoints, including viewpoints in the eastern section of the application site. Evidence of such agreement, along with justification for the viewpoints selected, should be set out in the ES.

- The Applicant intends to undertake a review of research literature that supports their view that effects from ground borne vibration would not be significant.
- The benefits of an 'interview' process with landowners and tenants in advance of submission of the DCO application were discussed, to ensure the impacts of operation of the project on land use can be fully understood.
- The Applicant highlighted that new guidance is due to be published relevant to impacts on Best and Most Versatile agricultural land (BMV). The Applicant intends to justify the values afforded to BMV land with reference to published guidance and the quantities of BMV in the wider area.
- Conducting an assessment on the basis of a 'worst case scenario' was discussed as a potential way of addressing impacts relating to Materials. The Inspectorate advised the Applicant to consider what evidence they can provide to support this approach and to continue dialogue with the Inspectorate on this matter.
- The Applicant considers that with the implementation of a Construction Environmental Management Plan there would be no significant effects in terms of water quality, noting that comments from the Environment Agency (EA) support this position. The ES should provide further justification and evidence to support the approach to assessing impacts to water quality, referring to evidence of agreement with the EA and other relevant consultees. The Inspectorate suggested a good draft Construction Environmental Management Plan be submitted with the ES and wording in the DCO Requirements securing the CEMP be appropriate.
- A standalone Water Framework Directive (WFD) assessment is the recommended approach as per the Inspectorate's Advice Note 18: The WFD, which has been produced in consultation with the Environment Agency.

Statements of Common Ground (SoCG) were discussed as an appropriate way of evidencing agreement on particular matters relating to the ES assessments.

The Inspectorate advised that consultation letters are sent recorded delivery and that evidence of all consultation attempts is recorded in the Consultation Report.

AOB

The Applicant asked the Inspectorate's view on the definition of a 'substantial change'. The Inspectorate advised that there is no agreed definition and emphasised the importance of ongoing dialogue between the Applicant and the Inspectorate, especially if the project evolves to include additional land take.

Post meeting note: The Inspectorate's Advice Note 7 (EIA: Process, Preliminary Environmental Information and Environment Statements) has recently been republished.

Specific decisions/ follow up required

- HE and the Inspectorate to make arrangements for a meeting or teleconference prior to statutory consultation. This is likely to take place in early March.

Annex A

	Topic	Para/ Page	PINS Comment
1.	General	3.3.10	The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the EIA, which clearly states which effects are 'significant' and 'non-significant' for the purposes of the EIA. Any departure from that methodology should be described in individual aspect assessment chapters.
2.	Health/AQ	P19	No evidence of the existing PM2.5 levels has been provided within the Scoping Report. The Inspectorate considers that the ES should include an assessment of human health impacts associated with increased PM2.5 resulting from the Proposed Development. Such an assessment has also been requested by Public Health England in their scoping consultation response. In determining significance of effect, the assessment should take into account performance against relevant target/ limit values.
3.	Health/Geology	P19	The Inspectorate considers that there is insufficient evidence at this stage to confirm that there would not be significant effects on the health of Construction / maintenance workers as a result of contaminated land. Therefore, the Inspectorate does not agree that this matter can be scoped out and considers that construction/maintenance workers should be assessed as receptors in the ES. The Inspectorate notes paragraph 4.81 of the NPSNN in this regard.
4.	Heritage	P26	It is proposed that an assessment of impacts on the historic landscape is scoped out of the ES, as significant effects are considered unlikely based on assessment work undertaken at the Options stage. Evidence of this assessment work has not been provided as part of the Scoping Report. The Inspectorate considers that the rural landscape within which the proposed bypass would be located is largely without modern intervention and does have historic landscape character relating to the designated and non-designated heritage assets identified in the Scoping Report. On the basis of the evidence provided, the Inspectorate does not consider that likely significant effects on historic landscapes can be ruled out. Accordingly, the ES should consider potential effects on historic landscapes, unless evidence is provided to demonstrate the absence of significant effects and it is agreed with Historic England that this matter can be scoped out of the ES. The Applicant should note the requirements of the NPSNN, which sets out at paragraph 5.145 that the Applicant's assessment should include any significant effects on landscape components and landscape character (including historic landscape characterisation).
5.	Heritage	P27	The Scoping Report explains that the impact on designated heritage assets within the study area is anticipated to be at worst slight adverse (not significant) in respect to the Grade II listed Ice House at Singleton Hall. The Applicant therefore proposes to scope out an assessment of impacts to designated heritage assets out of the ES. The Inspectorate acknowledges that intervening vegetation is present which may limit the degree of impact to the setting of the Ice House. However due to the proximity of the proposed bypass to the Ice House, the Inspectorate considers that there is potential for significant effects to the setting of this asset (particularly from increased noise, vibration and pollution). Impacts on the setting of the Ice House should therefore be assessed in the ES. In line with this, the Inspectorate notes the potential for increased levels of noise from the proposed bypass and the potential for

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			this to impact settings on other relevant statutory designated heritage assets identified to the south of the bypass route (for example, the listed buildings on the edge of Little Poulton and Singleton Conservation Area). The ES should assess the anticipated impact to the settings of these assets.
6.	Ecology	P32	Reptiles and water vole - Further assessment of impacts to these species has been scoped out on the basis of desk studies and targeted surveys which mean it is likely that they are absent from the study area. However Table 6-1 of the Scoping Report also states that these species may be present within the study area but due to their low status, low ecological value or distance from the Proposed Development, significant effects are unlikely and therefore they are proposed to be scoped out of further assessment. The two statements in the Scoping Report are contradictory. The information is ambiguous and therefore not sufficiently certain to support the conclusions reached about the presence or absence of these species in the study area. The Inspectorate cannot agree to scope out effects on these features with the information provided. Accordingly the ES should include an assessment of these matters and/or demonstrate agreement with the relevant consultees that significant effects are not likely to occur.
7.	Ecology	P32	Aquatic invertebrates, terrestrial invertebrates, badger, brown hare, hedgehog, fish, amphibian species other than great crested newt, invasive flora, protected and notable plants and fungi. The information in the Scoping Report is not sufficiently detailed to understand the extent of data collection carried out in order to reach the conclusions about the presence or absence of these species in the study area. In the absence of sufficient evidence to demonstrate the absence of likely significant effects, the Inspectorate cannot agree to scope out effects on these features. Accordingly the ES should include either an assessment of these matters, or the evidence that supports the decision to scope them out together with agreement with the relevant consultees that significant effects are not likely to occur. If mitigation is being relied on to avoid significant effects, then the measures should be clearly described in the ES and it should be clear how these would be delivered and secured.
8.	Ecology	P32	The Inspectorate notes that Skippool Marsh and Thornton Bank Biological Heritage Site (BHS) is adjacent to the application site (as shown on Figure 9.2 of the Scoping Report). On the basis of the evidence provided, a likely significant effect on the BHS as a result of changes to air quality cannot be excluded. This matter should be assessed in the ES.
9.	Ecology	P33	Table 1.2 states that breeding bird surveys will be carried out using transects within 200m of the scheme options. However barn owl populations have been recorded as being affected by collision risk mortality up to 1.5km from road boundaries. If barn owls are likely to be present, then the assessment should include consideration of impacts to this species. The Applicant should liaise with Natural England to ensure the assessment appropriately addresses the risk to barn owls.
10.	Landscape	P35	The Inspectorate notes that the representative viewpoints and photomontages will be discussed and agreed in consultation with the relevant planning authorities. The Inspectorate advises that these should capture views between the Proposed Development and the Ice House at Singleton Hall, Singleton Park, Singleton Conservation Area, the

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			Wyre Estuary Country Park and Poulton New Cemetery. From Figure 10.1 of the Scoping Report it appears there is a lack of viewpoints in the eastern section of the Proposed Development. The ES should cover the range of views of the Proposed Development which would be possible; the Applicant should ensure that appropriate viewpoints in the eastern section are discussed and agreed in consultation with the relevant planning authorities.
11.	Noise	P37	The Scoping Report does not provide sufficient justification to support ground borne vibration from road traffic being scoped out of the ES. In particular, the Inspectorate considers that ground-borne vibration from road traffic associated with the Proposed Development has the potential to impact on existing residential receptors in proximity to the application site. The ES should either include evidence that ground-borne vibration from road traffic would not result in significant effects on sensitive receptors or provide an assessment.
12.	People and Communities	P41	The Inspectorate notes that in Section 12.7 of the Scoping Report, 'Land Use – Operation Phase' has not been identified as a potential impact. The Inspectorate considers there is potential for agricultural operations to be disrupted due to land take or severance of land parcels. In the absence of evidence to demonstrate that operation of the Proposed Development would not result in significant effects on agricultural operations, the Inspectorate considers that this matter should be assessed in the ES.
13.	People and Communities	P42	The Inspectorate notes from Table 12-1 that Grade 1 agricultural land has been valued as 'high', and Grades 2 and 3a agricultural land have been valued as 'medium'. With Grades 1, 2 and 3a all defined as the 'best and most versatile agricultural land (BMV)', the Inspectorate considers that all BMV agricultural land should be valued as 'high'.
14.	People and Communities	P43	The Inspectorate notes the presence of three caravan parks within 500m of the application site. The Scoping Report does not set out if/how potential impacts on tourism would be assessed in the ES. The Inspectorate considers that construction of the Proposed Development could present impacts on tourism (and therefore tourism revenue) in the local area. Impacts on tourism should be assessed in the ES. The assessment should include an explanation of how an appropriate study area has been selected.
15.	Materials	P51/52	<p>The Applicant proposes to scope out the aspect materials from the ES. It is proposed that information regarding waste and materials during construction would instead be included in the Project Description section of the ES. The Proposed Development is a nationally significant infrastructure project and construction would require the use of large amounts of materials and would generate waste that would need to be reused, recycled or disposed of. Large amounts of earth would be moved during construction and borrow pits and imported granular material would be used to supplement the fill requirement. The Inspectorate considers that particular elements of the construction works will have impacts with the potential to generate significant effects in terms of materials and waste, including:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Waste generated by demolition of the existing Skippool Bridge; <input type="checkbox"/> Use of borrow pits and soil stockpiles; <input type="checkbox"/> Import of granular material for construction of the embankment between Skippool Bridge Junction and Poulton Junction; <input type="checkbox"/> Materials required for construction of the land bridge (if this option is taken forward); and

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			<input type="checkbox"/> Potential presence of contaminated soils and asbestos on the site and associated impacts on human health; removal and disposal of this material. The Inspectorate therefore considers that an assessment of the likely significant effects associated with these impacts should be included in the ES. The type and quantities of materials proposed to be used, the sources/types of waste and suitable disposal sites should be clearly identified within the assessment.
16.	Water	P44	Water quality and flow conveyance - As the information provided in the Scoping Report provides limited information on the receptors that could be impacted, the likely nature of the impacts and the degree of confidence in the mitigation measures proposed, the Inspectorate does not agree to this aspect being scoped out. The ES should clearly assess the impacts that could occur and how the proposed mitigation would avoid/prevent significant effects.
17.	Water	P46	If the Proposed Development has the potential to impact upon any WFD water bodies these should be assessed. Impacts during construction and operation, as well as any maintenance activities, should be assessed. The Applicant's attention is drawn to the Inspectorate's Advice Note Eighteen: The WFD.