

Our ref: 21/00494/ODC
Your ref: TRO10060-000007

Ask for: Mr Tim Havers
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Date: 15th February 2021

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Senior EIA Advisor
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Temple Key House
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Dear Sirs,

PINS REF NO: TRO10060-000007 (A12 Chelmsford to A120 Widening Scheme)

DESCRIPTION: Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 - Scoping Opinion Consultation

PROPOSAL: Application by Highways England for an Order granting Development Consent for the A12 Chelmsford to the A120 Widening Scheme

I write in response to the statutory consultation carried out in relation to the Environmental Impact Assessment Scoping Report (SR) concerning the above development proposal. The Council's Planning Department do not have any record of having received a consultation letter and would therefore formally request that the following two email addresses are used as the primary point of contact for any further correspondence with Braintree District Council. This will ensure that both the Planning Policy and Development Management Teams are reached directly:

planningpolicy@braintree.gov.uk

planningcomments@braintree.gov.uk

Although a major part of this proposal would be located within Braintree District, it would be classed as a Nationally Significant Infrastructure Project and would therefore require a Development Consent Order to be determined by the Planning Inspectorate on behalf of the Secretary of State.

This letter therefore constitutes Braintree District Council's response to the Environmental Impact Assessment Scoping Report consultation issued by the Planning Inspectorate.

Scoping Report

Regulatory Requirements and Assessment Methodologies

Braintree District Council consider that the Scoping Report has met the regulatory requirements set out in Part 4, Section 15(2) of the EIA Regulations which state that a scoping request must include “*a plan sufficient to identify the land; a brief description of the nature and purpose of the development and of its possible effects on the environment; and such other information or representations as the person making the request may wish to provide or make*”. The Scoping Report provides proportionate detail on the methodologies to be employed for each topic.

One of the benefits of scoping is the opportunity it presents to agree the detailed assessment methods prior to submission of the application. The more information provided, the more useful the response will be.

The Applicant should ensure the details of the proposed methods underpinning each EIA topic are agreed prior to submission of the ES with the relevant consultees, which would include for example, agreeing baseline survey locations and study areas, agreeing viewpoint locations etc. This should form part of the on-going consultation into the EIA.

Scoping – Environmental Topics Scoped into the EIA

The Scoping Report sets out the following environmental aspects as being scoped into the EIA:

- Air Quality
- Cultural Heritage
- Landscape
- Biodiversity
- Geology and Soils
- Material Assets and Waste
- Noise and Vibration
- Population and Health
- Road Drainage and the Water Environment
- Climate Change

Heat and Radiation has been scoped out in full.

The following specific matters of environmental aspects have been identified as being scoped out:

- Effects on historic landscape types during the operational phase
- Ecological SSSI and NNR Sites
- Dormouse
- Invasive and Non-Native Plant and Animal Species
- Geological SSSI
- Effects on Soils during the operational phase
- Effects on the health of users and the general public during the operational phase
- Effects on groundwater and surface water from contaminated land during the operational phase
- Effects from materials assets and waste during the operational phase
- Effects from traffic vibration during the operational phase

Braintree District Council considers that the environmental aspects identified for inclusion within the EIA are appropriate. The following general and specific comments are however made.

Population and Health

The Council fully supports the identification of the importance of assessing the impact of the proposal upon walkers, cyclist and horse riders and the intention to capitalise on the opportunities the A12 project could provide for them. Improving Cycle route provision is a particular focus in the District at present and the Council would wish to see full and detailed consideration given to this in the Environmental Statement and the scheme as a whole, alongside pedestrian and horse riding routes.

The Scoping Report also states that 'it is assumed that any PRow or other routes temporarily severed by the proposed scheme would be re-instated' but that diversions and closures may be required with associated re-routing. More detailed information is required on this in due course to ensure that the above assumption is correct and that any diversions/re-routing is/are acceptable. The Ramblers Association should also be consulted in this regard.

The Scoping Report sets out housing allocations and applications in the study area in Table 13.2 (and corresponding figure 13.1 in appendices). Number of houses allocated, status of planning applications and extent of residential and strategic growth locations are not quite as accurate as they could be but is a reasonable broad reflection of housing growth.

Noise and Vibration

Specific existing noise mitigation barriers which may need upgrading are identified at para. 12.3.7 of the Scoping Report. The Council would request that the following developments are also specifically considered as both were recently granted planning permission and the noise mitigation measures required for each were based on the current (dual laned) A12, a major source of noise for each scheme:

17/00973/FUL – Land at Bury Farm, Hatfield Peverel, 50 dwellings (currently under construction)

19/01803/FUL – Bury Farm, Hatfield Peverel, 50 dwellings (extant planning permission)

Landscape Impact

The Scoping Report identifies at para. 8.3.1 a number of baseline documents upon which the LVIA would be based. This list should also include the Braintree District Settlement Fringes Landscape Character Assessment 2015 which sits alongside but is more finely grained than the 2006 study.

The Council would also request that maximum use of supporting visual information, such as plans, cross sections, aerial photography/drone footage and CGI imagery/'fly throughs' or 'fly overs' is employed by the Applicant to assist all parties to comprehensively understand the landscape and visual impact of the proposal, particularly given the physical expanse of the application site.

Ecology

The Scoping Report sets out at para.9 .5 a range of potential Ecological mitigation measures. The Council is in agreement that biodiversity mitigation and enhancement measures are of key importance, particularly for a scheme of this size. More information is required as to the detail of such measures including location, justification and importantly the long term management strategy for new or enhanced habitat.

The Scoping Report also makes specific mention of tree and hedgerow planting to create linear habitats and provide new connectivity between existing green habitat areas. The scheme is extensively linear by necessity and provides a unique opportunity to carry out

the above on a major scale. Again, detailed information is required to understand the Applicants approach to doing this successfully and in a meaningful way. New planting would also need to be quantified against the loss of existing trees and hedgerows which could be extensive in its own right.

Geology and Soils

The majority of Braintree District consists of best and most versatile agricultural land. This means that strategic scale development inevitably results in the loss of such land, sometimes at a significant scale. Although the scheme is linear in nature the cumulative impact of the loss of such land (i.e. parts of many agricultural fields) could be major and the Council request that the Environmental Statement give due consideration to this and clearly identifies the quantity, locations and categories of such land which would be lost.

Lighting

It is noted that the Scoping Report references the impact of lighting (both permanent lighting and temporary construction lighting) in detail and sets the parameters for detailed lighting assessments to be completed. The Council consider this to be essential and are supportive of the applicant's comprehensive approach to this, both in terms of ecological and visual/landscape impact.

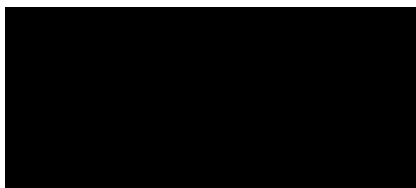
It is noted that the construction phase of the development will be ongoing over several years and will require haul roads, although details of such is not yet provided. The impact of 'temporary' construction lighting will therefore be particularly significant in this regard, especially given the site's very rural setting for the majority of its site boundaries.

Conclusion

Braintree District Council consider that in general terms the Scoping Report meets the statutory requirements for scoping set out in Section 15 (2) of the EIA Regulations. The scope of the EIA is also considered to be adequate overall subject to the above comments/concerns being taken into account.

This consultation response is made with regard to the SR in the context provided by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) and does not prejudice the Braintree District Council's consideration of the other planning matters relating to the development of this site.

Yours sincerely,



Mr Tim Havers MRTPI
Principal Planner

For

Mr Christopher Paggi
Planning Development Manager