

## Appendix 3.8

Environmental Impact Assessment  
Scoping Response, 2014



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Please ask for: Graham Allen

**BY EMAIL ONLY**

Our Ref: SCO.64/Stafford Western

Date: 19 June 2014

Dear Mr Sargeant

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2011: REGULATION 13 - SCOPING OPINION**

**SCOPING OPINION FOR PROPOSED STAFFORD WESTERN ACCESS ROUTE SCHEME**

I refer to your letter dated 23 April 2014 in connection with the above proposed development and your request for a "scoping opinion" in accordance with the above regulations.

When asked, the County Council is required in accordance with Regulation 13, to give an opinion in writing about the scope and content of an Environmental Statement (ES) to accompany a planning application. This letter provides that "scoping opinion".

**BACKGROUND**

The scoping opinion has been prepared in response to a request on behalf of Staffordshire County Council's Commissioner for Business and Enterprise County. The request is accompanied by a Scoping Report.

The scoping opinion relates to the proposed construction of the Stafford Western Access Route (SWAR) between A34 Foregate Street and Martin Drive/ Rose Hill, comprising three phases; Section A, B and C. It is understood that Section A involves the construction of a new carriageway between A34 Foregate Street/ Greyfriars Place and Doxey Road/ Timberfields Road (approx. 700m), Section B follows the alignment of the existing Doxey Road between Timberfields Road and the west of the existing West Coast Main Line over-bridge that involves minor highway works (approx. 160m), and Section C involves the construction of a new carriageway between the west of



the West Coast Main Line over-bridge and Martin Drive/ Rose Hill (approx. 320m). It is anticipated that the construction of this section will be funded as part of the development of land to the west of the route.

It is understood that the detailed design would be progressed by the Staffordshire County Council's Highways Team and that the works would be undertaken by the County Council as Highways Authority. It is also understood that the project delivery programme outlines starting construction in early 2016 and that the planning application when made would be made under the provisions of Regulation 3 of the Town & Country Planning General Regulations 1992.

This Scoping Opinion will inform the Environmental Statement (ES) that would accompany a planning application.

## **REVIEW OF YOUR SCOPING REPORT**

The scoping report outlines the content and structure of the ES and includes the following sections:

- Introduction – explaining the background to the proposals, the purpose of the environmental impact assessment and scoping, and the scheme objectives
- Developing the Scheme – providing a summary of the alternatives assessed
- Proposed Development – explaining the scheme and consultations carried out
- EIA Approach and Methodology – explaining the structure and methodology of the ES and describe the areas/issues to be considered as part of the ES, namely:
  - Ecology and Nature Conservation
  - Drainage and Water Environment
  - Landscape and Arboriculture
  - Cultural Heritage
  - Noise and Vibration
  - Geology, Soils and Contamination
  - Air Quality
  - Pedestrians, Cyclists, Equestrians and Community Effects
  - Vehicle Travellers
- Summary of Potential Significant Effects
- Appendices – including:
  - Stafford Western Access Route Scheme Phasing
  - Extended Phase 1 Habitat Survey

It is proposed within the Scoping Report that the ES would include:

- A Non-Technical Summary
- Introduction - brief outline of the proposal and the reasons behind why the scheme is needed.
- Consideration of Alternatives - to describe how the preferred option was considered as part of the Options Assessment Report
- Description of the Development - to include location, access, outline design of route and



intended infrastructure such as lighting and drainage design.

- Planning Policy Context
- Assessment of Impacts, Mitigation Proposals and Identification of Residual Impacts
- Assessment of Cumulative Impacts
- Appendices - to include technical reports and data for the areas described above where appropriate.

## **CONSULTATIONS**

The following internal and external consultees were contacted in order to seek their views on the scope of the ES (the date of the written response and contact details are indicated in brackets).

### Internal consultees:

- Environmental Advice Team Unit (EAT) – (23 May 2014 – Debbie Taylor – Landscape Archaeologist: tel. 01785277285 / email [debbie.taylor@staffordshire.gov.uk](mailto:debbie.taylor@staffordshire.gov.uk) )
- County Council Noise Engineer – no response received (you are advised to contact Richard Peers directly: tel. 01785 276660 / email [richard.peers@staffordshire.gov.uk](mailto:richard.peers@staffordshire.gov.uk) )
- Flood Risk Management - (20 May 2014 – Gareth Owen – Acting Flood Risk Manager: tel. 01543 334216 / email [gareth.owen@staffordshire.gov.uk](mailto:gareth.owen@staffordshire.gov.uk) )

### External Statutory Consultees:

- Stafford Borough Council – Planning – no response received – you are advised to contact them direct
- Stafford Borough Council – Environmental Health – no response received – you are advised to contact them direct on 01785 619402 / email [ehtechsupport@staffordbc.gov.uk](mailto:ehtechsupport@staffordbc.gov.uk)
- Doxey Parish Council – no response received (you are advised to contact the Parish Clerk (Viv Evans) tel. 01922 415020 / email [clerk@doxey.staffslc.gov.uk](mailto:clerk@doxey.staffslc.gov.uk) )
- Environment Agency - (21 May 2014 – John Dingley – Planning Advisor: tel. 01543 404941 / email [john.dingley@environment-agency.gov.uk](mailto:john.dingley@environment-agency.gov.uk) )
- Natural England - (23 May 2014 – Grady McLean – Lead Adviser: tel. 0300 0603900 / email. [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk) )
- English Heritage – (07 May 2014 – Alan Taylor – Historic Building Inspector: tel. 0121 6256848 / email [alan.taylor@english-heritage.org.uk](mailto:alan.taylor@english-heritage.org.uk)
- Network Rail – (23 May 2014 – Diane Clarke – Town Planning Technician: tel. 0161 8803598 / email [TownPlanningLNW@networkrail.co.uk](mailto:TownPlanningLNW@networkrail.co.uk) )
- Canal and River Trust – (08 May 2014 – Wendy Rowland – Planning Database Administrator: tel. 01827 252057 / email [wendy.rowland@canalrivertrust.org.uk](mailto:wendy.rowland@canalrivertrust.org.uk) )

### External Non-Statutory

- Public Health England – (22 May 2014 – Dr Musarrat Afza – Consultant in Communicable Disease Control: tel. 0844 2253560 – email [Musarrat.afza@phe.gov.uk](mailto:Musarrat.afza@phe.gov.uk) )
- Staffordshire Wildlife Trust – no response received - you are advised to contact them direct.

We have identified that the proposals could affect power cables, gas pipes or other utilities. It is advised to consider the advice provided by relevant authorities who have responded as set out below and make contact with those authorities who did not provide a response.

Severn Trent Water – no response received (you are advised to contact Gareth Renshaw – of Asset



Protection Wastewater West: tel. 01902 793871 / email: [net.dev.west@severntrent.gov.uk](mailto:net.dev.west@severntrent.gov.uk) )

Western Power Distribution – (30 April 2014 – Map Response Team: tel. 0121 6239780 / email [WPDMapResponse@westernpower.co.uk](mailto:WPDMapResponse@westernpower.co.uk) )

National Grid Gas/Electricity – (13 March 2014 – National Grid Electricity Emergency number: 0800 40 40 90; National Gas Emergency Number: 0800 111 999; email [www.nationalgrid.com](http://www.nationalgrid.com) )

## **OBSERVATIONS**

Staffordshire County Council welcomes this opportunity to comment on the scope of the Environmental Statement (ES). Each topic should include an assessment of the baseline conditions, predicted direct and indirect impacts, mitigation measures (where necessary), residual impacts and conclusions. The ES should include all necessary information as outlined in Schedule 4 of [the Town & Country Planning \(Environmental Impact Assessment\) Regulations 2011](#) and having regard to the advice in Annex C to [Circular 2/99: Environmental Impact Assessment](#)

The following comments are made regarding the proposed topics and content of the ES and incorporate consultee comments where relevant. Any additional consultee comments which are received will be forwarded to you separately and should be taken into account.

### ***Introduction***

The scoping report indicates that you would introduce the proposals in brief and provide reasons to justify the scheme in an Introduction. In addition to outlining the submission package, this section should describe the various elements of the proposed development and rationale and also describe the extent and duration of the operations. This section should also explain where copies of the ES can be obtained and the cost of copies which may be purchased.

### ***Land Use***

It is proposed to include a section on Land Use which would summarise the site and surroundings. The assessment criteria for land use would be concerned with land take as a final result of the scheme in the operational phase only and would not consider the construction phase. It is understood that assessment of the construction phase would be considered in each of the topic sections.

A sub-section to the Land Use section or separate section is recommended which should identify any relevant designations and sensitive receptors and should also identify land that could be directly or indirectly affected by construction and any associated facilities, eg impacts from construction compounds, temporary drainage and storage areas etc and identify potential for off-site mitigation or compensation schemes.

### ***Description of the Development***

It is proposed that this section would provide a clear and accurate description of the proposed development which would form the basis of the environmental impact assessment. The description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of schedule 4 Part 1 of the EIA Regulations.

It is recommended that the ES includes a clear description of each phase or stage of the proposed development, such as:



- Construction phase – It is recommended that a Construction Environmental Management Plan is provided and include details of the following:
  - a) A Site Waste Management Plan
  - b) Nature and quantity of materials used in construction
  - c) Site preparation and enabling works
  - d) Phasing of construction works,
  - e) Details of temporary and permanent land use requirements such as siting of all temporary contractors' compounds, means of enclosure and storage of materials and location of any crushing plant if applicable
  - f) The location, extent and duration of any temporary stockpiling areas;
  - g) The unloading and loading arrangements for heavy plant and machinery;
  - h) Traffic management measures incorporating details of transport routes, including associated signage, temporary signals and temporary Traffic Regulation Orders to accommodate the works;
  - i) Traffic Management Plan, incorporating details of heavy vehicle movement patterns (including earliest and latest times), including the temporary routeing of construction and demolition traffic and staff;
  - j) The parking arrangements for vehicles of operatives and visitors;
  - k) Details of temporary lighting, drainage or other temporary facilities;
  - l) Measures to minimise and control noise, vibration, dust, and fumes during site preparation works and construction/demolition, including vehicle reversing alarms;
  - m) Measures to prevent mud being deposited on the surrounding highway;
  - n) Construction working hours
  - o) A programme of implementations for items (a) to (n)
- Operational phase – details of the maintenance of the proposed development– information should be included in the ES of the routine maintenance works and the proposed approaches to maintenance.

### ***Planning Policy Context***

This section should explain any planning history and address the relevant development plan policies and proposals (including the policies and proposals in the [Stafford Borough Local Plan](#) and the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) , [the guidance in the National Planning Policy Framework](#), and explain the legislative framework within which the proposals would be considered. The emerging [Plan for Stafford Borough](#) is due to be reported to Stafford Borough Council's meeting on 19 June 2014 recommending adoption of the Plan and the policies and proposals therein. This





Plan is likely to be adopted Plan by the time that the application is made and would therefore form part of the Development Plan and its policies should be taken into account. Relevant policies are listed below:

Stafford Borough Local Plan (adopted in 2001) – saved policies:

- INT1 – Developer Contributions (if applicable)
- E&D1 – General Requirements
- E&D2 – Consideration of Landscape or Townscape Setting
- E&D3 – Disabled Access Requirements of New Developments
- E&D4 – Sewage, Effluent and Surface Water
- E&D5 - Noise Attenuation Requirements
- E&D18 – Development Likely to Affect Conservation Areas
- E&D19 – Accommodating New Development within Conservation Areas
- E&D20 – Demolition of Buildings in Conservation Areas
- E&D23 – Development Proposals Affecting Listed Buildings
- E&D24 – Demolition/Partial Demolition of Listed Buildings (if applicable)
- E&D28 – Landscape Conservation
- E&D36 – Nature Conservation – General Requirements in Consideration of Planning Applications
- E&D38 – Nature Conservation – Sites of National Importance
- E&D39 – Nature Conservation – Sites of Regional/Local Importance
- E&D40 – Mitigation and Amelioration of Impact on Sites of Nature Conservation Value
- E&D42 – Tree Preservation Orders
- E&D43 – Trees in Conservation Areas
- E&D47 – The Submission of Landscaping Schemes
- E&D48 – Landscape Proposals submitted with Planning Applications
- E&D50 – Land Drainage and Flooding Considerations
- E&D51 – Groundwater Resources
- RLT12 – Development Affecting Public Rights of Way
- MV3 – Site Specific Proposals
- MV4 – Cycle Routes and Cycle Parking
- MV6 – Traffic Management and the Disabled
- MV9 – New and Improved Highway Schemes

*Note.* Please check the status of this Plan when preparing information to support a planning application.

National Planning Policy Framework (NPPF) (Published 27 March 2012) – relevant sections:

- Section 1 – Building a strong, competitive economy
- Section 4 – Promoting sustainable transport
- Section 7 – Requiring good design
- Section 10 – Meeting the challenge of climate change, flooding and coastal change
- Section 11 – Conserving and enhancing the natural environment
- Section 12 – Conserving and enhancing the historic environment
- Paragraph 14 (presumption in favour of sustainable development)
- Paragraph 17 (Core planning principles)
- Paragraph 110 (minimising pollution)





- Paragraph 115 and 116 (conserving landscape, wildlife, cultural heritage)
- Paragraph 117 (impact on biodiversity and geodiversity)
- Paragraph 123 (noise)

#### Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010 – 2026) (adopted March 2013)

- Policy 1.2 – Make better use of waste associated with non-waste related development

#### The Plan for Stafford Borough – Pre-Publication Version, relevant policies:

- Stafford 1 – Stafford Town
- Stafford 3 – West of Stafford
- E1 – Local Economy
- T1 – Transport
- T2 Parking and Manoeuvring Facilities
- N1 – Design
- N2 – Climate Change
- N4 The Natural Environment & Green Infrastructure
- N5 – Sites of European, National & Local Nature Conservation Importance
- N8 – Landscape Character
- N9 – Historic Environment

Strategic Proposals for the Stafford Western Access are indicated on the Policies Map attached to the Plan. The Policies Map includes strategic proposals for housing and other developments for which strategic proposals for the Stafford Western Access route would have fundamental connections. See [Stafford Inset Map](#)

#### **Potential Environmental Effects**

The ES should consider the likely significant direct, indirect and cumulative effects; the mitigation measures; any difficulties encountered in compiling the required information; and, reach a conclusion that summarises and grades the significance of the impacts having regard to the proposed mitigation in order to assess the overall net benefits of the scheme.

The topics to be assessed as part of the Environmental Impact Assessment should include those referred to in the Scoping Report and other matters (potential environmental effects), which are commented on below:

#### ***Landscape and Visual Impact Assessment***

The County Council's Environmental Advice Team (EAT), notes that the methodology for the landscape and visual impact assessment identified in the Scoping Report is appropriate.

Natural England (NE) would wish to see details of 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 EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. NE 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 and supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition).

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 process should detail the measures to be taken to ensure the building design will be 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. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context NE advises that the cumulative impact assessment should 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 may be a material consideration at the time of determination of the planning application.

For further information, please contact:

Grady McLean – Natural England: tel. 0300 0603900 / email. [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Julia Banbury - (Principle Landscape Officer) on 01785 277269 or email: [julia.banbury@staffordshire.gov.uk](mailto:julia.banbury@staffordshire.gov.uk)

### ***Tree and Woodland Survey***

The County Council's Environmental Advice team considers that the proposed tree and woodland survey (ref. page 33 Scoping Report), is appropriate and advises that details must be in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'

For further information, please contact Stephanie Wickison (Principle Forestry Officer) on 01785 277269 or email: [stephanie.wickison@staffordshire.gov.uk](mailto:stephanie.wickison@staffordshire.gov.uk)

### ***Biodiversity and Geology***

Natural England (NE) advises that the ES should thoroughly assess the potential for the proposals to affect designated sites (eg Special Areas of Conservation (SAC's), Special Protection Areas (SPA's), and RAMSAR sites. Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010, the County Council as competent authority would need to undertake an appropriate assessment in respect of a project likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and not directly connected with or necessary to the management of the site.

NE comments that the development site lies adjacent to the Doxey and Tillington SSSI and notes that in the Scoping Report it is proposed to restore parts of the destroyed SSSI. While this is welcomed, it is imperative to ensure the mitigation hierarchy (avoid, mitigate, compensate) is adhered to. It is also imperative to ensure that indirect effects of the proposal on the SSSI are appropriately considered including disturbance effects of emissions to air and pollution of watercourses during construction and operation of the Western Access Route.

With respect to regionally and locally important sites, the EIA will need to consider any impacts upon local wildlife and geological sites (Local Sites are identified by the local wildlife trust – (Staffordshire



Wildlife Trust). They are of county importance for wildlife or geodiversity. The ES should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact is recommended with the local wildlife trust (Staffordshire Wildlife Trust), for further information.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). NE does not hold comprehensive information regarding the locations of species protected by law, but 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, groups and individuals; 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 area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

The ES 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.

NE advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impacts on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

For further information, please contact:

Grady McLean (Natural England) on 0300 0603900 / email [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Ali Glaisher (Principle Ecologist) on 01785 277254 / email: [ali.glaisher@staffordshire.gov.uk](mailto:ali.glaisher@staffordshire.gov.uk)

Staffordshire Wildlife Trust on 01889 880100 / email [info@staffs-wildlife.org.uk](mailto:info@staffs-wildlife.org.uk)

### ***Archaeology and Cultural Heritage***

The County Council's Environmental Advice Team (EAT) has commented that the methodology proposed within the Cultural Heritage section of the Scoping Report is appropriate. The relevant IFA guidelines for carrying out the Historic Environment Desk-Based Assessment (HEDBA) have been acknowledged. Impacts upon unknown heritage assets, particularly those which may survive as below ground archaeological deposits should also be considered within the HEDBA particularly as



part of the assessment detailed under sections 9.2.6 (the effect of ground conditions on survival) and 9.2.9 (as part of the evaluation to inform whether such deposits survive as well as to gain an understanding of significance), this should be discussed further with the Historic Environment Team.

EAT advises that a Conservation Area Appraisal has recently been carried out for the 'Foregate Street Conservation Area. As a result, there is a suggested change of boundary to become 'Foregate and St Georges Conservation Area'. When the outcome of this is confirmed, the scheme will need to take into account the potential new Conservation Area.

Natural England (NE) recommends consideration of 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](http://www.hmrc.gov.uk/heritage/lbsearch.htm) and further information can be found on Natural England's landscape pages: [here](#).

For further information, please contact Stephen Dean (Principal Archaeologist) on 01785277271 or email [stephen.dean@staffordshire.gov.uk](mailto:stephen.dean@staffordshire.gov.uk).

### ***Water Environment, Flood Risk Assessment and Drainage***

Public Health England considers that there is a 'low likelihood' of potential land contamination issues impacting upon groundwaters from disturbance of underground contaminants and would anticipate an assessment of potential land contamination prior to work commencing.

The Flood Risk Management Team advises in terms of drainage and flood risk, that the EIA covers the relevant areas. The Team also advises that information covering essential infrastructure, is covered within Tables 1, 2 and 3 of the NPPF Technical Guidance.

No specific comments have been made by the Environment Agency with respect to the water environment, flood risk and drainage and no response was received from Severn Trent Water. Although no response is received from Severn Trent, there is likelihood that public sewers would be affected and contact with Severn Trent Water is recommended in preparing information for a planning application. It may be envisaged that Severn Trent would recommend a pre-commencement condition regarding drainage plans for the disposal of foul and surface water flows.

For further information, with regards the assessment of the surface water run-off, please contact Gareth Renshaw (on behalf of Asset Protection (Waste Water) West) on 01902 793871 or email [net.dev.west@severntrent.co.uk](mailto:net.dev.west@severntrent.co.uk).

### ***Air Quality***

Public Health England (PHE) comment, that it is important that any air pollutants arising from the works do not have an adverse impact on public health. The main area of concern would be the release of fugitive emissions to air during the construction phase and resulting from HGV traffic movements. It is anticipated that the UK Air Quality Standards (AQS) will not be exceeded and PHE would anticipate that actual measured air pollutants data would be collected after the road development in order to ratify modelled values. It is recommended that a dust management is prepared and put into place.

Natural England (NE) advises that the development has the potential to impact upon the Doxey and Tillington Marshes SSSI through emissions and recommends that the air quality assessment should take account of the risks of air pollution and how these can be managed or reduced. NE advises



that 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](http://www.apis.ac.uk)), and on the Environment Agency website.

Stafford Borough Council's Environmental Health department has not responded. Any response will be sent separately, though contact is recommended in preparing appropriate air quality information to accompany a planning application.

For further information, please contact:

Grady McLean (Natural England) on 0300 0603900 / email [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Stafford Borough Council Pollution Control Officers on 01785 619402 or email [ehtechsupport@staffordbc.gov.uk](mailto:ehtechsupport@staffordbc.gov.uk).

### ***Ground Conditions and Contamination***

Public Health England (PHE) note that a series of potential land contamination issues exist along the route of the proposed development including buried tanks, pipework, a possible tar pit, the potential for presence of methane gas, potential for encountering 'blue billy', and presence of hydrocarbons, cadmium and selenium. PHE would anticipate assessment of potential land contamination prior to work commencing.

The Environment Agency has raised no concerns with regards the scope of the information that would inform the ES and Stafford Borough Council's Environmental Health Team has not responded.

For further information please contact:

Dr Musarrat Afza (Public Health England), on 0844 2253560 / email [Musarrat.afza@phe.gov.uk](mailto:Musarrat.afza@phe.gov.uk)

John Dingley (Environment Agency), on 01543 404880 / email [john.dingley@environment-agency.gov.uk](mailto:john.dingley@environment-agency.gov.uk)

Stafford Borough Council Pollution Control Officers on 01785 619402 / email [ehtechsupport@staffordbc.gov.uk](mailto:ehtechsupport@staffordbc.gov.uk)

### ***Public Rights of Way***

Natural England (NE) supports measures to reinstate existing public footpaths together with the creation of new footpaths and bridleways with links to green networks and urban fringe areas where appropriate which are recommended to be explored to help promote the wider green infrastructure. NE consider that EIA should consider potential impacts on access land, public open land, rights of way in the vicinity of the development along with consideration of Public Rights of Way Improvement Plans for rights of way that should be maintained or enhanced. Appropriate mitigation measures should be incorporated for any adverse impacts.

The Environmental Advice Team (EAT) has not commented on impacts to public rights of way, though you should consider providing information to identify public rights of way in reference to the Staffordshire County Councils Definitive Map of Public Rights of Way. It should be noted that the grant of any planning permission would not construe the right to divert, extinguish or obstruct any part of the public path network. It is important that users of the paths would still be able to exercise their





public rights safely and that the paths would be reinstated if any damage to the surface occurred as a result of the proposed development.

In addition, it should be noted that any temporary diversion or closure of the routes would require an application under the Road Traffic Regulation Act 1984 to be made for a maximum of 6 months. The SCC Highway Authority can authorise a temporary closure/diversion for a maximum of 6 months although the Secretary of State does have powers to extend the closures. Permanent diversions of public rights of way require full public consultation and in all cases alternative routes would need to be required which must be as or more convenient than the original route.

For further information, please contact:

Grady McLean (Natural England) on 0300 0603900 / email [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Paul Rochfort (SCC Principal Rights of Way officer), on 01785 277241 / email [paul.rochfort@staffordshire.gov.uk](mailto:paul.rochfort@staffordshire.gov.uk)

### ***Cumulative and in-combination Effects***

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the development in combination with other projects/development that are being, have been or will be carried out. The following types of projects should be included in such assessment (subject to available information):

- Existing completed projects
- Approved but uncompleted projects
- Ongoing activities
- Plans or projects for which an application has been made and which are under consideration by the consenting authorities, and
- Plans and projects which are reasonably foreseeable, ie 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.

### ***Climate Change Adaptation***

Natural England (NE) advises that the [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES 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' (ref. NPPF Para 109), which should be demonstrated through the ES.

For further information, please contact Grady McLean (Natural England) on 0300 0603900 / email [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

### ***Community Involvement***

The Scoping Report identifies that consultation has been carried out with stakeholders, statutory undertakers (those also consulted in the scoping exercise), householders and the general public. It



is understood the consultation will be ongoing and this is encouraged particularly in light of consultees who have not responded to the scoping consultation. The measures proposed in the Scoping Report are supported and considered an appropriate basis to support the ES.

The response received from Network Rail identifies that discussions have taken place with them and are ongoing.

### **Additional topics**

#### ***Materials***

The Scoping Report attests that EIA will generally follow the Design Manual for Roads and Bridges (DMRB) guidance [Volume 11](#), which is prepared by the Highways Agency and Interim Advice Note (IAN) 126/09. It should also be noted that [Interim Advice Note 153/11](#) (Guidance on the Environmental Assessment of Material Resources) provides draft guidance on the environmental assessment of impacts from the use of materials in road projects which should be taken into account. Materials could comprise:

- Material resources
- The generation and management of waste

The statutory requirement to produce a Site Waste Management Plan (SWMP) was formally revoked by the Environmental Noise, Site Waste Management Plans and Spreadable Fats etc. (Revocations and Amendments) Regulations 2013, which came into force on 1 December 2013. Nevertheless, Site Waste Management Plans are supported in the [Staffordshire and Stoke-on-Trent Joint Waste Local Plan \(policy 1.2\) and should](#) still be regarded as a valuable tool in encouraging the effective management of materials and waste at all stages of a construction project. WRAP have produced a series of free tools and guidance materials on this topic (see <http://www.wrap.org.uk/content/site-waste-management-plans-1>).

It is therefore advised that a Site Waste Management Plan (SWMP) is produced for the scheme and a draft or outline SWMP accompanies the ES to demonstrate how waste would be managed as part of the project.

#### ***Alternatives and Need***

The Scoping Report identifies that a section outlining the alternatives considered would be provided in the ES to explain alternative options considered in developing the proposal. The main reasons for the choices made should be explained.

#### ***Conclusions***

The conclusions should summarise and grade the significance of the impacts for each topic and provide an assessment of the proposed mitigation in order to assess the overall net benefits of the proposals.

#### ***A Non-Technical Summary***

It is a statutory requirement to prepare a non-technical summary to sit alongside the ES to enable non-experts to understand its findings. A Non-Technical Summary is proposed to be produced.





## **OVERALL CONCLUSION**

The key topics/environmental issues to be assessed as part of the EIA are as follows;

- Ecology and Nature Conservation
- Drainage and Water Environment
- Landscape and Arboriculture
- Cultural Heritage
- Noise and Vibration
- Geology, Soils and Contamination
- Air Quality
- Pedestrians, Cyclists, Equestrians and Community Effects
- Vehicle Travellers

The latest guidance should be followed in preparing Environmental Statements. This can be found on the Communities and Local Government website, in particular the advice in Schedule 4 of the Environmental Impact Assessment Regulation (1999) concerning the information for inclusion in Environmental Statements.

### ***Design and Access Statement (DAS) and Supporting Statement***

In addition to the ES, the [Design and Access Statement](#) should accompany the planning application.

You should also provide, as part of the supporting statement that may accompany the application, the following where appropriate:

1. Full sewage and utilities Statement
2. Economic Statement
3. Planning obligations
4. Sustainability Statement.

For further guidance please refer to the application validation checklist and A to Z Guide on our website:

<http://www.staffordshire.gov.uk/environment/planning/applications/FormsFeesAndAdvice/NationalLoCallList.htm>

## **RECOMMENDATION**

Under the powers contained in the 'Scheme of Delegation to Officers', this letter represents Staffordshire County Council's "scoping opinion". The contents of this letter, including the comments from consultees, should be taken into account when preparing the Environmental Statement to accompany the planning application for the Stafford Western Access Route Scheme.

Any additional comments from consultees subsequently received will be forwarded on to you and should be taken into account when preparing the planning application and Environmental Statement.

I trust this information will be of assistance to you.



Yours sincerely

**Graham Allen**  
Principal Planning Officer

Enc.

- Copy of Planning Constraints Check List (ref: pre-application discussion: CDPAD205)
- Response from Western Power Distribution - letter dated 30 April 2014 and Consultation Map;
- Response from English Heritage – letter dated 07 May 2014
- Response from Canal and River Trust – email dated 08 May 2014
- Response from SCC Flood Management Team – email dated 20 May 2014
- Response from the Environment Agency – letter dated 21 May 2014
- Response from Public Health England – letter dated 22 May 2014
- Response from SCC Environmental Advice Team – email dated 23 May 2014
- Response from Natural England – letter dated 23 May 2014
- Response from Network Rail – email dated 23 May 2014

*the knot unites*

