

APPENDIX 1.1A


COUNCIL'S SCOPING OPINION

Mr J Aflatt
Bidwells
16 Upper King Street
Norwich
NR3 1HA

16th September 2021

Your ref:

Our ref: UTT/21/1138/SO

Please ask for Henrietta Ashun or 

Dear Mr Aflatt,

RE: REQUEST FOR AN EIA SCOPING OPINION UNDER REGULATION 15 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (AS AMENDED 2018)

SITE: LAND SOUTH OF (EAST OF TURNIP HALL FARM), RADWINTER ROAD, SAFFRON WALDEN

Thank you for your submission dated 31st March 2021 requesting a Scoping Opinion in respect of the above proposed development for a residential development of up to 240 dwellings, new access and associated landscaping and infrastructure. The submitted scoping report is accompanied by a site location plan identifying the site outlined in red in Appendix 1 of the Scoping Report.

The purpose of the Scoping Opinion is to identify the key issues relating to the proposed development- policy; economic, social and environmental to ensure that they are subject to the appropriate level of assessment and thereby providing a focus for the submitted Environmental Statement (ES).

Introduction

Under Part 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Bidwells have submitted a Scoping Opinion Request to Uttlesford District Council (UDC) in respect of the relevant topics to be included in an Environmental Statement in support of a proposed planning application as described above.

The Scoping Request requires as part of the iterative EIA process defined in Regulation 4(1) of those Regulations UDC to form at this time its opinion under Regulation 15 of the Environmental Impact Assessment Regulations 2017 (as amended) in relation to the scope and level of detail of the information to be provided in an Environmental Statement (ES) to accompany an application for permission envisaged to be made under the Town and Country Planning Act 1990 and in respect of the likely significant effects of the development envisaged by the scoping report accompanying the request. In line with that process, Regulation 15(9) entitles UDC subsequently to require additional information in connection

with any statement submitted as an Environmental Statement. Regulation 25(1) also entitles UDC to request further information in due course if necessary. These provisions reinforce the iterative nature of the EIA process. The submitted scoping report dated March 2021 has provided a brief description of the nature and purpose of the development envisaged, including its location and technical capacity, and an explanation of the likely significant effects of that development on the environment and those that are proposed to be excluded. The scoping report has been consulted upon and advertised. Any representations made and can be found at:

<https://publicaccess.uttlesford.gov.uk/online-applications/applicationDetails.do?keyVal=QQUI78QN01O00&activeTab=summary>

This Scoping Opinion is concerned with the envisaged likely significant effects of the proposed development on the information currently available. At this stage of the EIA process, UDC has had regard to the explanation of the likely significant effects on the environment in the scoping report, to the representations that have been received in relation to it, and to the potential requirements of the EIA Regulations 2017.

UDC notes from the submitted scoping report the relevant identified categories for consideration of potential likely significant effects to be expanded upon in the environmental statement (i.e. to be included within the ES), namely as follows;

- Agriculture
- Air Quality
- Flood Risk and Drainage
- Landscape and Visual
- Noise and Vibration
- Socio-Economics and Health
- Transport

The scoping opinion of UDC is attached at Appendix A to this letter.

You will be aware that the Scoping Opinion is part of an iterative process set out under Regulation 4(1) and, under Regulations 15(9) and 25(1) of the 2017 Regulations (as amended) and, as an LPA, Uttlesford District Council is not precluded from requiring additional information in connection with any environmental statement in connection with an application for planning permission for the same development as was referred to in this scoping opinion.

Yours sincerely

Henrietta Ashun

APPENDIX A

Introduction

1. This is the Scoping Opinion of Uttlesford District Council, the local planning authority ("UDC"), made on 28th July 2021 under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment (EIA) Regulations 2017 ("the EIA Regulations 2017") in respect of an envisaged application for planning permission under sections 70 and 73 of the Town and Country Planning Act 1990 and for the purposes of Regulation 18(1) and (4)(a) of those Regulations ("the Scoping Opinion").
2. The envisaged development will be EIA Development for the purposes of the EIA Regulations (2017) and so will be accompanied by an environmental statement. This Scoping Opinion allows UDC to clarify what it considers the *main* effects of the envisaged development are likely to be, and, therefore, the aspects on which the proposed environmental statement should focus. Thus, the purpose of this Scoping Opinion is to assist the applicant in the scope of likely significant effects of the envisaged development on the environment and level of detail to be provided, as part of the environmental impact assessment process ("EIA process"), under the EIA Regulations 2017. This is to enable UDC, as local planning authority, to come in due course to a reasoned conclusion on the significant effects of the envisaged development. The Scoping Opinion is based on the brief description of the development envisaged in the Scoping Report, and the explanation of likely significant effects of that development on the environment, together with appropriate regard to the representations made and to the planning history of the site.
3. UDC acknowledges that the proposed Environmental Statement must be based on this Scoping Opinion. Pursuant to Regulation 15(3). UDC considers that the proposed content of the ES is *broadly* considered acceptable as set out in the Scoping Report; nevertheless, the impact from road traffic vibrations (in the operational phase) ecology, heritage (as part of the LVIA), climate change, and major accidents and disasters needs to be assessed and included within the ES.

UDC recognises that Regulations 15(9) and 25(1) provide for it to require additional or further information. Where, in due course, it becomes evident that a particular environmental factor is absent or unlikely to be significantly affected by the envisaged proposal, it may become necessary for further assessment (even if identified in the scoping process).

4. Before adopting its Scoping Opinion, UDC has had regard to the requirements of Regulation 15(6), in particular to the environmental features likely to be significantly affected by the envisaged development, to the requirements of Schedule 4, and to the Planning Practice Guidance on Environmental Impact Assessment, in particular paragraphs 036 (reference ID: 4-036-20170728) and 038 (reference ID 4-038-20170728). UDC has also had regard to the representations made and in response to the consultation on the Scoping Report, and to the main points of concern raised by these for the purposes of Regulation 15. Matters raised at this stage have been considered and, where appropriate, addressed in this Scoping Opinion. UDC is mindful that Regulation 15(4)(a) requires that the proposed environmental statement be based on this Scoping Opinion but this does not remove the need for the developer to comply with the obligations of the EIA Regulations 2017. The format of this Scoping Opinion means that it must be read together with the Scoping Report and, where there is an apparent conflict, the requirements of the Scoping Opinion prevail.

The Site

5. The Scoping Report identifies the site of the proposed planning application. It states that this comprises a residential development of up to 240 dwellings, new access and associated landscaping and infrastructure.
6. The site is located to the east of Saffron Walden and is approximately 17 hectares in size. It is bounded on two sides by agricultural land, to the east and south. A new housing development to the west and Radwinter Road (B1053) to the north.

The Envisaged Proposal

7. The proposal envisaged is set out in the Scoping Report; this being for up to 240 residential dwellings, new access and associated landscaping and infrastructure.
8. UDC notes that the EIA Regulations 2017, Schedule 4, paragraph 1(a) to (c) will also require descriptions of: the location of the development, the physical characteristics of the whole development during construction and operational phases, the main characteristics of the development, and an estimate by type and quantity of expected residues and emissions including water, noise, and vibration, during the construction and operation phases.
9. UDC notes that the EIA Regulations, Regulation 18 2(c) permits the inclusion of measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment. Where these are likely to be the subject of conditions or S106 measures, these should be included in a list of possible conditions and/or Heads of Terms for a Legal Obligation.

General Approach to the EIA

10. To assist the Local Planning Authority's deliberations on its scoping opinion, Bidwells have supplied a Scoping Report outlining the issues to be considered in the Environmental Statement. The topics to be considered are listed below:
 - Cumulative Impacts
 - Agriculture
 - Air Quality

- Flood Risk and Drainage
 - Landscape and Visual
 - Noise and Vibration
 - Socio-Economics and Health
 - Transport
11. UDC has considered the explanations in the Scoping Report about how the envisaged EIA will approach assessment of likely significant effects. This section shall consider each of the topic areas in the submitted Scoping Report in turn.
 12. *Assessment Methodology and Significance Criteria:* For clarity in what will be a technical document available to the public, consistent terminology should be used throughout the EIA, and a readily accessible list of abbreviations must be provided and in a convenient accessible part of the environmental statement.
 13. *Baseline Conditions:* The information used for any “baseline scenario” must include the actual current data. The source of any data or other information used for each baseline must be provided. So far as reasonably practicable, no baseline data should be more than two years old.
 14. *Impact Assessment:* The appropriate environmental controls, envisaged to be in place so as to avoid, prevent, or reduce the likelihood of significant adverse environmental effects from constructional impacts, should be set out and appropriately categorised as features or measures in accordance with Regulation 18(3)(a) and (c) and paragraph 7 of Schedule 4. In relation to operational effects, the same approach should be adopted.
 15. A “Do Nothing” scenario must also be included in the assessments, i.e. the effects that are to be anticipated without the development taking place.

Cumulative Impacts

16. The cumulative impacts of the proposal together with committed developments in the locality that are at an advanced stage (such as those with extant planning permissions), or that are likely to come forward in the next 3 years, should be assessed and included in the ES in particular with regard to traffic and transport considerations.
17. Please make reference to the consultation response from the Local Plan and New Communities Team, and the Highways Authority which is also further considered in the Transport Section of this response.
18. The Local Plan and New Communities Team have advised that cumulative effects will be relevant to a range of scoped-in topics, including but not necessarily limited to:
 - Transport
 - Air quality
 - Landscape and visual effects
 - Social infrastructure
19. UDC consider the approach concerning cumulative impact to be suited and UDC’s Strategic Housing Land Availability Assessment will further support this.

20. Please note that available information on environmental effects, may become available during the plan making process. This should be monitored throughout the EIA process and incorporated as necessary.
21. Please also make note of comments from Saffron Walden Town Council & Swards End Parish Council in relation to Cumulative Impact. Of note they consider there are likely significant impacts in relation to ads/transport, utilities, landscape, air quality, construction, biodiversity, lighting, and flooding, which should all form part of the ES. Furthermore. they include a list of key applications that should be included.

Agriculture

22. The agricultural status of the land is noted as explained in Appendix 2 of the Scoping Report. UDC understand that the land quality is mainly subgrade 3a, however an area in the centre grade 2 quality. UDC agree that this should be scoped in given the extent of the farmland. However, UDC request that this this section considers land use and soils and is more appropriately titled, as per relevant comments from Natural England.
23. Please make reference to Natural England's advice contained within Section 4 of annexe A of their formal response dated 7th April 2021. The impacts should be considered in accordance with the National Planning Policy Framework regarding the protection of the best and most versatile agricultural land.
24. Of note, Natural England also recommend that soils should be considered under a more general heading of sustainable use of land and the valuing of the ecosystem services they provide as a natural resource, also in line with paragraph 170 of the NPPF.
25. Please make reference to the recommended documents which includes the following:
 - The Natural Environment White Paper (NEWP) 'The Natural Choice: securing the value of nature' (Defra, June 2011)
 - Defra Construction Code of Practice for the sustainable use of soils on construction site <https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites>
26. Please also make note of comments from Saffron Walden Town Council & Swards End Parish Council which consider that the long paddock as been assessed incorrectly.

Air Quality

27. It is noted from the Scoping Report that Air Quality is scoped into the ES which is integral given the proximity of the proposed development to Radwinter Road. As noted in the comments from the Environmental Health Officer dated 29th July 2021, this is acceptable.
28. Reductions in Co2 and nitrate omissions otherwise arising from the development can be made through the promotion of low carbon transport options whereby

electric charging points should be considered within the design of the development.

29. Please also make reference to Natural England's formal response dated 07 April 2021, Section 5 of the annexe A explains that the assessment should take account of the risks of air pollution and how these can be managed or reduced. Relevant documents are also referenced.
30. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council in relation to Air Quality.

Flood Risk and Drainage

31. UDC understand it is proposed that Flood Risk and Water Resources Chapter of the ES will set out the methodology applied to assess the potential effects of the Proposed Development, in terms of the water environment. The site is located in flood zone 1 and is at low risk of river flooding, very low to low risk of surface water flooding, and no risk of reservoir flooding; however, given that a watercourse runs through the site the extent of the site, the topography and the current and proposed land use it is appropriate for this chapter to be scoped into the ES as proposed.
32. Please refer to the response from the Environment Agency dated 22nd April 2021 and they note that they are satisfied that all matters within the remit have been considered.
33. Reference should also be made to the response from the Development and Flood Risk Officer (consultation response dated 6th April 2019) who has confirmed that all information associated with surface water drainage should be included as part of any future planning application. Surface Water and drainage is proposed to be scoped in, which is agreeable to the Environment Agency.
34. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council with particular concern relating to surface water flooding.

Landscape and Visual

35. UDC agree with the broad scope of the LVIA which should be scoped in. However, it will be important for this section to assess the impact of lighting at the site the surrounding area and address any issue of light spillage as proposed. This has been reiterated in comments by from Saffron Walden Town Council & Swards End Parish Council.
36. Please make reference to Natural England's advice contained within Section 3.1 of annexe A of their formal response dated 7th April 2021 which sets their expectations of what should be contained within the LVIA. The cumulative impact of the proposed development should be duly considered as noted. The consideration of landscape impacts should reflect the following documents and guidelines:
 - Guidelines for Landscape and Visual Impact Assessment (Landscape Institute and the Institute of Environmental Assessment and Management, 2013, 3rd edition)

- The Landscape Character Assessment Guidance for England and Scotland (Scottish Natural Heritage and The Countryside Agency, 2002) and good practice
 - Natural Character Areas
(<https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>)
37. Natural England also reiterate the need to include Public Rights of Way within the ES, which UDC understand is proposed to be scoped in, within the body of the LVIA. Section 3.2 of annexe A sets out the need to ensure the assessment of the public rights of way and access to the countryside is thorough; and consideration of opportunities to improve or provide new public access provision. It is also recommended that reference is made to relevant Right of Way Improvement Plans.
38. Please also make note of comments from Saffron Walden Town Council & Swards End Parish Council in relation to the Landscape and Visual element of the report. Of note, the topography of the site is mentioned, and concern raised in the building up of the slopes and breaching of the tree-line. Furthermore, the cumulative visual impact of the approved adjacent sites is also referenced. Comments in made with reference to the viewpoints should also be duly noted.
39. Please refer to comments from Place Services regarding Conservation. We understand that you wish to scope out Heritage which is accepted in principle given that the site does not contain any Heritage assets and the nearest Heritage Assets are circa 200 metres to the east. Notwithstanding the above, it is important for you to acknowledge the nearby heritage assets in your LVIA and to seek to enhance these areas. As such, the Conservation Officer advises that you include a baseline heritage assessment of the proposals and the potential impact of the proposals upon the setting of heritage assets and the wider landscape, which can be covered in the landscape and visual impact chapter, identifying heritage receptors. As a minimum the report should consider the following designated heritage assets:
- Pounce Hall, Grade II listed (list entry number: 1297745);
 - Tiptofts, Grade I listed (list entry number: 1274093);
 - Tiptofts moated site and fishponds, Scheduled Monument (list entry number: 1008702) and
 - Dovecote east of Tiptofts, Grade II listed (list entry number: 1238643).

Noise and Vibration

40. Please refer to comments from the Environmental Health Officer dated 27th July 2010. The Scoping Report seeks to scope in noise for the construction phases and operational noise; and scope in vibration for the construction phase only. It is understood that road traffic vibration is proposed to be scoped out. Given the proximity to Radwinter Road this is not acceptable and road traffic vibration in the operational phase should be scoped in.
41. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council who consider that further information is required. Moreover, they note “the impact of traffic noise on the PROW on the northern side of

Radwinter Road is considerable and therefore existing and future noise should be factored in at an early stage before determining the scale of the development. The existing topography, hollow road and valley reverberation are all likely to have a significant effect”.

Socio-Economics and Health

42. UDC broadly agrees with the approach to be taken as stated in the Scoping Report in respect of the Socio-Economics and Health, which is required to be scoped into the ES as proposed, as this is a significant issue.
43. Details will be required to accompany the application in response to any identified shortfall in local healthcare provision and how this can be mitigated (i.e. commuted payments to the NHS). The potential impact from air quality, traffic and noise impacts has been mentioned.
44. An assessment should be carried out at both a local and at district level as specified, including a wider impact area covering Uttlesford District, Essex and the East of England as proposed.
45. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council who consider that the impact on local facilities needs to be included as part of establishing the principle of development and also make observations in relation to the EIA methodology,

Transport

46. The Site is accessed via Radwinter Road which runs along the northern boundary of the Site and connects to the west the town centre of Saffron Walden and the village of Swards End to the east. Transport is a fundamental issue which will be essential to scope into the ES as proposed.
47. Reference should be made to the response from ECC Highways Department dated 13th May 2021. The Highway Authority agrees that transport should be scoped into the EIA for construction and operational phases of the proposed development.
48. A transport assessment and travel plan should be submitted in accordance with current guidance. The Highways Authority have advised that given the layout of Saffron Walden and the sensitivity of junctions to the impact of traffic, a smaller percentage traffic growth may be significant and each junction should be assessed individually taking into account current capacity and cumulative impact. Furthermore, the impact of the development on possible future transport infrastructure should be taken into account and the development should aim to facilitate this and not impede its development. The connectivity and permeability of the site for all modes of transport should be assessed and maximised as part of any proposal.
49. It is observed from the Scoping Report that planning reference UTT/17/3413/OP at Ashdon Road, Saffron Walden is to be excluded on the basis of the perceived inconsequential cumulative impact; however it should be noted that this application is incorrectly referenced in the scoping report and does not relate to the 'erection of 4 commercial buildings', but rather 'outline permission with all

matters other than access reserved for the erection of up to 55 dwellings, up to 3,650m² of B1, B2 and or D2 floorspace in the alternative, (with the maximum GIA of the D2 floorspace not to exceed 940m²) and the erection of up to 335m² of A1 floor space (with the net retail sales area not to exceed 279m² GIA) together with associated open space, landscaping, parking and supporting infrastructure'. It should be noted that this forms part of a larger development which was approved under planning reference UTT/13/2423/OP which relates to "Outline application for redevelopment of the site to provide up to 1.25 hectares of land to be used as a Builders Merchant and Yard (Use Class B8), up to 0.47 hectares of land to be used as Offices (B1(a)), up to 0.4 hectares of land to be used for Offices and/or Research and Development and/or Light Industrial (Use Class B1 (a), (b) and (c)), up to 1.16ha of land for use as Business, General Industrial and Storage and Distribution uses (Use Classes B1, B2 and/or B8), a Local Centre of up to 0.86ha for uses falling within Use Class A1, including a local retail store (with the net A1 retail floor space limited to 279m²), a cafe/restaurant/public house (Use Classes A3 and A4), a hotel (Use Class C1), up to 167 dwellings including affordable housing (Use Class C3) to be provided on 4.78 ha of land, together with public open space, landscaping and the provision of supporting infrastructure including replacement substations, and the demolition of existing buildings, with all matters reserved except for access" which was granted planning permission in 2014.

50. Planning permission was refused by UDC for application UTT/17/3413/OP and subsequently an appeal lodged and was allowed on the 10th October 2019, appeal reference APP/C1570/W/18/3218383. Therefore, this development *should be taken into account and duly considered as appropriate in terms of cumulative impact and the traffic generation.* This should be also considered in relation to planning applications UTT/20/0921/DFO, UTT/20/0842/FUL, UTT/19/0957/FUL, UTT/16/2701/DFO and UTT/15/0455/DFO.
51. Please also make note of comments from Saffron Walden Town Council & Swards End Parish Council in relation to Transport and Access.

A number of topics are not considered to be significant by the applicant. The topics to be scoped out of the ES (as noted in Table 4.2) of the scoping report):

Microclimate

Odour

52. *Odour* is proposed to be scoped out which is considered acceptable. *Lighting* is to be scoped out which is considered appropriate on the basis that the LVIA in the Landscape & Visual section of the ES will consider the general impacts of lighting, as proposed.

Climate Change

53. *Climate change* is proposed to be scoped out, however UDC insist that this should be scoped in. In a change from the 2011 EIA Regulations, the 2017 EIA regulations make several references to climate change and sustainability, see Schedule 4, and it should be given due consideration. UDC have declared a Climate Change emergency and they Interim Climate Change Policy has been introduced this year. Given the scale of the development it is considered that

climate change should be assessed, and cross referenced in relevant chapters in the ES and other relevant documents.

54. Please make reference to Natural England's advice contained within Section 6 of the annexe A of their formal response dated 7th April 2021, which requests that the ES should reflect the principles of the England Biodiversity Strategy (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69270/pb13168-ebs-ccap-081203.pdf) which sets out climate change adaptation principles. This should also be included within the ES.

Population and Human Health

Health and Well-being

55. A Health Impact Assessment (HIA) is proposed to form a Technical Appendix to the ES but will not be a topic chapter within the ES. This is considered appropriate.
56. Please also make note of comments from Saffron Walden Town Council & Swards End Parish Council in relation to Population and Human Health. Of note, they consider that Health and Wellbeing should be included in the EIA given that the locality has been subject to a large increase in housing.

Tourism and leisure

57. This is proposed to be scoped out, which is acceptable due to the residential nature of the scheme.

Biodiversity

Ecology

58. Ecology is proposed to be scoped out, yet UDC insist that this should be scoped in. Please refer to the detailed comments from Place Services in relation to Ecology dated 22nd April 2021. It is observed that the details of the Preliminary Ecological Appraisal referred to in the Scoping Report are limited. In accordance with Regulation 14 of the EIA Regulations, the ES should provide a statement about the relevant expertise or qualifications of the competent experts involved in its preparation.
59. It is recognised that the proposed development is not likely to impact on any designated sites, both Statutory and Non-statutory, and the CEMP and LEMP set out mitigation. However, this does not rule out all significant impacts on European Protected Species. As such, UDC and the Ecology Team disagree that ecology should be scoped out and it should be included in the ES.
60. Survey and assessment should meet the requirements of both Natural England Standing Advice and the Essex Biodiversity Validation Checklist. Please also note advice from Place Services which concludes: "In addition to the EIA report, it will be necessary to also provide sufficient information on non-significant impacts on protected and Priority species and habitats at submission either in a non-EIA chapter or separate documentation. This is necessary in order that the LPA has certainty of all likely impacts, not just significant ones, from the development and can issue a lawful decision with any mitigation and compensation measures needed to make the development acceptable, secured

by condition". It is also observed that Winter breeding birds may also be an issue to be considered, given the related issues on the adjacent site.

61. Please refer to comments from Natural England dated 7th April 2021 , Section 2 of annexe A. Natural England expect the ES to "include all necessary information as outlined in Part 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017" should be contacted should one of the listed features be affected.
62. Natural England also request that the ES should thoroughly assess and include the following:
 - The potential impact of the proposal upon features of nature conservation
 - interest and opportunities for habitat creation/enhancement should be included
 - the potential for the proposal to affect designated sites,
 - the impact of the proposals on non-statutory sites
 - the impact of the proposals on habitats and/or species listed in the UK Biodiversity Action Plan

Please refer to specified documents including the following:

- Natural England Standing Advice
- Guidelines for Ecological Impact Assessment (EclA)
- Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System
- Government Circular 06/2005

63. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council in relation to Ecology. In particular please observe their references to discrepancies within this section of the report.
64. Accordingly, Ecology cannot be scoped out of the Biodiversity section of the ES and must be included. All comments from Natural England and Place Services should be taken fully into account.

Arboriculture

65. Arboriculture is proposed to be scoped out which is considered acceptable on the basis that the majority of trees and hedgerows are proposed to be retained. The LVIA will also be considered as part of the Landscape & Visual section.

Cultural Heritage the landscape

Built Heritage

66. This is proposed to be scoped out, however UDC insist that this should covered within the LVIA. This is discussed further in the Landscape and Visual Section. Please refer to comments from Place Services, Conservation.

Archaeology

67. Please refer to the Place Services consultation letter with specialist archaeological advice, dated 8th April 2021. UDC understand that a programme of archaeological geophysical survey has been undertaken and potential archaeological features identified within the proposed development area. You

have acknowledged that should further archaeological work be required this can be secured by a suitably worded planning condition. UDC consider the impacts on archaeology to be limited and can be scoped out of the ES as proposed.

68. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council in relation to Built Heritage and Archaeology. Of note they consider that further clarity is required to establish the significance prior to scoping out.

Material Assets

Ground Conditions

69. The submitted Scoping Report states that land contamination is to be scoped out. In principle, this is acceptable as referenced in the Environmental Health Officer comments dated 29th July 2021. It is advised that any subsequent planning application is accompanied by a detailed contamination report so that the risks from contamination are known at application stage. It is considered that contamination can be scoped out.
70. UDC requires any features or measures relied upon to be separately described and considered.

Utilities

71. The submitted Scoping Report states that utilities are to be scoped out. In principle, this is acceptable. However, there are a number of consultee responses which you should review for any future application on the site.
72. Please refer to Exolum's consultation response dated 16th April 2021. It appears from the plans submitted that the proposed development is to be constructed within close proximity to Exolum apparatus and would likely restrict access to the pipeline. Please be aware of their requirements for any future planning application. Please also refer to HSE's advice dated 20th April 2021. Please also refer to Cadent Gas's response, they raise no objection however they have identified an intermediate pressure gas pipeline in close proximity to the development to be taken into account for any future planning application.
73. Please also note the comments from Saffron Walden Town Council & Swards End Parish Council in relation to Utilities.

Waste

74. Waste is proposed to be scoped out. This is considered acceptable and any future application should be accompanied by a Site Waste Management Plan as proposed.

Items not covered in Scoping Report:

Major accidents and disasters

75. The 2017 Regulations in Schedule 4 state that a description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned should be considered and details of the preparedness for and proposed response to such emergencies. This could for

example mean addressing an extreme flooding scenario within the flood risk as well as other potential extreme weather scenarios. As such Major Accidents and disasters should be scoped in.

76. Please also make note of comments from Saffron Walden Town Council & Swards End Parish Council. It is observed that they consider that the siting of fuel storage and pipes presents a risk of a major accident.

Other consultee responses:

Minerals

77. Reference is made to the consultation response from Essex County Council Minerals and Waste Planning Department dated 23 April 2021 which should be reviewed in detail.
78. A significant proportion of the project area lies within a Mineral Safeguarding Area (MSA) for chalk, with this total site area within the MSA being 13ha and it is noted from their response that the development is above the defined thresholds (3ha). Therefore, a Mineral Resource Assessment (MRA) is required as part of any future planning application. However, it is agreed that this topic can be scoped out of the ES.

Secured by Design

79. Reference is made to the consultee comment from Essex Police which sets out the need for future liaison prior to the submission of any future planning application.

Safeguarding

80. Please refer to NATs Safeguarding response dated 6th April 2021. NATS have no objection to the proposal at present on safeguarding grounds, as such this would not need to be scoped in, but duly considered as part of any future planning application.
81. Please refer to MAG London Standard Airport's aerodrome safeguarding consultation response dated 22 April 2021. Please note that that any future planning application should consider all aspect of the development which may be constrained due to the proximity to Stanstead Airport.

Infrastructure

82. Please refer to the consultee response from the Defence Infrastructure Organisation dated 24th April 2021. There may be a redundant pipeline in the area which has been declared redundant by the Ministry of Defence. Please take the advice provided into consideration as part of any future development proposals.

Structure of the Environmental Statement

83. UDC concludes that the proposed structure of the environmental statement as set out and explained in the submitted Scoping Report is satisfactory for the topics which are to be scoped into the environmental statement, except for additional information required where stated; as are the methodologies identified for assessment. In addition, UDC require a section on mitigation and residual effects.

84. UDC understand that the mitigation and residual effects of each topic will be assessed accordingly, however UDC requires a Summary of Mitigation and Residual Effects to comprise a freestanding section of the proposed ES so that it can be easily accessed by the public.
85. To summarise for this Scoping Opinion, the following topics as proposed should be scoped into the environmental statement:
- Agriculture
 - Air Quality
 - Flood Risk and Drainage
 - Landscape and Visual
 - Noise
 - Socio-economics and Health
 - Transport
86. Reference should be made in the ES to any documents published by UDC which would have an influence on how the environmental statement should be informed and prepared for the proposed development.

Additional content required for the Environmental Statement:

87. In view of the reasoning given by consultees and legislation it is considered necessary that the following additional impacts are included and assessed within the ES:
- Road traffic vibration (in the operational phase)
 - Ecology
 - Heritage Impacts (to be included within the LVIA)
 - Climate Change
 - Major Accidents and disasters

Summary of Mitigation and Residual Effects

88. We understand that the mitigation and residual effects of each topic will be assessed accordingly, however UDC requires a Summary of Mitigation and Residual Effects to comprise a freestanding section of the proposed ES so that it can be easily accessed by the public. This should be added to the ES.