

Our ref: T3086/BE/PG.2

Your ref:

1<sup>st</sup> September 2017

Steven Stroud  
Senior Development Planning Management Officer  
Babergh & Mid-Suffolk District Councils  
Corks Lane  
Hadleigh  
IP7 6SJ

**APPENDIX C**



**TEMPLE**

LEADERS IN ENVIRONMENT,  
PLANNING & SUSTAINABILITY.

Dear Steven,

### **Chilton Woods ES Review**

Further to our recent meeting and subsequent correspondence with Amec Foster Wheeler, I am pleased to enclose the final version of our ES review comment/response table.

We believe we have now closed out all outstanding issues and are satisfied that with the proposed planning conditions, the council should have sufficient environmental information to be able to reach an informed decision on the outline planning application. Please note however, that at the reserved matters stage the council will need to review the potential environmental impacts of the further detailed information provided by the applicant and consider whether:

- a) The detailed design remains within the parameters of the outline consent and predicted environmental impacts reported in the original ES (2015) and ES Addendum (2017); and, if not
- b) There may be a need for further environmental assessment to be undertaken.

It should also be borne in mind that where there are to be multiple reserved matters applications each one will need to be considered cumulatively with any previous consented applications and not in isolation otherwise potentially significant environmental effects may be missed.

We have set out below some general comments on the quality of the 2017 ES Addendum prepared by Amec Foster Wheeler including issues around objectivity, presentation of information, use of best practice and so on. We would see this being largely for the council's reference, although we have no objection to this being made available to the EIA consultant if the council so wishes.

### **Content of the ES Addendum**

The ES Addendum provides an update to the previous ES produced in 2015 in light of changes to the proposed development; essentially a marginal increase in the number of residential properties and various other changes to layout and infrastructure.

Subsequent to Temple's review of the ES addendum, several short technical notes have also been produced to address specific issues raised and/or to provide further updates on certain technical topics such as air quality and noise.

The ES Addendum was not subject to any update of the Scoping Opinion issued by the council.

## Assessment Methodology & Impact Prediction

The assessment methodologies used on both the original ES and 2017 Addendum have broadly followed published guidance and established best practice. However, our review identified several instances where the approach taken has been a little confused or not fully in line with established principles and guidance, or where the assessment of impacts was potentially deficient. These are summarised below.

*Transport* - the approach to the assessment of traffic and transport was based on traffic modelling only up to 2025, some 13 years before full build out of the development; the rationale being that there is too much uncertainty in predicting traffic growth beyond that point. Our review noted that this is not an unusual situation and that transport assessments regularly include modelling beyond 2030 and can do so with appropriate caveats. However, after discussion with Amec Foster Wheeler they have provided further information and justification for the approach taken and we are satisfied that a suitable worst case has been tested. Furthermore, the developer has committed to implementing all necessary traffic related mitigation during the first phase of the build.

*Noise* – there has been a difference of professional opinion over the application of published noise guidance with respect to operational noise impacts with the developer proposing a boundary noise limit of 65dB LAeq, 12hr. In Temple's opinion, this goes against the principle of the Control of Pollution Act 1974 which requires the use of Best Practicable Means to reduce noise rather than set a limit. This issue has now been resolved through the proposed use of conditions to require detail noise modelling to be undertaken at the Reserved Matter Application stage when details of operational noise sources will be better defined.

*Agriculture and Farm Viability* – Temple raised concerns that a proper assessment of the potential impacts on the viability of farms from which land will be taken had not been undertaken as part of the EIA. The EIA consultant did not believe this to be a matter for the EIA despite having undertaken a detailed socio-economic assessment. Further information was subsequently provided by the EIA consultant with respect to compensation to be provided to affected landowners. It was further noted that as the site has been allocated for development for over 10 years landowners are fully aware of the likelihood that some of their land would potentially be acquired. While this remains a small residual planning risk we do not consider it to be significant and the council has sufficient information to be able to reach an informed decision with respect to environmental impacts.

*Landscape and Visual* – concerns were raised in the review that insufficient consideration has been given in the LVIA to the *Managing a Masterpiece* assessment and evaluation work on the extension to the Dedham Vale AONB which would have informed the professional judgment on the impacts of the proposed development. Although not significant, this is considered to present a small planning risk albeit probably not significant enough to result in a successful challenge to a planning consent.

## Findings of the EIA

Notwithstanding the issues raised in the previous section, the findings of the assessments are

clear and appear reasonable with appropriate measures proposed to mitigate significant effects. It is recommended that the council attach appropriate conditions to any consent in order to ensure both construction and operation stage mitigation is fully implemented in accordance with the original ES, 2017 Addendum and supplementary technical notes, the latter submitted in response to consultation responses and Temple's review.

### **Presentation and Quality of ES Addendum**

The ES addendum was generally well written and presented. As with the original ES however, there were a number of references to application plans or documents that do not form part of the ES suite, which has a tendency to create a 'paper chase'. The ES is meant to be a standalone document that can be read in isolation from all the other planning application documents. Where external documents are referred to these should ideally be summarised or relevant extracts reproduced in the ES. Plans should be contained within the ES even if this means duplication in some cases. These minor issues aside, the ES addendum was easy to follow.

### **Objectivity**

The assessments within both the original ES and Addendum are considered to be generally robust and impartial.

I trust the above is helpful but should you have any questions, please do not hesitate to get in touch.

Yours sincerely,



**Peter George**  
**Senior Technical Director**

Enc. Final ES Review Summary Table



## Final ES Summary Table

| No. | Chapter       | Request Type  | Comment   | AFW Response   | Temple Further Comment  |
|-----|---------------|---------------|---|--|---|
| 1   | Chapter 1 – 5 | Clarification | Clarification is sought as to the timings of the construction phases. This was specifically requested in the Council's Scoping Opinion.   | Indicative phasing is provided in ES 3.4.8 (illustrated on Figure 3.4), which shows commencement 2016 and completion by 2031. This represents a 15-year build out. The ES Addendum will include an update to reflect a likely start date of 2018/19, assuming outline consent 2017 and first reserved matters early 2018. Further detail on individual phases (with respect to both employment and residential land delivery) can be provided in the ES Addendum, however timings can only ever be indicative at this outline planning stage.  | Construction years have been provided and look reasonable along with proposed phasing.                      |
| 2   | Chapter 1 – 5 | Clarification | Clarification is sought as to the generating capacity of CHP. Typical plant has been modelled in the AQ assessment noting it is biomass plant but there is no mention of feed stock, how much would be required and how that would be brought in. | Note that a gas-CHP is now identified as the best commercial approach to the energy centre (see Climate Energy's 2015 report) so no feedstock or associated deliveries would be required. However, whether or not the energy centre comes forward is all subject to third party funding (e.g. interest from an energy services company). It is also important to note that one of the drivers behind potentially including the energy centre was the 2016 target for zero carbon homes, a target which the government has since abandoned. A clarification note on the approach to the energy centre will be provided as part of the ES Addendum.  | Noted, no further action required.  |
| 3   | Chapter 1 – 5 | Clarification | It would be helpful to have clear explanation of the assessment scenarios adopted in the technical assessments in the introductory chapters. Clarification is sought as to the year assessed for the future baseline scenario.                    | The comment on providing an explanation regarding assessment scenarios in the introductory chapters is noted. An overview of the approach to future baseline conditions is provided in section 4.5 as this chapter of the ES provides a general description of the approach to the EIA. This is considered to be an introductory chapter to the ES as it does not provide information on a technical assessment. To clarify, at the request of the Highways Authority (HA - Suffolk County Council) future baseline conditions for all traffic related effects were predicted for 2024 (para. 4.5.7) as the HA did not want to consider scenarios beyond 2024 given the uncertainties in predicting traffic flows beyond this (this is central to the scope of the TA agreed with the HA). For all other effects a future baseline of 2031, the opening year of the development was used, reflecting the estimated 15-year | Noted but with respect to the TA, uncertainty over long term traffic predictions is inherent in the method. |



construction period for the development (para. 4.5.5). Further information on the 2024 future baseline scenario for traffic related effects is provided in Table 6.9 and paragraphs 7.7.1, 7.7.2 and 8.7.6. In relation to noise, operational traffic and site suitability effects took into account future baseline and with development noise levels for 2024. The limits set in relation to construction and employment development noise are based on current baseline conditions to reflect a likely worst-case scenario as background levels are likely to increase overtime as background traffic levels increase. For all other topics, the future baseline scenario considers baseline conditions that are likely to occur in 2031 and in the majority of cases there is no or little predicted change in baseline conditions over the next 15 years (see paragraphs 9.4.12, 10.4.66-68, 10.5.24-26, 11.4.24, 12.8.2, 12.9.4, 12.10.4, 12.11.3 & 4, 12.12.3 & 4, 12.13.7 & 8, 12.14.4 & 5, 12.15.5 & 6, 13.4.31-34 and 14.4.15 for further information). In relation to landscape and visual effects the assessment has considered operational effects at year 0 (2031) and year 10 (2041). However, given that the landscape and visual baseline is not expected to change substantially between 2016 and 2031 the same can be assumed for between 2016 and 2041.

|   |               |               |   |   |   |
|---|---------------|---------------|---|---|---|
| 4 | Chapter 1 – 5 | Clarification | Clarification is sought as to whether the Applicant has gained information on traffic flows for those schemes identified in paragraph 4.5.10 where construction is already underway. These appear to have been omitted from the future baseline and therefore traffic flows should be incorporated within the existing baseline flows assessed. | The future baseline reflects the schemes identified in Table 4.2 (and other growth) having been based on TEMPro growth forecasts for 2015-2024 (shows growth of an additional 779 households). This is all built into the Transport Assessment (TA), the scope of which was agreed with the HA. | Noted although as the proposed development has a 15 year build out the TA appears to only have assessed flows up to around 50% completion of the scheme. Therefore, it has failed to consider the traffic implications for the completed development and thus both the TA and EIA are incomplete.<br><br>Further update in the Draft Technical Note August 2017: Following submission of further technical note my Amec Foster Wheeler providing rational for transport assessment scenarios Temple is satisfied that the approach is reasonable and appropriate. |
|---|---------------|---------------|---|---|---|



|   |                                      |                        |  |   |
|---|--------------------------------------|------------------------|--|---|
| 5 | Chapter 6:<br>Traffic &<br>Transport | Further<br>Information | <p>The ES states that due to uncertainty in predicting future traffic flows the transport assessment has only considered up to 2024 (updated to 2025 in the ES Addendum). By only modelling flows over the first 5 years (assuming the stated 2019 start date in the addendum), the transport assessment has not assessed the full build out of the development and as such potentially significantly underestimates the impacts. It is therefore considered inadequate and incomplete in EIA terms. It is critical that traffic flows associated with the full development are modelled and assessed. Uncertainties over growth of existing traffic should be acknowledged within the assumptions and limitations. This is standard practice.</p> | No further action required, issue resolved see comment 4. |
|   | Chapter 7: Air<br>Quality            |                        | <p>The incomplete transport assessment has knock-on implications for the air quality assessment which uses traffic flows as the basis for calculating predicted vehicle emissions. Again, based on the TA, the air quality assessment is considered to be incomplete and not fully assessed the completed development. This is a significant issue that is becoming increasingly prevalent in the consideration and assessment of health impacts related to traffic.</p>   |   |
|   | Chapter 8:<br>Noise and<br>Vibration |                        | <p>The TA should be revised to include assessment of the full build out of the development i.e. 2035. The air quality and noise assessments should also be revised in line with the predicted growth in existing traffic and the traffic associated with the development.</p>  |   |
|   |                                      |                        | <p>As currently submitted the TA, ES and ES Addendum are considered to be materially deficient and could be subject</p>  |   |



to a successful legal challenge.

|   |                                    |               |  |  |   |
|---|------------------------------------|---------------|--|--|---|
| 6 | Chapter 8:<br>Noise &<br>Vibration | Clarification | It is noted that it is louder at night than during the day at both long-term locations. This is usually because a location is dominated by industrial or commercial sound (rather than traffic noise); this is mentioned as a noise source for one of the positions. In this case, whilst the existing noise levels are relatively low, the character of the existing industrial or commercial sound, may mean that this existing noise is more of an issue for the proposed residential than discussed in the report, and it may be appropriate to look at some further mitigation for this. Has the applicant given any consideration to this? | Further analysis of the measured data shows that an event occurred around 23:30 which elevated the measured LAeq at both long-term locations. Removal of this 15-minute period from the data set results in higher daytime levels than night-time. As noise levels were recorded by unattended noise meters it has not been possible to identify the character of existing sources in any more detail at this stage. An assessment of existing noise sources on sensitive receptors within the proposed development (paragraphs 8.11.1-8.11.14 of the ES) has demonstrated that with appropriate measures (such as double glazing) implemented as part of the proposed development, there will be no significant noise effects on the occupants of the proposed development. Such measures, as specified in the ES, can be implemented by way of planning condition. | The explanation of the elevated night time levels is satisfactory. However, admitting that they don't know what sources are making up the levels and can't describe the nature and character of the noise they have they measured presents a significant risk that the impact of noise has been underestimated. As the sources of guidance used to set noise limits in dwellings e.g. WHO Community noise guidelines and BS 8223 (which specifically states it shouldn't be used for industrial type noise) are not appropriate for noises that are not steady or contain acoustic characteristics which enhance its impact e.g. tones, impulsive elements etc. Also, the assumption here is that any significant effect can be dealt with by using the sound insulation of the building envelope; rather than first looking to use the layout and orientation of buildings to mitigate the noise before using this option, as per the advice of the BS 8223. |
| 7 | Chapter 8:<br>Noise &<br>Vibration | Clarification | There is no quantitative assessment of construction noise; the reasoning is that this is an outline application construction details are not known at this stage. However, firstly it would be good to have some indicative quantitative assessment to base the conclusions on. Secondly, the ES talks of limiting construction noise to 65dB LAeq,12hr. A noise limit would not be able to be applied to construction that was operating within best practicable means, hence there may be some instances of construction exceeding this level so there may be effects that are not picked up here. Clarification is sought                     | As is typical for an outline planning application no construction details were available at the time that the assessment was undertaken and as the final developer (and contractor) are not yet appointed this information is not yet available. Therefore, no indicative calculations have been undertaken or can be assumed. In line with best practice a noise limit has been set in line with the guidance provided in BS 5228-1:2009+A1:2014 based on existing ambient daytime noise levels. It should be noted that the proposed noise limit is for LAeq noise levels over a 12-hour period, which can be considered to be a form of averaged noise levels over a given period (The formal definition is "when a noise varies over time, the Leq is the equivalent continuous sound which would contain the same sound energy as the time                      | The response is inadequate. The original comments still stand. In the absence of details of construction, the assessment should take a "Rochdale Envelope" approach and assume reasonable worst methods etc. and undertake a quantitative assessment; so that the decision maker can make a properly informed decision in the knowledge that the effects should the scheme go ahead will be unlikely to be worse than assessed. Furthermore, the response assumes that noise limits are levels for the contractor to work up to like a traffic speed limit, whereas the Best Practicable  |



as to whether a 'worst case' scenario has been considered in order to test this.

varying sound"). Therefore, short-term exceedances of the noise limit would not be an issue during the 12-hour period provided the LAeq noise limit over the 12 hours in total did not exceed the set limit. Where required additional measures (acoustic fencing, use of quieter equipment, acoustic enclosures of equipment etc.) can be implemented by the contractor to ensure that the noise limit (at the location of sensitive receptors) is not exceeded. The implementation of the noise limit alongside set working daytime working hours and additional control measures is a best practice means of controlling noise levels to ensure significant effects at nearby sensitive receptors are avoided. It is anticipated that these measures will be implemented by way of planning condition as part of a Noise Management Plan (incorporated mitigation as set out in Table 8.6 of the ES).

Means requirements of the Control of Pollution Act 1974 require that noise is minimised as far as reasonably practicable, not simply down to the example limits provided in BS 5228.

8 Chapter 8:  
Noise &  
Vibration

Potential Reg  
22

'Employment uses' operational noise – Similar to the previous comment, as it is outline there is no quantitative assessment of operational noise. This may be fine for fixed plant, but it would be useful to have some indicative quantitative assessment of noise from the B2, general industrial, uses. The current assessment has set limits which are +5dB above background (Table 8.19, 8.10.4). At this noise level, an adverse impact is likely to occur (depending on the context) so we would recommend limits are set below this, e.g. same as background.

As outlined above, no quantitative assessment has been completed at this stage as the occupants and final uses of the buildings proposed within the development are not yet known. In line with best practice the EIA has been undertaken on set parameters within which the proposed development would be constructed and operate. This includes in relation to operational noise where the detail of the proposed end use is not yet known. In line with the methodology outlined in section 8.7 of the ES a medium magnitude of effect would occur for an industrial sound rating levels of 5 dB or less above existing background sound levels. All receptors considered in the assessment are considered to be of medium sensitivity. Significant effects are unlikely where magnitude and sensitivity are both medium. It is therefore considered unlikely that a significant effect would occur if a limit of up to 5dB above background levels is applied. This limit would be set for the operators of the employment uses. As outlined in the ES (para 8.10.7), there will be a buffer of 30-40m between these uses and the nearest sensitive receptors further reducing the noise levels audible at the closest receptors. Furthermore, it is recommended (para 8.10.4) that further assessment and design work is undertaken at the reserved matters stage to ensure that noise management measures are incorporated into the detailed

The response is inadequate. The original comments still stand. Similar to construction noise and "Rochdale Envelope" approach should be taken to assessing the likely effects of plant etc. noise, it is considered that offering conditions setting noise limits instead of an assessment does not meet the EIA Regulations requirement to assess likely significant effects.





design of the employment development, for example ensuring the layout of the buildings aids the attenuation of noise from the operation of the employment development. It is considered that the noise limits proposed are sufficient to avoid significant noise effects.

The noise modelling results indicate that there is the potential for significant effects on approximately 3 properties near to Aubrey Drive. As outlined in section 8.13 noise contour plots only provide an initial indication of noise levels across the assessment area. Directing traffic to use other routes (specifically Acton Lane) has been actively pursued and discussions are ongoing with the HA regarding its use. It is however important to note that reducing traffic flows along one route would result in increases on other routes and therefore could result in significant effects occurring elsewhere in the vicinity of the proposed development and may not necessarily avoid the effect all together. Section 8.13 also outlines further measures that could be implemented subject to the results of further modelling such as the use of low noise surfacing and restrictions on traffic speed and the attenuation these could provide. The use of barriers is considered not practical at this location given the setting of Aubrey Drive (residential road) and could lead to visual effects for local residents.

The response is partially satisfactory as it does not commit to any of the mitigation measures described for the significant adverse effect of road traffic noise identified.

Cumulative effects are implicitly considered in the socio-economic assessment given that education, health and sports provision is all intended to meet the needs of the Proposed Scheme taking into account the existing capacity of these facilities in the town. It is BDC and/or statutory providers who have made the requests, drawing on their knowledge of existing and planned developments. Much of this will be resolved through further discussion with BDC as work on the S106 Agreement progresses, but significant cumulative effects are not predicted.

Points noted. No further comment to add.

These effects have not been considered. They were not requested in the EIA Scoping Opinion and are not considered to represent a significant effect

The entire site is currently actively farmed and from a brief look at ALC maps, is a mix of Grade 2 and 3

9 Chapter 8: Noise & Vibration Potential Reg 22 Road traffic – para. 8.9.5 states that a significant road noise effect on residents of Aubrey Drive remains. Whilst this does not lead to noise levels sufficient for significant observed adverse noise effects (exceed SOAEL), the change is sufficient to lead to an adverse effect that should be minimised if practicable.  
  
Clarification is sought as to what, if any, options the applicant has considered to mitigate these impacts particularly as the road access to the site is being applied for under detailed planning.

10 Chapter 9: Socio-economic Clarification Clarification is sought that cumulative effects have been considered within socio-economic assessment.

11 Chapter 9: Socio-economic Clarification It doesn't appear that any assessment on the impact of existing agricultural activity / business on site and what

|    |                                  |  |  |   |
|----|----------------------------------|--|--|---|
|    | economic                         | the loss of land means for viability of the farming business. Clarification is sought as to whether potential effects have been considered.  | requiring further assessment.  | quality land. Although this is not 'best and most versatile' we fail to see how it can be argued that the loss of 117 hectares of active agricultural land is not likely to be significant on individual farm holdings (even where tenanted). The lack of reference in the Scoping Opinion is noted but scoping is a 'live' process so it is not sufficient to rely solely on the Scoping Opinion. Where there is likely to be a significant effect, even after the Scoping Opinion has been issued, it needs to be assessed. This is considered a material omission from the EIA/ES. |
| 12 | Chapter 10: Landscape and Visual | Clarification<br>Construction phase effects to both landscape character and visual receptors have been scoped out on the basis that there is sufficient retention of vegetation around the site peripheries to screen views and that construction effects would be short term, temporary and therefore not-significant. Although the construction phase is broken into three phases of 5 years, it is still conceivable that significant effects may arise, and the completion of each phase introduces new receptors in close proximity to the construction works which may experience effects. Further justification for the scoping out of construction phase effects is sought, and confirmation that potential effects to new receptors introduced within the site boundary have been considered. | <p>Whilst construction effects are broken into three-year phases it is unlikely that individual receptors will sustain visual effects for the full duration of each phase. Typically, construction work on residential schemes is rolled out across each area within each the phase and progressively supplanted by completed development that limit the likelihood of construction machinery and activities being temporarily visible beyond the short term. This combined with the presence of existing retained vegetation within the site, and on the peripheries, and the implementation of structural planting would reduce the magnitude of visual change sustained by the majority of visual receptors.</p> <p>With regards to construction effects on existing landscape character receptors – the rationale behind scoping has been presented in the chapter.</p> <p>With regards to new receptors, I assume this is in regard to new visual receptors i.e. residents, users of new community facilities, new roads, pathways and public open spaces. We are not convinced of the requirement to assess visual effects on such receptors. To assign new development receptors "sensitivity" per se to visual change would be illogical. We would argue that these visual receptors do not have a reasonable expectation of a view across open countryside. These new</p> | Points noted. No further comment to add.  |



receptors are knowingly moving into a construction environment whereby they are aware that the landscape around them, and views, will change in accordance with known plans.

|    |  |               |   |  |  |
|----|--|---------------|---|--|--|
| 13 | Chapter 10:<br>Landscape<br>and Visual | Clarification | Clarification is sought as to whether visual effects on Viewpoint 13 has been scoped in or out of the visual assessment. Viewpoint 13 is listed in both paragraph 10.7.11 - potential effects requiring assessment and paragraph 10.7.12 - potential effects not requiring further assessment. No assessment has been undertaken for this viewpoint at the scheduled monument site. | Will address this as part of the ES Addendum - Viewpoint 13 is scoped in as part of the assessment. We are proposing a masterplan amendment north of Woodhall Moated Site so will pick this up too as part of the ES Addendum.   | Note addendum to ES and that Viewpoint 13 has been scoped out.   |
| 14 | Chapter 10:<br>Landscape<br>and Visual | Clarification | Residual significant effects at Viewpoint 6 for year 10 scenario are reported, but no additional mitigation is reported.<br><br>Clarification is sought as to whether any consideration has been given to alternative layouts, landscaping, massing etc to remove this significant effect.  | Viewpoint 6 is an area of open space next to Aubrey Drive which forms part of the proposed scheme. At present, this is simply open green space with no formal footpaths, seating or routes. The masterplan proposes this area for additional landscaping, including tree and hedgerow planting, and flood attenuation (storage ponds). Para. 10.10.16 and Table 10.16 show that in year 10 the effects will be not significant given the mitigation incorporated within the scheme (principally additional landscaping and planting to filter views of built development). | Given the proximity of viewpoint 6 to the development and its current open views particularly to the northwest across farmland, the effects of the proposed development will significantly change the view making it more enclosed and urban. These effects on this viewpoint would be felt even after 10 years given the proximity of development to the northwest and the open porous character of mitigation planting on this side. The open space will become a corridor between two linear lines of houses. This open space could be a broader green wedge penetrating the urban area if development to the northwest was pulled back and reconfigured. |
| 15 | Chapter 12:<br>Ecology                 | Clarification | Guidance adopted for the EclA should be clarified. Paragraph 12.7.5 cites CIEEM's definition of significance, however it does not appear that the rest of the assessment follows the CIEEM methodology (see point 9 below).   | Separate note appended in response to this.  | Points noted. No further comment to add.   |



|    |                        |               |  |  |  |
|----|------------------------|---------------|--|--|--|
| 16 | Chapter 12:<br>Ecology | Clarification | <p>If following CIEEM EclA guidelines, the value of ecological receptors should be assessed against a geographical framework. Box 12.1 in Chapter 12 suggests that species / habitat importance has been considered at a geographic level. However, this is not followed through to the 'Assessment of effects' Section 12.8, so there is no commentary on the geographic level at which effects are considered significant or not significant.</p> <p>The methodology for assigning receptor value should be clarified.</p> | Clarification provided in separate response appended.  | Points noted. No further comment to add. |
| 17 | Chapter 12:<br>Ecology | Clarification | <p>It would be useful to clarify areas of habitat within the baseline condition, and the areas of habitat lost versus gained. Although all habitats except hedgerows are scoped out from further assessment, this would be useful to assist in understanding of reported effects to species e.g. bats where loss of foraging habitat is compared against habitat created within the proposals, particularly where a beneficial effect is reported.</p>   | <p>The site is 117 ha with arable farmland the most extensive habitat on site. Other than that part of the County Wildlife Site (CWS) onsite all arable habitat will be lost. There is about 15 ha of the arable CWS within the site boundary and measures incorporated into the scheme will improve the quality of the CWS, as well as offsite areas, for farmland birds (e.g. see Table 12.5). The same measures will also be incorporated into some 101.5ha (as measured from the Magic website on 24 June 2016) of arable farmland offsite (see Figure 12.1) thereby enhancing the quality of some 116.5 ha of arable land for farmland birds. The extent of the hedgerow resource is provided in 12.9.1 with loss, totalling 246.5m, described in Table 12.7. Paragraph 12.9.6 provides the extent of replacement planting (300m). Onsite standing water is represented by four ponds with dimensions provided in 12.4.10. All ponds are to remain with an additional four ponds created within the Community Woodland - see paragraph 12.15.10 and Figure 12.1., with three of these specifically for nature conservation interest. Tall herb/ruderal vegetation is found on site mainly in two fields where cultivation has recently been abandoned with these two areas measuring approximately 6.04 ha with 2.6 in the west and 3.43 in the east (as measured using the Magic website on 24 June 2016). The 28.7 ha of Community Woodland (see paragraph 3.2.10) of the scheme, which is to</p> | Points noted. No further comment to add. |



include a variety of habitats including grassland and scrub, as well as waterbodies and woodland. The Community Woodland provides a connected link of habitat across the site with the grassland, scrub and other habitats, including a similar extent of grassland habitat to existing tall herb/ruderal habitat although the grassland will be designed and managed specifically for the onsite biodiversity receptors.

|    |                        |                     |   |   |  |
|----|------------------------|---------------------|---|---|--|
| 18 | Chapter 12:<br>Ecology | Clarification       | Figures quoted in paragraph 12.11.15 for hedgerow loss from the proposed development do not align with those provided in Table 12.7 and should be clarified.  | Section 12.11 deals with dormouse and there is no paragraph 12.11.15, and no reference to hedgerow loss in para' 12.11.14. There is a reference at 12.11.6 which refers to the extent of loss of hedgerow H4 of 215m. This is also indicated in Table 12.7, which provides a figure for the total loss of hedgerow of 246.5m  | Points noted. No further comment to add. |
| 19 | Chapter 12:<br>Ecology | Potential Reg<br>22 | Paragraphs 12.12.5 to 12.12.10 'Badgers' do not provide assessment of significance for badgers, but simply note that no contravention of legislation for this legally protected species will occur as a result of the proposed development.<br><br>It is noted that Table 12J.1 notes that badgers do not need to be taken forward for assessment other than in relation to their legal status. However, if CIEEM methodology is being adopted, then badgers should be valued and assessed. | The principles of the CIEEM 2006 EcIA methodology have been followed and it was considered that badgers are of insufficient biodiversity value that an adverse effect on them could be significant - see paragraph 12.12.5. It was determined that badgers had insufficient biodiversity conservation value as they do not qualify within any of the geographical categories in Box 12.1. They were scoped in due to their legal protection, which they receive for welfare reasons and not for biodiversity conservation. See also response #15 above. | Points noted. No further comment to add. |
| 20 | Chapter 12:<br>Ecology | Clarification       | Construction effects to reptiles should be clarified. Paragraph 12.14.6 reports no significant effects on basis that Site's reptile population contains only two species in small numbers. Process of attributing value appears to be mixed with assessment of significance. Effect may still be  | Please see above response regarding receptor importance/value. Population size classes were based upon numbers recorded through site survey, which were up to 3 adult grass snakes and 6 adult common lizards. The effect of significance for the two species of reptile is based upon the population size, limited site distribution, the Zone of Influence (Table 12.J2),   | Points noted. No further comment to add. |



significant but on a population of only local / site value.  
This point links back to point 2 in relation to receptor value methodology. It is noted that a 'good' population of common lizard was identified in the west of the site.

and the county, regional and their national status (widespread and abundant). Table 12.9 (Summary of effects on biodiversity and evaluation of their significance) states that "the proposed development is likely to have a positive effect on reptile populations within the Site in the longer term (albeit not significant beyond the Site level)".

|    |                                       |   |  |  |
|----|---------------------------------------|---|--|--|
| 21 | Clarification                         | <p>Clarification of classification of significant / non-significant in Table 12.9 to align with text in Assessment of effects section e.g. Table 12.9 reports NS(-ve) effects to bats and hedgerows while text reports residual positive effects on account of habitat creation measures. For dormice, paragraphs 12.11.5 to 12.11.9 indicate non-significant adverse effects but Table 12.9 reports NS (+ve)</p> <p>To help clarify this it would be useful for Table 12.9 to be split into construction and operational effects as there may be an adverse effect during one phase but not the other.</p> | <p>The focus of the impact assessment is on conservation status/integrity of the receptor and assessment is made of what happens to each receptor throughout the life of the project. This is because a decline in a species population during construction might be reversed during operation, and in such a circumstance it might simply be concluded that, despite an initial adverse effect, there will be no longer term effect on conservation status and hence no significant effect. In the text impacts are considered at both the construction and operational phases of the development with Table 12.9 summarises the project effects on biodiversity looking at the overall project life impact. Following a precautionary approach if positive impacts are not recorded for both construction and operational phases, a negative effect is given for the project life.</p> | Points noted. No further comment to add.   |
| 22 | Chapter 13: Water<br>Clarification    | <p>There should be sufficient information available regarding the cumulative committed schemes for some qualitative commentary to be made regarding any potential cumulative effects</p>  | <p>No significant effects on water resources are predicted (paras. 13.6.2 and 13.6.3) with no cumulative effects expected.</p>   | Points noted. No further comment to add.   |
| 23 | Chapter 13: Water<br>Potential Reg 22 | <p>No information provided on assessment methodology or significance criteria used therefore it is not possible to follow the assessment.</p>   | <p>Assuming mitigation measures in place, all potential effects were scoped out as not requiring further assessment (paras. 13.6.2-13.6.3). No assessment methodology is therefore required or included in the ES.</p>   | <p>Noted although as the ES is only supposed to report on likely significant effects and assumption is that best practicable construction measures etc would ensure no significant effects on water resources, one questions why this topic is included in the ES and not scoped out of the EIA.</p> |



|    |                      |                     |   |   |  |
|----|----------------------|---------------------|---|---|--|
| 24 | Chapter 13:<br>Water | Potential Reg<br>22 | Mitigation cannot include applying for licences as to do so further detail will be required and / or changed including methodology which would mean that certain potential significant impacts haven't been considered / assessed.  | Appreciate that Table 13.4 makes reference to 'permits' associated with groundwater quality, however the fundamental point is that the development would be unlikely to proceed with an EA objection concerning risks to water quality. The mitigation is that the developer will need to put a number of measures in place (higher spec pipework, locating HWRC outside the SPZ, no infiltration SuDS, controlling foundation design etc.) to minimise risks to groundwater (all in accordance with EA guidance) which will ensure no significant adverse effects - the permit is essentially the output of this process.  | Points noted. No further comment to add.   |
| 25 | Chapter 13:<br>Water | Clarification       | assessments and applications for permit / licence do not, in themselves, constitute mitigation. In order to submit the application, the Applicant should have an idea of the likely mitigation measures required and so it should be possible to state these specifically within the water assessment.  | Appreciate that Table 13.4 makes reference to 'permits' associated with groundwater quality, however the fundamental point is that the development would be unlikely to proceed with an EA objection concerning risks to water quality. The mitigation is that the developer will need to put a number of measures in place (higher spec pipework, locating HWRC outside the SPZ, no infiltration SuDS, controlling foundation design etc.) to minimise risks to groundwater (all in accordance with EA guidance) which will ensure no significant adverse effects - the permit is essentially the output of this process.  | Points noted. No further comment to add.   |
| 26 | Chapter 13:<br>Water | Clarification       | <p>The drainage strategy concludes that further liaison with key stakeholders will need to be undertaken to agree details. Within the ES chapter there are no significant water impacts reported however, it does not appear that there has been sufficient work undertaken to support this conclusion.</p> <p>The local drainage network has also not been considered as a receptor within the ES. Clarification is sought as to the potential effects to the drainage network and necessary mitigation as agreed with stakeholders.</p> | This reflects the nature of an outline planning application - detailed drainage design will not progress until reserved matters stage at which point there will be further discussions with statutory providers (the requirement to provide a detailed drainage strategy will of course be conditioned). What will be agreed as part of the outline scheme - via discussions with both SCC's drainage officer and BDC - is that surface water run-off will not exceed existing greenfield rates and actually achieve some betterment by factoring in the EA's latest climate change allowances, DEFRA's non-technical standards and SCC's local flood risk guidance. We are not therefore putting 'additional' pressure on the drainage network. It is also important to note that we do not consider the drainage network itself as an environmental matter for consideration in an EIA - it is more an infrastructure-related | Noted, although as this is not apparently yet agreed (at least at the time of writing the original ES), there is no certainty within the ES that there will be no significant effect. Whilst we agree the drainage system in and of itself may not be an environmental receptor, it would be expected that even at outline stage there would be confirmation from the relevant utility provider that there is sufficient capacity within the system to cope with the additional discharges from 1,100 homes and associated infrastructure. |

consideration to be considered separately to the EIA process. On this basis, no significant effects are envisaged.

|    |                             |                     |   |   |   |
|----|-----------------------------|---------------------|---|---|---|
| 27 | Chapter 13:<br>Water        | Clarification       | The Phase 1 Report identifies the potential for rain water infiltration and thus risks to controlled waters via sub-surface migration and surface water runoff, further assessment is required to understand the significance of the contaminant linkages identified for controlled waters.   | We can reflect this and cross reference as part of the ES Addendum.   | This has not been picked up in the ES Addendum.<br><br>Further information provided in the Utilities Statement (L35223RO46) no further action required. |
|    |                             |                     | This is not cross referenced.   |   |   |
| 28 | Chapter 14:<br>Land Quality | Clarification       | Clarification is sought as to whether there will be any cumulative effects on BMV agricultural land and this is not stated explicitly in the Land Quality chapter.  | Cumulative effects on BMV agricultural land not assessed in this chapter of the ES. Note that the site is allocated for development in the BDC Core Strategy. The only other major greenfield scheme at Sudbury which could impact on arable land is the 'broad location' (Policy CS5) but the impact of these two sites together will still be marginal when considering BMV land across Babergh as a whole (Chilton Woods just 0.36% of Grade 3 land in Babergh. The addition of the broad location would have a minimal impact on this). | Points noted. No further comment to add.  |
| 29 | Chapter 14:<br>Land Quality | Potential Reg<br>22 | The Phase 1 Report suggests that contaminant pathways will remain open in soft landscaping areas. Recommendations include capping areas of gardens and public open space. This has not been captured within the ES chapter.   | We can reflect this and cross reference as part of the ES Addendum.   | Points noted. No further comment to add.  |
| 30 | Chapter 14:<br>Land Quality | Potential Reg<br>22 | The inhalation pathway will remain open, but is likely only to be of significance where vapours or gases can accumulate in buildings. Further assessment is required to understand the significance of the risk post-development. Should significant risks be identified, it is likely that they may be negated through the use of vapour | We can reflect this and cross reference as part of the ES Addendum.   | Points noted. No further comment to add.  |





/ gas protection membranes in buildings.

Again, this has not been identified within the ES chapter.

**ES Addendum**

|   |                                  |                                     |  |   |  |
|---|----------------------------------|-------------------------------------|--|---|--|
| 1 | General Comments                 | Further Information                 | Some previous clarifications and further information requested have not been included within the ES Addendum.  | This will be addressed in the additional information.   | Points noted. No further comment to add.   |
| 2 | Chapter 1 - 5                    | Clarification / Further Information | The ES Addendum is missing plans outlining what has changed within the proposed development. It would be helpful to have a set of 2015 and 2017 plans side by side to allow the reader to easily see where the differences are.  |   | Nothing further provided, would have aided the understanding of the changes but no further action required.  |
| 3 | Chapter 1 - 5                    | Observations                        | Section 2.2 now refers to a 16 year build out but the indicative phasing still suggests 15 years.  | This will be addressed in the additional information.   | Points noted. No further comment to add.   |
| 4 | Chapter 1 - 5                    | Clarification                       | Clarification sought as to whether there are any additional developments since 2015 that should be included in the cumulative effects assessment.  |   | Nothing further provided, Council to confirm whether further action is required.   |
| 5 | Chapter 10: Landscape and Visual | Clarification / Potential Reg 22    | The ES does not specifically refer in para 10.3.2 to the Managing a Masterpiece Historic Landscape Study (2013) which provides a comprehensive up to date LCA coverage of the Stour Valley. Subsequently Figure 10.3 does not reflect the refined definition of type boundaries. It is not clear whether this has been referred to or not. | In response to a query from the Temple Group, the LCTs shown on Figure 10.3 were based on the Suffolk Landscape Assessment (2008, updated 2011) as requested in BDC's Scoping Opinion and agreed with the district council's landscape architect. The LCT boundaries subsequently identified in Managing a Masterpiece Historic Landscape Study (2013) are not substantially different to those identified on Figure 10.3 so do not alter the conclusions of the Environmental Statement. | We agree the boundaries are very similar but the written description contained in the Managing a Masterpiece is more specific to this geographic location of the Stour Valley and is therefore informative in making judgements about the potential effects of the proposed development. |



|   |  |                        |  |  |  |
|---|--|------------------------|--|--|--|
| 6 | Chapter 10:<br>Landscape<br>and Visual | Further<br>Information | The addendum makes no reference to the published work undertaken by the AONB in July 2016 into defining a candidate area for designation which sets out the evidence for extending the Dedham Vale AONB northwards. Further information is required to review the development proposals in light of this work.   | Temple Group requested clarification on the extent to which the EIA considered the potential extension of the Dedham Vale AONB northwards. This was addressed as part of the scope of agreed viewpoints with Dedham Vale AONB and Stour Valley Project's Landscape Architect, where additional viewpoints were requested in anticipation of a future extension to the AONB (see para. 10.7.8 of the Submitted ES).   | It is good that these additional viewpoints were added, however the work undertaken to determine a Candidate Area for designation details the special qualities found in this landscape. This evaluation work is therefore informative in making judgements on potential effects but does not appear to have been reviewed as part of the EIA. |
|   |  |                        | <a href="http://www.dedhamvalestourvalley.org/planning-and-projects/natural-beauty-and-special-qualities/">http://www.dedhamvalestourvalley.org/planning-and-projects/natural-beauty-and-special-qualities/</a> .  |  |  |
| 7 | Chapter 10:<br>Landscape<br>and Visual | Further<br>Information | Whilst the CPRE dark night skies mapping carries no planning weight the study nonetheless helps to articulate the special qualities of the area. The potential effects of the proposed development on these qualities should be reviewed and potentially effects on Rolling Valley Farmlands within the Stour Valley Candidate Area should be scoped into the assessment. Effects on valued landscapes should also be summarised in Table 10.16. | "Potential effects on landscape character as a result of the introduction of night-time lighting (i.e. Rolling Estates Farmland LCT, Valley Meadows LCT, Rolling Valley Farmlands LCT and Undulating Ancient Farmlands LCT): There is either no or a limited visual relationship with the Site, and / or existing lighting associated with Sudbury is already visible and the introduction of lighting associated with the proposed development would be small scale / barely perceptible and resulting in little change to the existing night-time character of these LCTs. The magnitude of change would be negligible and effects not significant." | Points noted. No further comment to add.   |
| 8 | Chapter 10:<br>Landscape<br>and Visual | Clarification          | No reference is made to the CPRE dark night skies mapping in para 10.4.64. This mapping does effect areas of the site and Suffolk County Council have highlighted concerns previously and therefore clarification is required.   | It is also important to note that the requirement for a detailed lighting strategy can be required by planning condition, reflecting the proposed mitigation on page 154 of the Submitted Environmental Statement: "A detailed lighting strategy would be developed at Reserved Matters taking into account the location and type of lighting required for the development and minimises potential for light pollution (avoiding / reducing glare, trespass and sky glow)."  | This is good and needs careful consideration.  |