

Our ref: 21/03405/SCO
Your Ref:
Direct Dial: 01376 552525 ext. 2523
Ask for: Neil Jones
Date: 09.03.2022



Development Management
Causeway House, Bocking End,
Braintree, Essex, CM7 9HB

Tel: 01376 557779
Email: planning@braintree.gov.uk

Ministry Of Justice
C/o Charlotte Tucker
Cushman And Wakefield (C&W)
23 Park Square South
Leeds
LS1 2ND

Dear Ms Tucker,

APPLICATION NO: 21/03405/SCO

DESCRIPTION: Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

LOCATION: Land At Wethersfield Airfield, Toppesfield Road, Wethersfield, Essex

I write in response to your request for a Scoping Opinion in relation to the above site, received on 12th November 2022.

Following such a request the Local Planning Authority are required to provide an Opinion on the information to be supplied in the Environmental Statement under the terms of the Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations). This letter constitutes the Council's formal Scoping Opinion.

As part of this process the Council instructed Temple Group Limited to undertake a review, on behalf of the Council of the Environmental Impact Assessment Scoping Report submitted by the Applicant.

The Council has also undertaken consultations with a number of statutory consultees and their advice has been incorporated into this Scoping Opinion. The Council has also received written representations from a number of other interested parties. All responses that the Council have received can be viewed on the Council's website at www.braintree.gov.uk/pa (by entering Application Number 21/03405/SCO).

1. Requirement for EIA

- 1.1.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as the 'EIA Regulations') require that for certain planning applications, an Environmental Impact Assessment (EIA) is undertaken and an Environmental Statement (ES) produced. EIA is a procedure which serves to provide information about the likely effects of proposed projects on the environment, so as to inform the process of decision making as to whether the development should be allowed to proceed, and if so, on what terms.
- 1.1.2 Schedule 1 of the EIA Regulations lists developments that always require EIA, and Schedule 2 lists developments that may require EIA if it is considered that they could give rise to significant effects by virtue of factors such as its nature, size or location.
- 1.1.3 The Local Planning Authority considers the development is Schedule 2 development, under Part 10 (b) as described in Column 1 of Schedule 2 to the Environmental Impact Assessment Regulations (Infrastructure Projects – Urban Development Projects).
- 1.1.4 The applicable threshold that requires that the authority consider whether an Environmental Impact Assessment is required for this category of development is when:
 - i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
 - ii) The development includes more than 150 dwellings; or
 - iii) The overall area of the development exceeds 5 hectares.
- 1.1.5 The development would exceed part i) and iii) of these thresholds. In order to determine whether the proposal would require an Environmental Statement, the proposal has been assessed to determine whether, for the purposes of these Regulations, it would be likely to have significant effects upon the environment, taking into account feature such as its size, nature, location and guidance set out in Schedule 3 of the Regulations.
- 1.1.6 The site is not located within a sensitive area as defined within the Regulations.
- 1.1.7 Schedule 3 outlines the criteria to consider in determining whether development falling under Schedule 2 will require an Environmental Statement. The factors are the characteristics of the development, the environmental sensitivity of the location and the characteristics of the potential impact.
- 1.1.8 Having considered these factors the Council consider that the proposal constitutes major development of more than local importance. There are a number of complex effects arising from the development which may be geographically far reaching or potentially impact upon sensitive areas. Bearing all these factors in mind, it is concluded that the proposal requires an Environmental Statement.

1.2 EIA Scoping Opinion

- 1.2.1 Where a proposed development is determined to be an ‘EIA development’, the Applicant can ask the relevant planning authority for advice on the scope of the EIA (an EIA Scoping Opinion).
- 1.2.2 The Applicant is seeking outline planning permission (with all matters reserved) for two men’s prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities and a common access.
- 1.2.3 This EIA Scoping Opinion outlines the Council’s opinion of the proposed scope of the EIA (based on the information that has been provided to date) and identifies any suggested amendments or concerns. This Scoping Opinion incorporates the findings of Temple’s review of the Scoping Report, and consultation responses from the statutory consultees.
- 1.2.4 The issue of the Scoping Opinion does not prevent the planning authority from requesting ‘further information’ at a later stage under Regulation 25 of the EIA Regulations.
- 1.2.5 No indication of the likely success of an application for planning permission for the Proposed Development is implied in the expression of this Scoping Opinion Report.
- 1.2.6 Matters and topic chapters are not scoped out unless confirmed as being scoped out by the Council. Where the Council has not agreed to scope out certain matters or topics. It should be noted that the EIA Regulations require the ES to “*be based on the most recent Scoping Opinion or Direction issued (so far as the Proposed Development remains materially the same as the Proposed Development which was subject to that opinion or direction)*”. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development as described in the Scoping Report.
- 1.2.7 It is recommended that the Applicant uses a table within the ES to demonstrate how the ES has been based on this Scoping Opinion.

1.3 EIA Scoping Report Regulatory Requirements

- 1.3.1 The table below assesses whether the request for an EIA Scoping Opinion meets the requirements set out in the EIA regulations (Regulation 15).

Review of the request for an EIA Scoping Opinion in respect to the EIA Regulations EIA Regulation Requirement	Requirement met in request for an EIA Scoping Opinion?
A plan sufficient to identify the land.	Figure 1 shows the Site Boundary although it does not clearly show the location of the Site in the wider context. The Applicant must include a key on all figures within the ES and include

	reference to key features such a main roads etc.
A brief description of the nature and purpose of the development, including its location and technical capacity.	A description of the Application Site location including the environmental context of the Proposed Development and a description of the Proposed Development is provided in Section 2 of the Scoping Report.
An explanation of the likely significant effects of the development on the environment.	An explanation of potentially significant environmental effects associated with the Proposed Development (and how they are established) is provided in Section 4 of the Scoping Report.
Such other information or representations as the person making the request may wish to provide or make.	As appropriate.

1.3.2 The EIA Regulations require that local planning authorities consult relevant stakeholders prior to issuing a Scoping Opinion. Responses have been received from the following stakeholders:

- Braintree District Council's Ecology and Natural Environment Officer;
- Environment Agency;
- The Landscape Partnership (BDC's Landscape Consultant);
- Mid and South Essex Health and Care Partnership (NHS);
- Essex County Council;
- Historic England;
- Finchingfield Parish Council;
- Wethersfield Parish Council;
- Uttlesford District Council;
- Natural England;
- National Highways; and
- Place Services (BDC's and ECC's Historic Building's and Archaeology Consultant).

1.3.3 Where relevant to the scope of the ES, the responses received are discussed within the main text of this report under each relevant topic section. A complete set of responses for consideration by the Applicant is appended to this report.

1.4 Submission Documents

1.4.1 The planning application should be accompanied by a copy of the ES, both as a hard copy and electronically. A minimum of four copies of the ES will need to be provided to BDC and two copies electronically (on disc/USB).

1.4.2 If a planning application is submitted please ensure that details are provided of how members of the public can purchase a hard copy of the ES (name and address of responsible person and the 'reasonable' charge that you will levy to

cover the cost of printing and distributing copies). Can you also confirm the cost for providing members of the public an electronic copy of the ES (on disc/USB) and to provide a copy of the Non-Technical Summary.

2. The Proposed Development and Site Context

2.1 The Site

2.1.1 The Application Site is located within the District of Braintree and is approximately 47.34 hectares (ha) in size. The Application Site consists of a military airfield which is actively used by the Ministry of Defence (MoD) as a police headquarters and training site. The Application Site is flat and still consists of runways in situ which are surrounded by grassland. The Scoping Report notes that the Site is not allocated for development as part of the Braintree District Development Plan.

2.1.2 It is understood that land to the north of the Application Site is predominantly agricultural. Park Wood, a local Nature Reserve, lies to the north of the Application Site. Gainsford Hall lies to the north, and Ostend Woods to the north-west is an ancient woodland. To the east are a number of operational farms and agricultural land. The surrounding area is largely agricultural in character and land use.

2.2 The Proposed Development

2.2.1 Section 2 of the Scoping Report describes the Proposed Development. The Proposed Development will comprise the redevelopment of the Application Site for 2 new men's prisons which will each deliver 1,715 prison places across 7 house-blocks across a 155,939m² built development area. It is understood that the proposals will include a Category B Training Prison and a Category C Resettlement Prison.

2.2.2 The Scoping Report states that an indicative Site Layout Plan is appended to the Scoping Report; however, this appendix cannot be found. The ES must include an indicative Site Layout Plan showing entrances, development envelope and any other key information available at the time.

It is understood that the prisons will include the following elements:

Category B: Training Prison

- 7 x 4 storey house-blocks including 1 x residential block for elderly persons providing 1,715 prison places in total;
- Workshop x 2;
- Support Building;
- Entrance Resource Hub;
- Central Services Hub;
- Kitchen;
- A Care and Segregation Unit (CASU);
- Car parking;
- Perimeter fencing;
- Access road;
- Utility infrastructure;
- Landscaping;

- Site Entrance.

Category C: Resettlement Prison

- 7 x 4 storey house-blocks, including 1 x residential block for elderly persons providing 1,715 prison places in total;
- Entrance Resource Hub;
- Workshop;
- Central Services Hub;
- Kitchen;
- A Care and Segregation Unit (CASU);
- Supporting buildings;
- Car parking;
- Perimeter fencing;
- Access road;
- Utility infrastructure;
- Landscaping;
- Site entrance.

2.3 General Comments

2.3.1 There are some uncertainties in the Project Description in the Scoping Report that should be addressed in the ES as follows:

- The ES should demonstrate that the plant rooms included within the Proposed Development are of a suitable size for a development of this scale e.g. to house the required mechanical ventilations, water supply etc.
- The way in which the Proposed Development is to be serviced should be clearly diagrammatised. The ES should include a strategy which will explain how the plant necessary to serve the development will be accommodated within the buildings, within the specified parameters of the buildings. This information is required to allow the Council to assess the potential impacts of the plant, including visual, noise and light.

2.4 Construction Information

2.4.1 The ES should include the proposed construction hours and should conform to the Control of Pollution Act.

2.4.2 It is noted that the construction programme for the Proposed Development is not yet available.

2.4.3 The ES must detail the construction information that has informed the basis of the assessment. This should include:

- Construction programme (including any overlapping activity), proposed construction activities, typical plant and methods and their anticipated durations;
- The anticipated peak daily construction vehicle movements, construction traffic access and egress, and any temporary closures;
- Anticipated construction traffic quantities including estimates of cars/LDV's (for example staff movements), routes, access and traffic management;
- Further detail on any measures to be included in the CEMP (to be secured by condition) beyond standard environmental controls;

- A summary of construction aspects of the whole life carbon assessment; and
- Location of any phased occupation, preferably represented on a figure.

2.4.4 Mitigation measures to avoid / reduce / offset adverse construction effects as far as possible are to be explored within each chapter.

2.4.5 No reference is made within the Scoping Report to the lifespan (or decommissioning) of the Proposed Development. The intended lifespan of the Proposed Development is to be considered within the ES.

3. Approach to EIA Methodology

3.1.1 This section comments on the overarching approach to the EIA, as described in the Scoping Report.

3.2 Approach to the EIA

3.2.1 The Scoping Report does not include a list of sensitive receptors. The ES must include a list of sensitive receptors and provide a reasonable and justified study area.

3.2.2 It is not clear within the Scoping Report the approach to assessing the likely significant effects of the Proposed Development. It is noted that that construction assessment will assume a worst-case where options still remain. For the assessment of operational effects, the application is in outline, and as such the EIA will need to principally assess a set of parameter plans. If and where a degree of flexibility is sought, the ES should assess reasonable worst-case scenarios of maximum and minimum, insofar as they relate to potential EIA impacts.

3.2.3 It is important that all aspect chapters of the ES assess the various elements of the Proposed Development consistently, where possible. It is acknowledged that in some instances the worst-case scenario may differ between aspect chapters, however this should be clearly stated and justified within the ES.

3.2.4 Maximum development parcels and building heights should be applied as a 'robust worst case' scenario, unless express justification is provided otherwise.

3.2.5 The Scoping Report sets out the 'generic' classifications of the scale of effects, it is assumed that individual aspect chapters will follow discipline specific methodology. All matrices for determining the scale of effects are to ensure that the assessment of effects is representative and does not understate adverse or overstate beneficial effects. If aspect chapters deviate from the generic classification of the scale of effects, this is to be highlighted in the front end of the ES.

3.2.6 Sections or paragraph numbers should be provided in the ES to aid navigation and to ensure text, tables and figure headings are searchable in the PDF tool functions.

3.3 Spatial and Temporal Scope

3.3.1 The spatial scope of the EIA should be clearly stated and fully justified in each of the topic chapters. This should be supported by a figure for ease of

understanding. It is noted that the study area for matters assessed within each aspect may differ, and where this applies, it should be clearly stated.

3.3.2 The temporal scope will consider the construction and operation of the Proposed Development. The decommissioning/demolition of the Proposed Development will not be considered as the development is considered permanent; while this is agreed in principle, the climate change assessment should give some consideration to the end of life of the development, and measures that can be put in place to reduce greenhouse gas emissions from decommissioning, even if these cannot be quantified. Any consideration of climate change resilience and/or adaptation should consider a suitably distant point(s) in the future where its effects will be expected to be clearly observed.

3.3.3 No mid-construction scenario is proposed for the EIA, which would assess baseline, peak construction, and operational scenarios. It may be appropriate to assess a mid-construction scenario for certain topics – for example to understand the effect of ongoing construction noise or dust on early residents of the scheme, or to understand the wind microclimate effects of partially completed massing. This should either be provided, or its exclusion clearly justified, for air quality, noise and vibration, socio-economics and wind microclimate.

3.4 Requirements of the EIA Regulations

3.4.1 To support quality and completeness in the EIA process, Regulation 18(5) requires the developer to ensure that it is undertaken by competent experts. The ES must be accompanied by a statement that outlines the qualifications and relevant experience of the technical experts that have contributed to the ES, including the EIA project team.

3.4.2 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil, and subsoil pollution during the enabling / construction and operation phases, where relevant.

3.4.3 In accordance with Schedule 4(3) of the EIA Regulations, each technical assessment within the ES should consider how the environmental baseline is likely to evolve should the proposed development not proceed i.e. the future baseline.

3.4.4 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

3.4.5 In accordance with Schedule 18(3) of the EIA Regulations, the Applicant should provide a non-technical summary that clearly summarises all aspects of the ES, not just the residual effects. The non-technical summary is to include a summary of mitigation measures relied on.

3.4.6 The Applicant is reminded of the requirement for all the relevant environmental information in an ES to be comprehensive and easily accessible, noting that the public are an intended audience of the ES and Non-Technical Summary.

3.4.7 The ES must include a reference list that clearly states which documents / figures / drawings have been relied upon for the description and assessment included in the ES, and where these are located. It is also important for the ES to stipulate

whether the information relied upon is for approval, or if it is for information purposes only (e.g. Design and Access Statement (DAS)). This is important so that the reader is aware what is secured through the planning application, and what would need to be secured through a planning condition and/or financial contribution.

- 3.4.8 The ES should include details of any assumptions, difficulties and any limitations encountered compiling the required information and the main uncertainties involved, such as technical deficiencies, lack of knowledge, or unavailable data.
- 3.4.9 The ES should clearly state which effects are 'significant' and 'non-significant' for the purposes of the EIA. The Applicant is reminded that the Non-Technical Summary of the ES must also state the effects which are considered to be significant, and ensure all likely significant effects are stated.
- 3.4.10 The ES should clearly state how value / sensitivity of receptors and magnitude of impact have been classified within each aspect chapter of the ES e.g. resource value of each heritage asset.
- 3.4.11 In addition, it should be clearly stated in the ES where professional judgement has been applied and the justification for such judgement. It is essential that the pre-mitigation impact is reported in addition to the residual effect, to ensure the effectiveness of any proposed mitigation can be understood.
- 3.4.12 The ES should clearly illustrate the effects identified. For example, highlighting the effect in bold can assist the reader in identifying the effects of the Proposed Development quickly and easily e.g. **minor adverse**.
- 3.4.13 The end of each aspect chapter should include a table summarising the impacts, mitigation measures and residual effects (i.e. results of pre- and post-mitigation assessments) is included.

3.5 Cumulative Effects

- 3.5.1 The Scoping Report included limited information on the proposed approach to cumulative effects. The ES will need to include the parameters used for identifying schemes to be included in the cumulative inter-project effects assessment. Schemes that are likely to result in significant cumulative effects should be identified and assessed by the Applicant. The Applicant should determine and justify the Zone of Influence (ZOI) for each environmental aspect considered within the ES. The assessment should also consider potential cumulative effects from smaller scale developments within the vicinity of the Proposed Development which may, in cumulation with the Proposed Development, result in significant effects, as well as larger developments which are further than 1 km from the Application Site.
- 3.5.2 The Applicant should ensure that the list of cumulative schemes is kept up to date as far throughout the EIA process as is reasonably practicable, as the EIA will be expected to include schemes likely to be determined prior to the Proposed Development Application. The list of cumulative schemes provided within the ES should include the current planning status of each scheme.
- 3.5.3 A cumulative schemes figure provided in the ES should show the location of all cumulative schemes considered in the ES. We would expect that site boundaries

for each cumulative scheme are shown in the cumulative scheme map so that the reader can clearly see the size and footprint of these schemes and their proximity to the Site.

- 3.5.4 The Scoping Report does not present the approach to assessing intra-project cumulative effects. The intra-project cumulative effects assessment should conclude whether effects on receptors are considered to be significant and this should be clearly stated within the ES and NTS. The intra-project cumulative effect assessment should not only consider individually significant effects from the technical chapters as a number of insignificant effects on the same receptor, can cumulatively result in a significant effect. The ES should clearly state the methodology for the assessment of intra-project effects and must clearly state whether interactions are significant or not significant.
- 3.5.5 It should also be noted that effects can accumulate over-time to result in a cumulatively significant effect and this aspect should be considered in addition to effects that occur simultaneously. The ES should clearly state the methodology for assessment of intra-project effects.
- 3.5.6 The cumulative effects assessments (both inter and intra-project assessment) should consider likely effects on specific receptors and or groups of receptors, in addition to general aspects of the environment. Cumulative effects assessments should not just consider whether the magnitude of effects is greater, but also other aspects such as whether the duration of effects on a receptor is increased.
- 3.5.7 For the avoidance of doubt, developments which are essentially completed should be assessed as part of the baseline. However, it must be ensured that the effects of cumulative schemes which are 'essentially complete' but not yet operational are taken into account. For example if the cumulative scheme is not yet fully operational the transport movements will not be included at the time of baseline surveys, and therefore trip generation data from the essentially complete cumulative scheme will still need to be added in the future baseline scenario.
- 3.5.8 Reserved Matters applications and Minor Material Amendment applications are to be considered and reviewed in relation to the schemes identified for inclusion in the inter-project cumulative effects assessment. This is particularly relevant for EIA developments as these applications can give rise to additional significant effects.
- 3.5.9 The Applicant must provide sufficient justification, to scope out any of the schemes identified above, in relation to likely significant effects. The inter-project assessment should be quantitative, where possible, utilising the relevant data from the corresponding planning applications. It is not appropriate to undertake a qualitative assessment where data is publicly available.

3.6 Alternatives Assessment

- 3.6.1 The Scoping Report states that Chapter 3 of the ES will include a description of the alternatives (where applicable) considered during the EIA process, including a description of the alternative options considered. It is expected that the ES will include a comprehensive consideration of alternatives to be undertaken as part of the ES.

- 3.6.2 The ES is to include consideration of the consequence of no development taking place on the Application Site (i.e. the 'do nothing' scenario).
- 3.6.3 The evolution of the project designs should include an explanation of how the proposals have developed in response to initial EIA findings. With reference to Schedule 4(2) of the EIA Regulations, this should include a comparison of the predicted environmental effects of each of the alternatives that have been studied and then rejected.

3.7 Mitigation / Monitoring

- 3.7.1 The ES should make clear how mitigation measures are to be implemented. Primary or embedded mitigation measures are encouraged and should be identified. Where mitigation should be secured by planning condition or Section 106 agreement, this should be made clear. This is necessary to ascertain the reliance that can be placed on the residual effects identified, and the extent to which mitigation measures will be effective, in accordance the EIA Regulations.
- 3.7.2 Mitigation will need to be identified to mitigate (avoid, prevent, reduce or off-set) all adverse effects, not just significant, as far as possible, and any beneficial effects enhanced as far as possible.
- 3.7.3 It is noted under Section 3 of the Scoping Report that each topic chapter will include all measures proposed as part of the Proposed Development. It is to be detailed in this chapter how measures are proposed to be secured; for example, embedded into planning drawings or by condition.
- 3.7.4 The Applicant is advised to refer to relevant case law including, *Squire (R v Shropshire Council, 24 May 2019)*. Any relevant control mechanisms to mitigate adverse effects as far as possible are to be clearly stated in the ES.
- 3.7.5 Effects should be presented before and after the application of any required additional mitigation, in line with 2017 EIA Regulations requirements.
- 3.7.6 The mitigation considered within the Proposed Development should be summarised, preferably in tabular form. This should include any mitigation relied upon to scope out technical topics.

3.8 Limitations and Assumptions

- 3.8.1 The ES should include any limitations or assumptions associated with the assessment of each topic chapter. This should be clearly identified within the ES chapter.

3.9 Environmental Statement Format

- 3.9.1 Limited information is provided within the Scoping Report on the approach to the non-technical summary (NTS) other than that it will be provided as Volume 1. The NTS must be provided to be compliant with the 2017 EIA Regulations. The NTS must summarise all of the information required under points 1-8 of Schedule 4 of the 2017 EIA Regulations, using non-technical language. We recommend the use of figures and illustrations wherever possible in the NTS to aid understanding and to avoid the need to cross-reference to other documents.

- 3.9.2 A third volume, containing the appendices for the ES, will be provided. This should include any reports, calculations or figures necessary for the methodology and findings of the ES to be interrogated. However, the ES main volume (Volume 2) should be readable as a standalone document. Cross-references to technical appendices should be limited; all relevant information should be contained within the ES proper.
- 3.9.3 Likewise, information given in documents submitted with the planning application should be summarised in the ES where this is necessary to understand the Proposed Development and its likely effects. The ES should not rely on reference to other documents.
- 3.9.4 We recommend for ease of reading that figures are included within the text of the ES and not in a separate document, and at a scale suitable for reading/interpretation. Labelling should be clear and legible.

3.10 General Comments

- 3.10.1 The Applicant must ensure all guidance used is relevant, up to date and clearly referenced. A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

4.0 Topics Proposed to be Scoped into the EIA

- 4.1.1 The Applicant is proposing that the following chapters are scoped into the ES:

- Transport, Traffic and Access;
- Air Quality;
- Noise and Vibration;
- Heritage;
- Landscape and Visual Impact Assessment;
- Ecology;
- Climate Change Mitigation and Adaptation;
- Socio-economics and Human Health; and
- Water Resources and Flood Risk.

- 4.1.2 Comments on each proposed chapter are provided below.

4.2 Transport, Traffic and Access

Proposed Approach

- 4.2.1 The Scoping Report states that Chapter 5: Transport, Traffic and Access chapter of the ES will be based on the Transport Assessment and is likely to include a full review of the trips that the proposed development is expected to generate, the accessibility of the site by sustainable modes of transport, a review of the last 5 year's road accident data, and peak hour modelling of appropriate junctions on the local highway network within a study area agreed with the Local Highway Authority. This is considered acceptable. The Applicant should provide a summary of consultation and agreement with the Local Highway Authority within the ES. Please refer to ECC Highway consultation response in this regard.

- 4.2.2 The Transport Assessment should be undertaken in accordance with DfT Circular 02/2012 '*The Strategic Road Network and Delivery of Sustainable Development*' and should be informed by a Walking Cycling and Horse Riding Assessment Report (WCHAR). The Applicant should refer to National Highways consultation response in this regard.
- 4.2.3 The assessment scenarios presented within the Scoping Opinion are agreed.
- 4.2.4 It would have been helpful if the Scoping Report included the approach to assessing construction effects and approach to assessing operational effects pertaining to transport, traffic and access. The ES should clearly outline the methodology used for construction and operational phases and the likely significant effects and mitigation measures for both of these phases.
- 4.2.5 For the construction phase, ES should assess the effects on the road network within the agreed study area, the pedestrian and cycle environment, in particular the associated severance, delay, amenity and accident and safety issues relevant to the construction phase. In addition to HGV trip generation during construction, the ES should also consider the contribution that staff traffic may make to this scheme and carefully justify the anticipated modal split of construction staff journeys.
- 4.2.6 The assessment of construction routes and traffic should be stipulated and assessed, including effects from noise and vibration and air quality. All vehicle parking associated with the construction will be expected to be accommodated within the Application Site, minimising the impact on the local area.
- 4.2.7 A Construction Logistics Plan (CLP) / Construction Environmental Management Plan (CEMP) should not be used to reduce all effects during construction to negligible. Whilst a CLP/CEMP can act as mitigation, it does not eliminate all adverse effects, and the effects must be appropriately assessed within the ES. The CLP/CEMP should not be over-relied upon as mitigation.
- 4.2.8 For the completed development, the changes to the pedestrian / cycle environment and the associated severance, delay, amenity, and accidents and safety issues and anticipated demand for public transport should be considered within the chapter. The chapter should follow the IEMA Guidance for the Environmental Assessment of Road Traffic as well as a wider multi-modal view of impacts that will include bus passenger delay, public transport capacity (qualitative assessment) and parking and loading (also qualitative).
- 4.2.9 Peak hour demand split out by mode and direction of travel will be required to make a full assessment of the scheme impacts and determine any necessary mitigation.
- 4.2.10 The approach to Sustainable Travel presented within the Scoping Report is agreed.

General Comments

- 4.2.11 The ES should include an assessment of both cumulative and operational effects.

- 4.2.12 It must be ensured that the traffic scenarios to be established and assessed are appropriate to support consideration of all environmental aspects.
- 4.2.13 The ES should also include specific details regarding the proposed delivery to and servicing of the Proposed Development (e.g. the location and capacity of loading facilities for deliveries, and the anticipated increases in Light Goods Vehicles (LGVs)) so that the relevant assessment can be provided and effects identified, where necessary.
- 4.2.14 The ES should clearly identify the agreed study area and receptors in relation to highways and transport surrounding and within the Application Site, and their sensitivity to construction, and operation works, supported by mapping. The study area should be detailed on a map. It should be clear how any professional judgement has been applied in the ES.
- 4.2.15 Cyclists must be assessed separately and adequate consideration must be given to cycling infrastructure and likely routes. It is not acceptable to consider pedestrians and cyclists as one receptor, when cyclists encounter different barriers and have different experiences than pedestrians.
- 4.2.16 All modelling assumptions and limitations should be clearly stated and justified; similarly, where professional judgement has been employed, this should be justified, and assumptions explained.
- 4.2.17 All mitigation measures relied upon in the ES are clearly stated, it is not sufficient for mitigation measures to be only detailed within the Transport Assessment (TA); in addition, the relevant documents which secure such mitigation measures e.g. a draft Delivery and Servicing Plan (DSP) and Travel Plan should be submitted as part of the planning application.

4.3 Air Quality

Proposed Approach

- 4.3.1 The Scoping Report states that Chapter 6: Air Quality of the ES will include a qualitative dust risk assessment from demolition and construction activities and a qualitative assessment of construction traffic emissions. For the operational phase, the Scoping Report states that an assessment of air quality impacts from road traffic will be undertaken with reference to guidance issues by the IAQM and EPUK. The Scoping Report states that as there are no representative air quality monitoring sites surrounding the site to validate the modelling assessment a verification factor of 3 will be applied to adjust modelled results. The Applicant is advised that an assumed model adjustment factor may still continue to under-represent modelled pollutant concentrations at receptors which may be affected by the Proposed Development. The Applicant may consider using monitoring sites at the nearest current locations if the modelled area extends near existing representative monitoring data from any local authority in the future year scenarios.
- 4.3.2 Where existing monitoring data cannot be justified, as the Applicant appears to suggest, air quality monitoring for NO₂ over a period ideally lasting six months or more (a minimum of three months) should be undertaken. Data should also be annualised and bias adjusted. The use of diffusion tubes is acceptable. All monitoring and data analysis should be undertaken in accordance with the Local

Air Quality Management Technical Guidance 2016 and Diffusion Tubes for Ambient NO₂ Monitoring: Practical Guidance for Laboratories and Users (Ricardo-AEA, 2008) as appropriate. Monitoring locations are recommended to be agreed with BDC.

- 4.3.3 The Scoping Report states that *no issues are proposed to be scoped out for Chapter 6*. However, there is no mention within the Scoping Report of the potential effects associated with stationary plant and equipment required for the operations of the Proposed Development. The Applicant should consider the energy source of the Proposed Development and assess the potential effects on air quality.
- 4.3.4 The Scoping Report states that the baseline has been established from Defra modelled background concentration for 2019 at the Site. The ES should include further details on how the baseline levels were determined and include any assumption or limitations to establishing the baseline.

General Comments

- 4.3.5 As noted above, the ES is to ensure that realistic background air quality concentrations are used in the assessment, and a robust model verification exercise is undertaken. Any limitations should be clearly stated.
- 4.3.6 The Scoping Report does not state the scenarios that will be assessed. For ease, these scenarios must be clearly differentiated. The dispersion modelling must enable the future baseline with and without the Proposed Development to be understood, and in accordance with Paragraph 6.20 of the Institute of Air Quality Management (IAQM) guidance 'Planning for Air Quality' (2017), comparison should also be provided against the existing baseline. Where the impacts of the Proposed Development are assessed (due to IAQM/EPUK screening criteria being exceeded), the ES should also include an assessment of the worst case (peak) demolition and construction effects (or equivalent) of the Proposed Development, and an interim construction and operation effects of the Proposed Development, where applicable / appropriate.
- 4.3.7 The ES is to illustrate the location of air quality receptors, their use type (e.g. school, nursery, residential) and their sensitivity to poor air quality / changes in air quality. The ES should include a figure(s) showing the location of identified air quality receptors relative to the modelled road network, as well as any background monitoring stations utilised in the assessment.
- 4.3.8 It is likely that air quality monitoring and NRMM controls will be required during the demolition and construction works should the Proposed Development be granted planning permission.
- 4.3.9 The ES should also consider the potential effects arising from any required remediation of the Application Site, which can result in emissions to air and as a result, risk to human health and nuisance.
- 4.3.10 The air quality dust risk assessment is to provide a detailed risk assessment for each sub-phase as outline in The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance (2014). The ES should identify adherence to the Control of Dust and Emissions During

Construction and Demolition Supplementary Planning Guidance as a mitigation measure to be secured within any given planning permission.

4.3.11 A Site Suitability Assessment should be undertaken to quantitatively assess the effects of the Proposed Development on existing receptors, only where the IAQM/EPUK screening criteria are exceeded.

4.3.12 Should the Proposed Development include any diesel backup generators initially, the impacts of any generator will be assessed qualitatively based on the proposed size, location and emissions performance of the proposed plant and the proposed testing schedule; and quantitatively where effects cannot reasonably be ruled out.

4.3.13 The ES is to provide a transparent account of the modelling undertaken, all assumptions made and all input data used including datasets used, methodologies (monitoring, modelling, and scenarios), meteorological data, background concentrations, traffic data (flow, speeds, etc.), dispersion model type.

4.4 Noise and Vibration

Proposed Approach

4.4.1 The Scoping Report states that Chapter 7: Noise and Vibration of the ES will consider changes in the noise environment, and associated effects, associated development generated road traffic during the construction and operational phases of the development; however, the Scoping Report then goes on to say that the potential impacts associated with construction activities at existing sensitive receptors is scoped out. For the avoidance of doubt, the ES should include a construction phase assessment and the potential impacts on sensitive receptors. It is agreed that the following can be scoped out of the discrete assessment, however, should be included as part of the baseline assessment:

- The potential impact of existing transportation noise at proposed noise sensitive receptors;
- The potential impact of existing industrial/commercial noise at proposed noise sensitive receptors; and
- The potential impact of proposed industrial/commercial noise at existing noise sensitive receptors.

4.4.2 The approach to identifying significant effects presented within the Scoping Report is agreed.

General Comments

4.4.3 The Applicant should assess the potential cumulative effects during demolition, construction and operation of the Proposed Development. The ES must ensure the cumulative effects are sufficiently established.

4.4.4 The Scoping Report does not list the nearby sensitive receptors. The ES should clearly identify the receptors and study area in relation to noise and vibration surrounding and the Application Site, and their sensitivity to potential construction and operation of the Proposed Development. A map should be provided to

support this and appropriate descriptors. The ES should ensure all receptors likely to be significantly affected are identified and assessed.

- 4.4.5 The Study Area for the Noise and Vibration assessment is not provided within the Scoping Report. The study area for the noise and vibration assessment should be a radius to a point where no significant effects are identified.
- 4.4.6 It is not clear how the baseline noise environment will be established. Environmental noise measurements should be undertaken at a selected number of positions around the site to establish the baseline noise level. Sufficient details of the noise and vibration monitoring and surveys should be provided within the ES to enable the reader to understand the conditions during the monitoring / surveys and whether this may have affected the results. In addition, the ES should identify the specific locations where monitoring has been undertaken, explain how these locations were selected, confirm when this monitoring was undertaken, and the time period covered.
- 4.4.7 No reference is made to the Significant Observed Adverse Effect Level (SOAEL) and Lowest Observed Adverse Effect Level (LOAEL). The LOAEL and SOAEL should be defined for all of the construction and operational noise and vibration matters assessed (e.g. airborne noise, ground borne vibration etc.) and these thresholds should be used to determine the significance of absolute noise levels.
- 4.4.8 The assessment should be undertaken with reference to the NPPF (2021), the Noise Policy Statement for England (NPSE) (2010) and relevant British Standards, and local policy and guidance.
- 4.4.9 The ES should include details of the construction hours. The assessment of demolition and construction is to be undertaken in accordance with the ABC methodology as set out in BS 5228-2:2009+A1:2014, BS 7385 and BS 6742-1. The guidance in DMRB should be considered in the assessment of demolition and construction traffic noise.

4.5 Heritage

Proposed Approach

- 4.5.1 The Scoping Report states that Chapter 8: Heritage Assets will assess the likely impact of the Proposed Development upon the historic environment and heritage assets (both above and below ground remains) within and / or surrounding the development site. The ES must clearly set out the potential effects to heritage assets for both construction and operational phases.
- 4.5.2 The approach to the below ground assets is not clear within the Scoping Report, the latter section of the Scoping Report proposes to scope out archaeology; however, the Heritage Assets section includes below ground assets within the assessment. The ES should clearly present the baseline and an assessment of the likelihood of discovering below ground assets and the mitigation measures proposed. Further information on archaeology is found in Section 5.2 of this Scoping Opinion.
- 4.5.3 Whilst standardised ES matrices are considered in some planning practices to be useful tools, Historic England consider the analysis of setting (and the impact upon it) to be a matter of qualitative and expert judgement which cannot be

achieved solely by use of systematic matrices or scoring systems. Historic England therefore recommends that these should be in an appendix and seen only as material to support a clearly expressed and non-technical narrative argument within Chapter 8: Heritage Assets of the ES. The ES should use the ideas of benefit, harm and loss (as described in NPPF) to set out 'what matters and why' in terms of the heritage assets' significance and setting, together with the effects of the development upon them. The Applicant should refer to Historic England's consultation response in this regard.

- 4.5.4 The approach to identifying significant effects presented within the Scoping Report is agreed.

General Comments

- 4.5.5 The proposals could affect the significance of heritage assets at some distance from this site itself. The methodology for the identification of built heritage receptors in the Scoping Report uses a 1,000 m study area buffered from the Application Site boundary. The ES should include assets over a wider area identified and these should be identified through the use of Zone of Theoretical Visibility (ZTV) testing. The ES must demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by the Proposed Development have been included and can be properly assessed. The Applicant should refer to Historic England's consultation response in this regard.

- 4.5.6 The list of built heritage assets listed within the Scoping Report is broadly agreed; however, there are a number of heritage assets that sit just outside of the 1,000 m buffer or are within the 1,000 m buffer and not included within the Scoping Report. In addition to the methodology prescribed in the preceding chapter, the potential receptors listed below should be considered within the assessment or sufficient justification for scoping these out should be provided. A figure showing the location of the heritage assets should be provided within the ES. The additional heritage assets include:

- | | |
|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| • Ancillary building approximately 15 metres south of the Barretts | • Stable block approximately 10 metres south east of Colemans Farmhouse |
| • Belbyne Cottage | • Mill House |
| • Birdgreen Farmhouse | • Pedder's Cottage |
| • Redhouse Farmhouse barn on opposite side of road and approximately 70 metres east of house | • Redhouse farm cartlodge on opposite side of road and approximately 40 metres east of house |
| • Coleman's Farmhouse | • Redhouse Farmhouse |
| • Fiesta Thatch | • Brand's Farmhouse |

- Gainsford End Windmill
- Justices Cottage
- Gray's Farmhouse
- The Barretts
- Grays Lane Cottage
- Tilekiln Farmhouse
- Jummar
- Timbers

- 4.5.7 A clear analysis of the heritage significance of each affected heritage asset, including the contribution of its setting to heritage significance, should be provided. All judgements on the significance and direction of effects on heritage assets need to be fully explained and justified.
- 4.5.8 The ES should make reference to Historic England Advice Note 12 (2019) (Statements of Heritage Significance: Analysing Significance in Heritage Assets) and the assessment of significance in the LVIA should be framed with reference to this guidance document.
- 4.5.9 The ES should make explicit reference to the requirements of the NPPF (Section 16) in terms of the assessment of impacts on the setting and significance of heritage assets, and the assessment should correlate levels of harm with the criteria set out in the NPPF.
- 4.5.10 The ES should also consider the current joint Institute of Environmental Management and Assessment (IEMA) / Chartered Institute for Archaeologists (CiFA) / Institute of Historic Building Conservation (IHBC) guidance document 'Principles of Cultural Heritage Impact Assessment in the UK' (July 2021).
- 4.5.11 The ES is to provide reference to all guidance that has informed the assessment. It is recommended that the assessment of potential impacts of the development should be carried out in accordance with established policy and guidance, including the National Planning Policy Framework and Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets. The Applicant should refer to Historic England's consultation response in this regard.
- 4.5.12 The ES should also take account of the potential impact which the Proposed Development's associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area.
- 4.5.13 The Applicant is reminded that demolition and construction effects, although temporary, can still be significant in terms of EIA and the relevant residual effects must be reported as such.
- 4.5.14 The Applicant is to take account of the following guidance within the Heritage Assets chapter:
- English Heritage (2008), Conservation principles, policies and guidance.
 - Chartered Institute for Archaeologists (2014), Standard and guidance for

commissioning work or providing consultancy advice on archaeology and historic environment.

- Historic England (2017), Land Contamination and Archaeology. To ensure buried remains are considered when creating and managing the conceptual site model and remediation programme.
- Historic England's Piling and Archaeology Guidelines and Good Practice document (2019).
- Historic England (2020), Deposit Modelling and Archaeology: Guidance for Mapping Buried Deposits.

4.5.15 The ES should outline the measures required to preserve and present the Application Site's archaeology heritage as part of the Proposed Development, including methods to convey the important heritage of the Application Site to the public, for example with a heritage strategy.

4.5.16 Due to the significance and vulnerability of Wethersfield Airfield, Historic England emphasises the need to assess the application site with reference to Historic England's document *Nine Thousand Miles of Concrete (A review of Second World War temporary airfields in England (2016))* together with guidance in Historic England's conservation document *Historic Military Aviation Sites (2016)*. The Applicant should refer to Historic England's consultation response in this regard.

4.5.17 Whilst the airfield is a non-designated heritage asset, there is potential for a high level of survival of historic features including pill boxes, gun emplacements, air-raid shelters and observations posts.

4.5.18 Nissan huts, hangars, runways, perimeter tracks and the Control Tower also survive and the ES should reflect the Historic England guidance above regarding potential impact mitigation measures.

4.5.19 The Applicant is advised to carefully consider the residual effects of the Proposed Development. Often residual effects are referred to as negligible, when archaeology assets are permanently harmed and / or destroyed, which is not considered to be acceptable and underplays the likely effects of the Proposed Development.

4.6 Landscape and Visual Impact Assessment

Proposed Approach

4.6.1 The Scoping Report states that Chapter 9: Landscape and Visual Impact will assess the likely effects of the Proposed Development on landscape character and visual amenity during construction, operations and longer term, after 15 years when mitigation measures have matured.

4.6.2 The Scoping Report states that the chapter will be supported by a Landscape and Visual Impact Assessment submitted with the planning application. This is welcomed along with the preparation of the chapter as per best practice guidance as listed within the Scoping Report.

General Comments

4.6.3 The Scoping Report states that the following receptors will be considered:

- Landscape character, including physical landscape resources; and
 - Views and visual amenity experienced by residents, recreational users (including visitors and tourists) and road users.
- 4.6.4 These receptors are broadly agreed; however, the ES should also consider heritage assets in the visual impact assessment. Some guidance on links to cultural heritage assessments is provided at paragraphs 5.7-5.11 of Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA 3). The landscape and visual assessments should be informed by the built heritage assessment, especially in relation to sensitivity and value of heritage assets and provide clear cross-reference as appropriate. Heritage specific viewpoints with both photographs and photomontages that illustrate the ES and supports the results of the heritage assessment should be included in the assessment.
- 4.6.5 It is noted that BDC's Landscape advisor, The Landscape Partnership, has been consulted on and provided with the following (not provided as part of the Scoping Report):
- Drawing No. P21-1035_01: Fig. 1: Zone of Theoretical Visibility, dated 09.08.2021;
 - Drawing No. P21-1035_05: Fig. 5: Viewpoint Photographs and Public Rights of Way, dated 23.11.2021; and
 - Appendix A: Landscape and visual effects detailed methodology (GLVIA3), undated.
- 4.6.6 As noted in the preceding sections, the ES must be prepared by 'competent experts'. The Landscape Institute, in the absence of formal certification of specific competence, considers that a 'competent expert' would normally be a Chartered Member of the Landscape Institute who, has substantive experience of undertaking LVIA's. This may be evidenced by the assessor's CV, by reference to previous assessments, and by endorsement by other senior professionals. The Applicant should refer to The Landscape Partnership consultation response in this regard.
- 4.6.7 The methodology refers to the identification of a preliminary study area based on the site's wider setting and context, and which sets the broad parameters for collation of baseline information. This study area is not defined in the submitted material. The Applicant should agree the study area with Braintree District Council prior to undertaking the assessment. The Applicant should refer to The Landscape Partnership consultation response in this regard.
- 4.6.8 Reference is made to the desktop study of existing published landscape character studies. No details are provided as to which studies would be referred to, but as a minimum it would be expected that the findings of the following publications would be referred to:
- National Character Area profiles;
 - Essex Landscape Character Assessment (2003); and
 - Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessments (2006), including the 2015 update.
- 4.6.9 The Applicant should refer to The Landscape Partnership consultation response in this regard.

- 4.6.10 The methodology is generally clear and transparent and includes criteria that have been used to make judgements on the sensitivity of receptors, the magnitude of change and the final judgment on the significance of change. However, it is not clear whether the criteria within the tables are cumulative or discrete. For example, in Table A.1, to be of High value, should a landscape have a strong sense of identity and have national level landscape associations and good scenic qualities, or could it satisfy just one of the conditions. It is assumed that the latter approach has been used and that a balanced view has been taken. If this were not the case, many assets would fall outside of the criteria within the tables and be uncategorizable.
- 4.6.11 To reach a judgement on a receptor's landscape or visual sensitivity, value and susceptibility have been combined using professional judgement, and without reference to matrixes or tables. Whilst this approach is not contrary to GLVIA3, it can result in decisions that lack transparency. It is expected that explanation will be provided in the LVIA narrative as to how decisions have been made and factors balanced.
- 4.6.12 The assessment is not fully compliant with the recommendations as set out in GLVIA3 in that the approach used for the judgement of magnitude of change does not follow the approach set out in the guidelines. The guidelines recommend that an assessment of the magnitude of change should combine judgements on the size or scale of effect, the geographical extent of the area influenced and its duration and reversibility. These factors have been combined into the criteria in Tables A.3 and A.5 and how each factor influences the final judgement is not so clearly understood. The Applicant should refer to The Landscape Partnership consultation response in this regard.
- 4.6.13 It will be expected that the forthcoming LVIA includes comprehensive narrative as to how the judgements on significance of effects have been made, with clear evidence of how earlier considerations regarding sensitivity and magnitude have been considered, balanced and fed into the final conclusion. The LVIA makes no judgement on which of the landscape and visual effects are to be considered Significant in EIA terms. This must be included within the ES. The Applicant should refer to The Landscape Partnership consultation response in this regard.
- 4.6.14 The ES should include justification that a woodland height of 15m is suitable to provide a realistic reflection of the screening properties of the existing woodland and the likely visibility of the Proposed Development. Initial observations suggest that the heights of some of the tree lines around the western end of the site (which the ZTV suggests would limit the visibility of the western most building block) may be lower, and/or that they have limited screening properties due to their narrow form. Similarly in the vicinity of Flower's Hall to the north-east of the airfield. The ZTV must be updated as necessary to reflect any changes in the form of the Proposed Development from that currently assumed. The Applicant should refer to The Landscape Partnership consultation response in this regard.
- 4.6.15 The Applicant has not provided explanation as to why particular viewpoints have been selected, or their exact location. Such details should be included within the ES. The Applicant should refer to The Landscape Partnership consultation response in this regard.
- 4.6.16 The Applicant must refer to and consider Table 1 of The Landscape Partnership consultation response and the annotated copy of Pegasus Group's viewpoint

location drawing, appended to this report. It is suggested the viewpoint reference numbers can be rationalised and re-numbered once the final set of viewpoints is fixed.

- 4.6.17 The setting of heritage assets is not, however, just restricted to visual impacts. Other factors should also be considered in particular noise, light, traffic and assessments. The Applicant should refer to Historic England's consultation response in this regard.
- 4.6.18 The ES should clearly identify the receptors considered within the assessment and their sensitivity to the construction and operation of the Proposed Development. This should be supported by a clear map outlining the receptors and study area.
- 4.6.19 The general approach and methodology of the assessment must be based on the Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA 3) (2013).
- 4.6.20 It is noted that viewpoints for assessment are not identified in the Scoping Report and it is understood a list and map of proposed views is to be provided within the ES along with the direction of these viewpoints, in addition to details of the choice of viewpoints, and focal lengths of lenses to be used. It is helpful if photos with wirelines of the Proposed Development are provided in the first instance to inform the identification of rendered views.
- 4.6.21 It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this. The Applicant should refer to Historic England's consultation response in this regard.
- 4.6.22 The ES should assess winter views so that vegetation is not screening the Proposed Development. In views where there is no vegetation, summer visualisations may be used.

4.7 Ecology

Proposed Approach

- 4.7.1 The Scoping Report states that Chapter 10: Ecology will assess the likely impact of the Proposed Development upon the ecology within and surrounding the Application Site and will be in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) – Guidelines for Ecological Impact Assessment. The Scoping Report states that mitigation measures will follow the biodiversity hierarchy. This approach is considered acceptable.
- 4.7.2 The Scoping Report notes that ecology assessment will consider Great Crested Newts, Breeding Birds and Wintering Birds. The Scoping Report states that no other species were identified during surveys, with the exception of bats that may forage around the peripheries of the Application Site and therefore bats and other species have been scoped out of the ES. Given impacts on bats cannot be determined at this stage, as it has not been confirmed whether linear features or woodland habitat will be impacted from external lighting sources, bats activity surveys must be scoped into the ES. The Applicant should refer to the

consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.

- 4.7.3 The ES should not only focus on the potential impacts within the Application Site but also surrounding the Application Site. For example the ES must assess the potential impacts associated with lighting of the Proposed Development on surrounding ecological receptors.
- 4.7.4 It is noted and agreed that there are four Non-statutory designated sites located within 1 km of the site, which includes Bra-0 - Outfield Wood/Boyton Grove Local Wildlife Site (LoWS), Bra-5 - Ostend Wood LoWS, Bra -9 - Poor Park LoWS and Bra -5 - Park Wood LoWS. Furthermore, the site is adjacent to ancient woodland, which is listed as irreplaceable habitat under the NPPF 2021. The proposals must aim to avoid any loss or deterioration of these irreplaceable habitats within the scheme design. Consequently, functional buffers zones, which should be of at least 15 metres from the boundary of the woodland in accordance with UK Government Guidance, should be implemented to ensure that the ancient woodlands are protected during the construction and operation phases of the development.
- 4.7.5 In addition, this habitat is listed as Lowland Mixed Deciduous Woodland, which is a Priority Habitat under the NERC Act 2006. Therefore, any potential significant effects, both direct and indirect, should be assessed and appropriate mitigation and compensation measures recommended to ensure these can be secured by a condition of any consent. The Applicant should refer to Braintree District Council's Ecology and Natural Environment Officer consultation response in this regard.
- 4.7.6 In respect of reptiles, the survey methodology is agreed though as there is the potential for a low population of grass snakes, the species should be scoped in and precautionary mitigation measures secured. The Applicant should refer to the consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.
- 4.7.7 If priority farmland birds are identified as a result of the surveys, then appropriate mitigation options should be recommended to avoid impacts to all Priority farmland bird species facilitating the site. It is highlighted that a Skylark Mitigation Strategy must be provided if it is indicated that Skylark breeding territories are confirmed to be present and affected within the development site. Two Skylark plots should be provided for every Skylark territory lost, following the methodology for the Agri-Environment Scheme option: 'AB4 Skylark Plots'. The Skylark plots should then be secured via a period of 10 years under the s.106 agreement, in nearby agricultural land.
- 4.7.8 Alternatively, the implementation of the skylark plots could be secured via a condition of any consent, if the identification of appropriate nearby agricultural land in the applicant's control can be provided for such plots. The Applicant should refer to the consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.
- 4.7.9 The assessment should effectively assess potential significant impacts on all relevant Priority species (NERC s41). Particular considerations should be provided for Brown Hare etc., particularly during the construction phase.

- 4.7.10 Given the mosaic of habitats present, it is not certain that the likely impacts on rare flora can be scoped out without the provision of further botanical surveys at this stage. This is because it is considered that there is a possibility that Priority species or Nationally Notable species (Nationally Scarce or Nationally Rare) could be present within the development site, which may be impacted by the proposals. As a result, we recommend that specialist botanical surveys should be carried out to determine the presence or likely absence of flora with high conservation value. Alternatively, further justification should be provided to indicate why rare flora can be scoped out for the assessment. The Applicant should refer to the consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.
- 4.7.11 The ES should provide further clarity on the likely impacts upon Invertebrates. It is recommended that invertebrate surveys should be undertaken unless further justification can be provided that the habitat types present on site are unlikely to support Priority species or Nationally Notable invertebrate species. The Applicant should refer to the consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.
- 4.7.12 The Scoping Report states a Biodiversity Net Gain Assessment will be completed as part of the assessment and will use DEFRA Biodiversity Metric 3.0 and follow CIEEM Biodiversity Net Gain Report and Audit templates. The ES must be based on the most up to date version of these tools at the time of writing.

General Comments

- 4.7.13 The Scoping Report lists the surveys completed at the Application Site, though it is not clear when these surveys were undertaken. Brief summaries of the survey results are provided within the Scoping Report. The ES should be informed by surveys that have been undertaken no more than 2 years prior, the survey methodologies and results should be summarised within the ES and further information appended. Survey and assessment should meet the requirements of Natural England Standing Advice. Surveys should include Priority habitats and both protected and Priority species. The assessment of likely ecological impacts needs to include sufficient mitigation measures to minimise the impacts as well as identify compensation or offsetting requirements for any residual impacts. The Applicant should refer to the consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.
- 4.7.14 The ES must also be supported by an up to date (no more than 2 years prior) Preliminary Ecological Appraisal (PEA). The PEA should be prepared in consultation with Essex Field Club and these records should inform the survey requirements. Records from new or updated surveys undertaken should be shared with the record centre. The Applicant should refer to the consultation response from Braintree District Council's Ecology and Natural Environment Officer in this regard.
- 4.7.15 The Scoping Report states that the following mitigation measures are proposed:
- Great Crested Newts – A Natural England License or a District Level Licensing Route to allow for the translocation of mitigation/offset the impacts;

- Breeding Birds - Works will be timed to avoid harm to nesting birds, especially with regards to skylark, but also for meadow pipit, linnet, dunnock, and common passerines; and
- Breeding Birds – A large area of compensatory grassland restoration for the loss of breeding and foraging habitat for skylark.

4.7.16 This mitigation should be captured in the ES, including any further mitigation identified.

4.8 Climate Change Mitigation and Adaptation

Proposed Approach

4.8.1 The Scoping Report states that Chapter 11: Climate Change Mitigation and Adaptation of the ES will include two parts (emissions reduction and climate change adaptation) in accordance with the EIA Regulations (2017) and IEMA guidance. This approach is agreed. For the avoidance of doubt, the assessment should follow guidance within the following:

- IEMA EIA Guide to Climate Change Resilience and Adaptation (2020); and
- IEMA EIA Guide to Assessing Greenhouse Gas Emissions and Evaluating their Significance (2017).

4.8.2 Any further guidance published before submission of planning application should be considered within the assessment.

4.8.3 The Scoping Report also notes that the scope of this assessment is not yet available as it will be informed by responses on likely significant effects from each topic author. This approach is agreed though the ES should clearly justify the inclusion or exclusion of specific topics within the ES.

General Comments

4.8.4 It is not clear within the Scoping Report the study area proposed for each assessment. The ES must clearly define and justify the study area used within the assessment.

4.8.5 It is noted that the future climatic conditions assessment will use 2080 – 2099 as this is appropriate for the Project's lifespan; 10%, 50% and 90% probability projections; and RCP8.0 which is the worst-case scenario and in line with IEMA's guidance. This is agreed.

4.8.6 Mitigation measures to meet adopted and any emerging policy and will need to be secured within any given planning consent. Particular attention should be made to ensuring emission reduction measures are integrated and delivered through the construction and operation phases (e.g. selection of construction methodologies, selection and use of construction equipment and vehicles, and selection and transport of materials that have low embodied GHG emissions).

4.8.7 All references to carbon emissions should refer to carbon dioxide, CO₂, carbon dioxide equivalent, or CO₂e and not carbon alone.

- 4.8.8 The level of significance of effect should be determined against local emissions targets and compared against UK wide budgets, based upon professional judgement.
- 4.8.9 For the GHG emission assessment of the Proposed Development's operational phase, the EIA should set out how the scheme will be net zero carbon on-site in 2050, as required by the Climate Change Act 2008 (as amended).
- 4.8.10 Reference in the ES should be made as to whether the national, regional and local policy requirements in relation to energy and GHG are satisfied by the Proposed Development.

4.9 Socio-economics and Human Health

Proposed Approach

- 4.9.1 The Scoping Report states that Chapter 12: Socio-Economics and Health of the ES will comprise an assessment of effects on socio-economic and human health during both construction and operation phases. As per the Scoping Report, the planning application must be supported by a Health Impact Assessment (HIA).
- 4.9.2 The Applicant should refer to the Essex Design Guide when undertaking the HIA. The HIA should assess the proposed development's impact on access to education, skills and employment, access to healthcare, access to open green and blue spaces, active environments, promoting access to healthy food and environmental sustainability. In relation to access to healthcare services, the HIA should consider the commissioning of primary and secondary care, public health, dental, ophthalmic and mental health services. In addition, an assessment should be included of the impact on emergency and planned care services that are carried out in an acute hospital setting (including ambulance transfer) and what protocols and capacity will need to be in place to support access to these services. The Applicant should refer to Mid and South Essex Health and Care Partnership consultation response in this regard.
- 4.9.3 There is limited information on the approach to the socio-economic assessment within the Scoping Report. The ES should justify the study area used in the socio-economic assessment. The ES should also consider the potential impact of increased employment on local services and local economy and impact on crime and site safety.

General Comments

- 4.9.4 The ES should consider the potential disruption to any businesses surrounding the Application Site.
- 4.9.5 As noted above, the ES should clearly identify the receptors and study area in relation to socio-economics, surrounding and within the Application Site, and their sensitivity to potential demolition and construction, and operation works. This should include a map and appropriate descriptors.
- 4.9.6 The ES should clearly set out how all figures have been calculated (e.g. employment generation) and justified as appropriate, with reference to other relevant documents / aspect chapters where appropriate and ensure this

represents the worst-case scenario. It must be ensured the worst case has been assessed.

- 4.9.7 The socio-economic assessment should ensure the most up to date data informs the assessment and clearly state any assumptions and limitations. The ES should summarise any consultation activity that has been undertaken with appropriate organisations.

4.10 Water Resources and Flood Risk

Proposed Approach

- 4.10.1 The Scoping Report states that Chapter 13: Water Resource and Flood Risk chapter of the ES will assess surface water flooding, surface quality and potable water supply. The Scoping Report states that fluvial flooding will be scoped out of the ES on the basis that the Application Site is located in Flood Zone 1 and is 2.2 km from any watercourses and therefore effects will be non-significant. It is also noted that a Flood Risk Assessment will support the planning application which will address the aforementioned, tidal flooding and groundwater flooding. Surface water drainage is also proposed to be scoped out on the basis that potential effects will be managed via the detailed drainage strategy to be submitted as part of the planning application. The approach to the Water Resources and Flood Risk chapter is generally agreed, though the ES must include all mitigation measures presented within the FRA and drainage strategy.

General Comments

- 4.10.2 The Scoping Report notes that the existing foul water system would be unable to accommodate the Proposed Development and an onsite water treatment plant is proposed. The potential effects of the onsite water treatment plant should be addressed within the chapter including the discharge of the treated water. The Applicant should refer to the Finchingfield Parish Council's consultation response.
- 4.10.3 The potable water assessment should be considered in sufficient detail to inform the considerations of climate change resilience (with respect to drought) or considered elsewhere in the EIA and signposted within this chapter.
- 4.10.4 It is noted that the Bourne Brook Water Body catchment, of which the Application Site is located, is classified as having an overall waterbody quality classification of 'poor'.
- 4.10.5 The Application Site is located within a moderately water stressed region as declared by the EA due to projected population growth and longer periods of low rainfall predicted as a result of climate change.
- 4.10.6 As stated within the Scoping Report, the Applicant is to consult with ECC, the Environment Agency, Natural England, Highways England and Anglian Water. Consultation activities should be included within a subsection of the chapter and appended to the ES.

5.0 Topics Proposed to be Scoped Out of the EIA

5.1.1 It is noted that the Applicant is seeking to scope the following aspect chapters out of the EIA because they consider they are unlikely to generate any significant environmental effects:

- Archaeology;
- Arboriculture;
- Daylight, Sunlight and Overshadowing;
- Land Quality;
- Ground Conditions and Contamination;
- Lighting;
- Wind Microclimate;
- Waste;
- Telecommunications and Utilities; and
- Aviation.

5.1.2 Comments on each proposed chapter to be scoped out of the ES is provided below.

5.2 Archaeology

5.2.1 The Applicant proposes to scope out archaeology on the basis that the Desk Based Archaeological Assessment confirmed that the Application Site has low potential to contain finds and featured from all periods. As the Scoping Report is not supported by the Desk Based Archaeology Assessment, this statement alone cannot be verified and the archaeological potential of the Application Site is determined as uncertain, of particular note should be the prehistoric to Roman Period. The Applicant should refer to Place Services consultation response in this regard. It is therefore deemed that an **Archaeology must be scoped into the ES.**

5.2.2 It is also noted that the Heritage Assets chapter will consider archaeological features making the approach to this chapter ambiguous. For the avoidance of doubt, the Heritage Assets chapter should also include the assessment of potential buried assets or a separate chapter on Archaeology be provided. The ES should consider the potential effect (i.e. the physical impacts) of the Proposed Development on archaeological (buried heritage) assets within and immediately surrounding the Application Site during demolition and construction.

5.2.3 The ES should clearly identify the receptors and study area in relation to archaeological resources, and their sensitivity.

5.2.4 The potential for some disturbance to archaeological remains is recognised in the areas of hardstanding at Wethersfield however there is good potential for the survival of archaeological remains in those areas beyond the runways and loops. This has been demonstrated at another former WWII airfield at Rivenhall where long-running excavations in advance of quarrying has demonstrated good survival of archaeological remains within the areas beyond the runways and hardstanding, and significant multi-period occupation sites and activity have been revealed. The Applicant should refer to Place Services consultation response in this regard.

- 5.2.5 The inclusion of an Archaeology chapter does not negate the need for an Archaeological Desk Based Assessment. An up-to-date Archaeological Desk Based Assessment must support the planning application.
- 5.2.6 Should the DBA not provide adequate information to determine the impact of the development on potential unknown heritage assets an evaluation may be required in accordance with NPPF paragraph 194. If the ground conditions are suitable a programme of geophysical survey should be completed prior to an application being submitted to allow a more informed assessment of the impact of the proposed scheme. The Applicant should refer to Place Services consultation response in this regard.
- 5.2.7 The Applicant is to take account of the following guidance within the Archaeology aspect chapter and Archaeological Desk Based Assessment:
- English Heritage (2008), Conservation principles, policies and guidance.
 - Chartered Institute for Archaeologists (2014), Standard and guidance for commissioning work or providing consultancy advice on archaeology and historic environment.
 - Historic England (2017), Land Contamination and Archaeology. To ensure buried remains are considered when creating and managing the conceptual site model and remediation programme.
 - Historic England's Piling and Archaeology Guidelines and Good Practice document (2019).
 - Historic England (2020), Deposit Modelling and Archaeology: Guidance for Mapping Buried Deposits.
- 5.2.8 The ES should outline the measures required to preserve and present the Application Site's archaeology heritage as part of the Proposed Development, including methods to convey the important heritage of the Application Site to the public, for example with a heritage strategy.
- 5.2.9 The Applicant is advised to carefully consider the residual effects of the Proposed Development. Often residual effects are referred to as negligible, when archaeology assets are permanently harmed and / or destroyed, which is not considered to be acceptable and underplays the likely effects of the Proposed Development.
- 5.2.10 The requirements for evaluation should be agreed in consultation with conservation and archaeological staff at Place Services. The ES must also consider the potential impacts on any non-designated features of historic, architectural, archaeological or artistic interest within the 1km study area, since these can also be of national importance and make a notable contribution to the character and local distinctiveness of an area and its sense of place. The assessment should consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments. The Applicant must refer to Historic England's consultation response in this regard.

5.3 Arboriculture

- 5.3.1 The Applicant proposes to scope out arboriculture on the basis that the proposals will not result in significant tree loss or loss of protected trees and therefore the

overall impact is likely to be low. The Scoping Report also states that an Arboricultural Survey will influence the design of the Proposed Development and once complete an Arboricultural Impact Assessment will be prepared. It should be signposted within the ES how the design has developed following the results of the survey. As stated within the Scoping Report, the planning application must be supported by the Arboricultural Impact Assessment. It is therefore agreed on the basis of the aforementioned requests that **Arboriculture can be scoped out as a standalone chapter within the ES.**

5.4 Daylight, Sunlight and Overshadowing

5.4.1 The Applicant proposes to scope out daylight, sunlight and overshadowing on the basis that there are no buildings immediately adjacent to the Application Site, the Proposed Development will have a maximum height of 4 storeys, and the positioning of the blocks will consider daylight and sunlight and therefore the impact on daylight, sunlight and overshadowing is likely to be low. The Scoping Report states that the Design and Access Statement will include information on the positioning of the blocks taking into consideration daylight and sunlight. On this basis, it is agreed that **daylight, sunlight and overshadowing can be scoped out as a standalone chapter of the ES.**

5.5 Land Quality

5.5.1 The Applicant proposes to scope out land quality on the basis that no high quality agricultural land would be lost as a result of the Proposed Development. It is noted that the majority of the Application Site is previously development land and is therefore categorised as 'Non-Agricultural' Land under the Agricultural Land Classification (ALC) 6. It is therefore agreed that **land quality can be scoped out as a standalone chapter of the ES.**

5.6 Ground Conditions and Contamination

5.6.1 The Applicant proposes to scope out ground conditions and contamination on the basis that an initial Geoenvironmental Appraisal concluded that no significant risks were identified with regards to mining and quarrying and no risks were identified for contamination or hazardous gas. The Scoping Report is not supported by a Phase 1 report pertaining to Ground Conditions, making it difficult to understand the potential risks of the Site.

5.6.2 The Scoping Report also states that further surveys (including Unexploded Ordnance Survey) will be undertaken to determine appropriate mitigation measures. The Scoping Report did not include the initial Geoenvironmental Appraisal. The information provided within the Scoping Report is not sufficient enough to determine that effects are likely to be non-significant. Given the previous use of the Application Site as an airfield, there is the potential that the ground may be contaminated due to surface discharge of oil, lubricants, and fuels; the existence of underground storage tanks; and the sub-surface disposal of equipment (including explosives). Consideration should also be given to the need for a radiological survey given the site history. On this basis it is disagreed that a ground conditions and contamination chapter can be scoped out of the ES. **The ES must include a chapter on Ground Conditions and Contamination.**

5.6.3 The ES must also include / commit to the following future works:
- Prior to development, an intrusive (Phase 2) site investigation;

- Identification of appropriate mitigation measures and management for the presence of unexploded ordnance;
 - Preparation of a Pollution and Spillage Emergency Response Plan; and
 - Preparation and implementation of a CEMP including controls for the protection of human health and controlled waters.
- 5.6.4 The Applicant is advised to refer to recent case law (*R (Swire) v Secretary of State for Housing, Communities and Local Government [2020] EWHC 1298 (Admin)*) regarding contaminated land within EIA, that confirmed the precautionary principle must be applied, and a favourable outcome cannot be assumed.
- 5.6.5 The ES should consider UXO and required mitigation measures.
- 5.6.6 Any human receptors should be considered as high sensitivity receptors. The ES must consider speciated volatile and semi-volatile organic compounds, as well as other potential chemicals or compounds that could be generated, including during any required remediation works.
- 5.6.7 The ES should clearly state any limitations associated with the data used to establish the baseline and provide justification that no further investigation works are required to inform the ES. All documentation relied upon in the ES should be submitted as an Appendix to the ES.
- 5.6.8 The planning application should be supported by a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk), and provide assurance that the risk to the water environment is fully understood and can be addressed through appropriate measures. The Applicant should refer to Environment Agency's consultation response in this regard.
- 5.6.9 If available, a phasing plan for any remediation works should be provided and used to inform the assessment of demolition / construction works. The effects of any remediation works should also be assessed in the ES.

5.7 Lighting

- 5.7.1 The Applicant proposes to scope out lighting on the basis that there are no light sensitive designations that would be directly impacted by the Proposed Development and that the existing use as a MoD Police facility does not have any significant effects on residents or local amenity. The Scoping Report states that there will be 'indirect secondary impacts' on ecological and human receptors. It is unclear how these potential impacts will be 'indirect secondary impacts' given the potential impacts will be as a direct result of the Proposed Development.
- 5.7.2 The Scoping Report states that a typical Zone of Influence for lighting is usually taken as 100 m, this statement is not supported by any evidence or guidance documentation. In the absence of specific guidance on how to determine the study area, the study area for the lighting assessment should extend as far as the distance where modelling indicates the potential significant effects as a result of the construction and operations of the Proposed Development on human and ecological receptors. As such, a **standalone lighting chapter must be scoped into the ES** and be supported by a lighting strategy.

5.8 Wind Microclimate

5.8.1 The Applicant proposes to scope out a wind microclimate chapter on the basis that the Proposed Development is not located within a built environment and the maximum building height is 4 storeys. It is agreed that a wind microclimate chapter can be scoped out of the ES on the basis that there are unlikely to be significant effects from the construction or operations of the Proposed Development.

5.9 Waste

5.9.1 The Applicant proposes to scope out a waste chapter on the basis that:

- Mitigation will be presented within the BREEAM Pre-Assessment and Sustainability Statement;
- A Resource Management Plan will be produced for the Application Site;
- Waste will be transport to the appropriate licenced receivers of such material; and
- The potential effects of transporting waste materials during decommissioning and construction will be considered in the Transport, Traffic and Access chapter of the ES.

5.9.2 There is limited information pertaining to the commitment to waste reduction within the Scoping Report. Mitigation measures for materials must be implemented in accordance with IEMA's guide to Materials and Waste in EIA, including using locally sourced materials as far as reasonably practicable, and sourced in accordance with the Green Guide specification, use of recovered materials from other sites and other reclaimed or recycled materials, and will be managed in accordance with a CEMP. A separate Operational Waste Management Strategy should be prepared and submitted as a standalone document as part of the planning application.

5.9.3 Given the above, it is considered that a **Waste assessment and aspect chapter can be scoped out of the ES.**

5.9.4 All mitigation measures relied upon to avoid likely significant effects must be clearly stated in the ES, which must include measures stated in the Scoping Report.

5.9.5 The Applicant is reminded that the EIA Regulations require an estimate, by type and quantity, of expected residues and emissions, which includes quantities and types of waste produced during the demolition / construction and operation phases. The ES must ensure existing landfill sites have the capacity to receive waste from the Proposed Development. This should be provided in introductory chapter of the ES, in addition to the mitigation measures included as part of the application to avoid significant effects in relation to waste and materials as stated in the Scoping Report.

5.9.6 The Scoping Report states that BREEAM Pre-Assessment and Sustainability Statement have been undertaken; however, these have not been provided. The planning application must be supported by these documents. For the avoidance of doubt, the Transport, Traffic and Access chapter of the ES must also assess the transportation of waste during operations not just the decommissioning and construction phase as stated within the Scoping Report.

5.10 Telecommunications and Utilities

5.10.1 The Applicant proposes to scope out telecommunication and utilities on the basis that potential impacts can be addressed through planning application documents such as the Utilities Report. The Scoping Report does not provide enough sufficient information for the reviewer to deem that there is no potential for significant effects. It is noted that discussions with utilities providers have commenced and will inform the design proposals including the location of necessary sub stations and provision of the water treatment plant on site. The ES should summarise any consultation activity that has been undertaken with appropriate organisations. Whilst there is limited information within the Scoping Report on the potential effects on telecommunications and utilities, on the basis that consultations with the relevant bodies inform the design and the Utilities Report identifies that there are sufficient sources to support the Proposed Development, **a telecommunications and utilities chapter can be scoped out of the ES.**

5.11 Aviation

5.11.1 The Applicant proposes to scope out aviation on the basis that lighting will face downwards and will not provide a distraction to Stansted Airport traffic, located approximately 24 km from the Application Site and the Proposed Development will be 4 storeys in height and therefore unlikely to affect aviation routes. It is agreed that an **aviation aspect chapter can be scoped out of the ES** on the basis that mitigation measures associated with lighting are provided within the lighting strategy and summarised within the ES.

6.0 Conclusions

6.1.1 In summary, the following topics should be assessed in the ES with standalone chapters or volumes as appropriate:

- Transport, Traffic and Access;
- Air Quality;
- Noise and Vibration;
- Heritage (Built and Buried);
- Landscape and Visual Impact Assessment;
- Ecology;
- Climate Change Mitigation and Adaptation;
- Socio-economics and Human Health;
- Water Resources and Flood Risk;
- Archaeology;
- Ground Conditions and Contamination; and
- Lighting.

6.1.2 This document has been produced following a review of the EIA Scoping Report for the Proposed Development and takes into account pertinent responses received from a range of Consultees.

6.1.3 Please note that where a topic has agreed to be scoped out of the EIA, this is on the basis that there will be no significant effects, and that the local planning validation requirements will still be met, although these will be outside the scope

of the EIA Regulations.

6.1.4 The review carried out by Temple on behalf of the Council has been based on the information submitted in the SR and Scoping Consultee responses submitted to the Council which are available online.

6.1.5 This scoping opinion is made with specific regard to the context provided by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not prejudice the Local Planning Authority's consideration of the other planning matters relating to the development of this site.

I hope this response is of assistance.

Yours sincerely,

Neil Jones
Lead Principal Planner
for Planning Development Manager



ECC Ref: 21/03405/SCO

Date: 16/12/2021

HISTORIC BUILDINGS AND CONSERVATION AREA ADVICE

Dear Sir / Madam,

RE: LAND AT WETHERSFIELD AIRFIELD TOPPESFIELD ROAD WETHERSFIELD ESSEX

This letter provides Historic Buildings and Conservation Area Advice concerning the application for a scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

Wethersfield Airfield was built in 1942 for the RAF and was used later in World War II by the United States Air Force. The airfield as a whole is a non-designated heritage asset and is listed on the Essex Historical Environment Record (HER No. HER16658). Within the site there is the high potential for the survival of individual non-designated heritage assets, including gun emplacements, pill boxes, observation posts, air-raid shelters and other structures from the Second World War. The HER description states that several Nissan huts and hangers survive, along with the control tower. The perimeter track of the airfield survives and the loop hardstands still remain in the southwestern quadrant of the field. The legibility of the layout of runways and buildings from the Second World War survives including many dispersal areas. To the south of the proposed development site is a chapel, considered to be the first purpose built Chapel on a USAF base in the UK.

Historic England's document *Nine Thousand Miles of Concrete (A review of Second World War temporary airfields in England, 2016)* published the results of a review of England's Wartime airfields and assessed the significance of each airfield in the large corpus of English sites. The rating of significance was scored between 1 and 10. The maximum score obtained by any English airfield was 7/10. This is because, compared with some remaining Scottish and Welsh counterparts, English airfields have not survived well. Wethersfield Airfield was given a 6/10 rating by Historic England, making it amongst the highest group of airfields in England for heritage value.

In recognition of their significance and vulnerability, Historic England have produced a conservation guidance document on Historic Military Aviation Sites (HE, 2016). This document should be referenced in any study of the former airfield and assessment of its significance and the impacts resulting from development. The document also indicates the importance of retaining the significance



of these sites and incorporating features such as runways, perimeter tracks and defensive structures into any new development proposals. The document should also be referenced for possible mitigation measures, to lessen any impacts identified.

In addition to the airfield itself, the Airfield site is within the rural setting of numerous designated heritage assets. A cursory search for the purposes of this consultation have identified twelve Grade II Listed buildings within an approximate 1km radius of the proposed site. These twelve Listed buildings are as follows:

- Sculpin's Farmhouse (List UID: 1139033). Early-seventeenth century, timber framed, plastered house within a moated site.
- Ffuleslo (List UID: 1123486). Sixteenth-century timber framed house.
- Welcome Slough Farmhouse (List UID: 1170150) – Timber-framed house, seventeenth-century or earlier
- Welcome Slough Farm barn (List UID: 1122864) A seventeenth to eighteenth-century, timber framed barn.
- Boyton all Farmhouse (List UID: 1123485) Timber framed, mid-sixteenth century house within a moated site.
- Barn approximately 60m north of Boyton Farmhouse (List UID: 1337794) Sixteenth-century barn with seventeenth-century extension, Timber framed, weatherboarded.
- White Hall Farmhouse (List UID: 1123313). Timber framed, plastered house with a thatched roof, late-sixteenth century with later extensions.
- Deeks Farmhouse (List UID: 1122861). Seventeenth-century (or earlier) timber-framed and rough rendered cottage
- Morris Green Farmhouse (List UID: 1170112 – Fifteenth-century house (or earlier), with later restorations. Timber framed and plastered.
- Willow's Farmhouse (formerly Shelley's Farmhouse) (List UID: 1338080) Sixteenth -century house (or earlier). Timber framed and with decorative pargetting.
- Gainsford Hall (List UID: 1317343). Sixteenth century Manor house, with eighteenth and nineteenth-century alterations.
- Woodley's Farmhouse (List UID: 1122996) Seventeenth-century, timber framed and plastered, house with a red tile roof.

Being within close proximity to the development, there is likely to be an impact on the setting of these assets, with the potential to result in harm to their significance. There may also be a harmful impact on other, as yet unidentified designated heritage assets.

The scoping letter states that the built and historic environment will be a key topic in the Environmental Statement and correspondingly, it will be a key area in the consideration of any planning application. The assessment of the site's heritage significance in the EIA should include a full building record of all structures and buildings on the site relating to the historic airfield.

The assessment of the significance of designated and non-designated heritage assets (including the airfield and its buildings) should use the staged approach outlined by Historic England in their guidance document *Statements of Heritage Significance: Analysing Significance in Heritage Assets* (Historic England Advice Note 12). A heritage statement should present a full discussion of the form, materials and history of any affected heritage asset and an understanding of their significance. An important factor to consider would be the contribution to significance made by the setting of heritage assets. The analysis of setting should reference Historic England's guidance document *The Setting of Heritage Assets Planning Note 3* (Second Edition).

There is the potential for harm to numerous designated and non-designated heritage assets resulting from the proposed development of the site. Along with a robust assessment of heritage assets, their significance and levels of impact, effective mitigation measures should be an early consideration within the EIA phase, in order to be incorporated into any design for the development. With regard to the Airfield, as stated above, the incorporation of features such as runways, buildings, perimeter tracks and defensive structures into any new development proposals would be in accordance with Historic England's guidance.

If not already undertaken, early-stage consultation prior to the EIA, with local communities, local heritage groups, historical societies, parish councils and other stakeholders would be appropriate, including the Airfields of Britain Conservation Trust, the Wethersfield Airfield Museum and the Wethersfield Local History Group, along with Historic England.

Yours sincerely,

David Sorapure BA (Hons) IHBC
Historic Buildings Consultant

Note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter

Consultee Comments for Planning Application 21/03405/SCO

Application Summary

Application Number: 21/03405/SCO

Address: Land At Wethersfield Airfield Toppesfield Road Wethersfield Essex

Proposal: Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

Case Officer: Neil Jones

Consultee Details

Name: - ECC Historic Buildings Consultant (North)

Address: County Hall, Chelmsford CM1 1QH

Email: Not Available

On Behalf Of: Historic Buildings Advisor North

Comments

I have no further comments at this time. Please refer to my letter dated 16th December.

Kind regards

David Sorapure

Historic Buildings Advisor

WETHERSFIELD PARISH COUNCIL
REPRESENTING WETHERSFIELD, BLACKMORE END & BEAZLEY END
4 Beazley End, Braintree, Essex, CM7 5JH
Clerk@Wethersfield-pc.gov.uk –01371 829094



FAO Neil Jones
Development Management
Causeway House
Braintree
Essex
CM7 9HB

21 December 2021

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended),
Town and Country Planning (Environmental Assessment) Regulations 2017
Scoping and Screening Opinion Requests ref 21/03405/SCO and 21/02425/SCR
Land at Wethersfield Airbase, Toppesfield Road, Wethersfield, Essex**

I refer to the above screening and scoping requests on behalf of the Ministry of Justice in connection with two proposed prisons on land at Wethersfield Airbase. I have been asked to submit these representations on behalf of several parish councils in this area which I hope you will find helpful in your deliberations on this matter.

I should explain that following recent consultation with local residents by the Ministry of Justice (MoJ) this Parish Council formed a Wethersfield Airbase Scrutiny Committee (WASC) to focus on responses to proposals which come forward involving the base. This committee is formed upon the statute of the Local Government Act 1972 Section 102 and has been delegated powers by Wethersfield Parish Council to respond on their behalf to matters relating to the airbase. At present, this Committee comprises representatives of ten Parish Councils in this area.

The detailed screening and scoping requests appear to have been prepared before the expiry of the consultation period set by the MoJ and therefore could not have taken into account the very strong feelings of parishioners across several parishes. This is contrary to national guidance for developers to work closely with local communities before submitting proposals. Surprisingly, the Parish Councils in this area were not consulted by the MoJ on their consultation exercise and the WASC was disappointed to find at their meeting last week that your Council has not consulted any of the Parish Councils other than Finchingfield in connection with the screening and scoping requests.

Nevertheless, the Committee resolved at its last meeting to submit representations and to seek Counsel's advice on the proposals generally. We have become aware of the time

constraints to your response to requests under EIA regulations and also that under section 15 you are able to seek an extension of time beyond 35 days but where you fail to give an opinion the applicant may refer the matter to the Secretary of State for a direction should they so wish. However, this matter is still pending and I am obliged to you in agreeing to allow sufficient time for WASC to submit representations. On that basis WASC wishes to make the following initial comments: -

Need for a holistic assessment

The screening letter states that ‘The proposed prison site is in the northwest corner of the airfield and would ensure that the remaining land could come forward for development at a later date’. Moreover, page 2 of the scoping request explains that the MoJ site comprises the extent of the proposed development and “additional land that will form part of the MoJ’s ownership.” The EIA should disclose and take into account the anticipated use of this additional area and assess the cumulative environmental effects. Should, for example, there be a potential relocation of the remand prison from Chelmsford, it is important that such possibilities be discounted or scoped into the EIA. Furthermore, the MoJ assert that it has no interest in the remaining Ministry of Defence land. However, this amounts to around three quarters of the total area of the base including the built up area which no doubt will come forward for yet further development proposals in due course. Those intentions too, even if not finalised, should be disclosed and taken into account as part of the EIA.

Policy considerations

Given that under planning legislation applications should be determined in accordance with the Development Plan unless other material considerations indicate otherwise, it is surprising that this site should have come forward at all for these proposals. This is particularly so when the applicant and landowner are both government departments, thus challenging the integrity of the planning system.

The scoping request letter accepts that the proposals breach Local Plan policy. Several policies are listed but relevant existing and emerging policies are omitted- for example CS5, SP1, SP3, SP4, SP7, LLP1, LLP50, LLP71. It is acknowledged that the proposals would be contrary to Local Plan policies including those relating to ‘Countryside’, design, landscape and the fact that the site is not an allocated development site. Any planning application submitted on the site which is not for a 'countryside use' would be considered as in conflict with the adopted and emerging Local Plan and assessed in that context. The proposals could not be seen as appropriate countryside uses.

Moreover, the proposals are in strong conflict with policies in the National Planning Policy Framework including those relating to the need to site development in locations which avoid the need to travel and promote design which should have regard to context and surroundings of a proposed development. The EIA should evaluate how the proposals fare against environmental policies at all levels and attempt to explain how the proposals can be justified to override policy conflicts.

Lighting

The Scoping letter states on page 10 that a lighting design strategy will form part of the outline application for the site and as such lighting is scoped out of the EIA process. It is self-evident that lighting of these two prisons of such a vast scale on an open site around one mile in length and 2-3 miles in perimeter in a sensitive landscape setting on a plateau above surrounding countryside and with obvious security issues will be likely to have a major impact over a very wide area and have likely serious adverse effects on the rich wildlife around the site. The WASC consider that lighting be scoped in.

Ecology

The site as a whole should be considered as one of national significance, due the number of species recorded (and logged with Braintree District Council). These include 74 species of bird (several red list); 271 species of plant (several rare and unusual) and 401 species of invertebrates (including 4 UKBAP, 3 RDB, 4 Notable/NA, 11 Notable/NB, 7 Notable/N). The runways themselves are the habitat for unusual grasses, and the meadowlands around the runways contain orchids are home to many species of birds requiring open grassland - which cannot be mitigated for. It is imperative that a precautionary principle is applied and we believe that the Avoid action is the only outcome suitable in this unique situation.

Architectural design

There is little mention of architectural design and this should be scoped in and should certainly not be left as a detailed matter to be considered pursuant to an outline permission. The proposals are based on a template of a prison design originating in the US, and now being applied across the country. There is little indication that the design of the scheme is either of exceptional design or pays any regard at all to the wider rural vernacular character of this tranquil part of northwest Essex and South Suffolk which comprises beautiful open countryside of historic villages, scattered farmsteads, quiet lanes, distinctive landscape. The EIA should set out the environmental effects on the area arising from the scale, massing, local context, intensification of use and contemporary templated design of the proposed prisons.

Landscape Character

A landscape character assessment should take into account a much wider area than the area immediately surrounding the site and extend beyond analysis of the numerous seriously affected viewpoints at close and long range. It should look at character areas in a wide area around the site taking in the Pant Valley and the countryside areas to Saffron Walden, Castle Hedingham, Braintree and Haverhill. This should be a strategic character assessment of this area of northwest Essex into South Suffolk if there is to be a true understanding of the relationship between the proposals and the wider contextual environment touched on above.

Previous work carried out for mid Essex authorities in 2006 should be examined where it was concluded that only limited development could be permissible in the Stambourne Farmland Plateau and Pant River valley. The scoping letter appears to limit its focus to the immediate surroundings though even then omits the immediate impact on settlements such as Gainsford End. This limitation is at

odds with basic principles of environmental geography and climate science that highlight the need to recognise the wider environment, as a complex integrated ecological system. Damage to one element has a fundamental effect on the wider landscape. Greenhouse gases do not simply stop at the edge of the runway.

For obvious reasons, any assessment should be based on landscape impact during all seasons of the year.

Alternative Options

The scoping request states that "Chapter 3 will briefly consider the need for the proposed development ' and a description of alternative options considered. This should describe how each option relates to the MoJ's own policies and research on prison location and take cognizance of the recent White Paper 'Prison Strategy' dated December 2021. It is clear that the current proposals are contrary to MoJ policies for locating prisons close to families, health services and employment where the key indicators of 'ensuring success is measured against our priorities: security and stability; substance misuse and mental health; and resettlement and family ties.' It is difficult to see how this inaccessible location can be compatible with these goals. Moreover, providing prisoner release on license with local employers is unlikely to be successful in this area where employment levels are low and there are no significant employers nearby that could participate in such a program, so prisoners would need to be transported considerable distances to reach suitable areas.

The alternatives should examine not simply other sites for a prison based on acknowledged objectives but also alternative uses for the site which are compatible with local and national planning policy. That includes uses compatible with its status as 'Countryside' in the Local Plan and 'green field' character-these might include for example agriculture, rewilding, nature reserves, recreation, solar energy, reopening public access all of which should be explored in collaboration with the local community. Any significant new building should be contained within the existing built up area of the base and not extend into the open airfield, including the prisons site, which lies beyond the curtilage of existing structures and their associated surface infrastructure.

Traffic impact

Traffic impacts should include an analysis of how increased traffic will impact upon the character of surrounding villages and countryside, as well as carbon emissions. The WASC feels that it is often not appreciated how remote this area is from the national road network. If one takes the area prescribed by the nearest major road in each direction from Wethersfield, it is hard to find comparable inland areas elsewhere in the country that are as poorly served. The local road network was built up from routes connecting numerous small villages around a network of arable fields, which is why the all the roads pass through the centres of tightly knit communities, are contorted and narrow and often reduce to a single lane. The degree of accessibility should be a central criterion in selecting suitable sites for prisons of this scale. Constructing a spur to connect with a major road from the site would be several miles long and even more destructive to highly valued and attractive countryside. If the intention is to consider

mitigation works to the existing road network full account should be taken of both capacity as well as the impact on the rural character of the affected routes.

There is no systematic evidence that prisons benefit isolated rural areas and thus reliance on minimising the need to travel by relying on local staff is misguided. Key Performance Indicators from Glen Parva suggested a journey distance for employees would include a radius of 25-40 miles, which if applied to this area equates to up to 5,000 sq. miles covering Stevenage, Ipswich and North London. When employee journeys are combined the huge HGV reliant supply chain, visitors and support services, a vast quantum of movements, and unjustifiable levels of carbon emissions would result, and this impact needs to be measured, particularised and rigorously assessed.

Heritage

Heritage impact should include evaluation of structures on the airfield for protection following recent Heritage England reports 'Nine Thousand Miles of Concrete' (with Airfield Research Group) and 'Military Structures-Listing Selection Guide. These reports place Wethersfield amongst the most significant military airfields in the country in terms of heritage rating and should be seriously considered for listing and conservation area status. These include the hangars, chapel, weapon storage area, mess quarters, defensive structures and other areas of the so-called technical area and sections of runway. The MoJ should take on board the comments of Place Services which has responded to this scoping request that there is the potential for designated and non designated assets to be harmed by the proposals. The setting of these assets will be an important part of their significance.

Moreover, Place Services remark that 'if not already undertaken early- stage consultation prior to the EIA with local communities, local heritage groups, historical societies, parish councils and other stakeholders would be appropriate including Britain Conservation Trust, the Wethersfield Airfield Museum, and the Wethersfield Local History Group, along with Historic England'. The WASC urges your Council and Ministry of Justice to begin meaningful consultation with the community on this and many other matters involving the future of the base.

A further important heritage issue that should be scoped into the EIA is the effect that the proposals would have on the setting of Wethersfield Conservation Area. The proposed buildings will appear on the skyline from many viewpoints and these include across the highly attractive Pant Valley to form an unattractive backcloth on a plateau above Wethersfield Conservation Area which has its special character largely defined by its historic landscape setting

There are listed buildings not referred to in the scoping request –Toppesfield Mill and many buildings in open countryside at a considerable distance beyond the 1 km limit referred to in the scoping letter would be adversely affected in terms the impact of the proposals on setting and arising from construction and operational traffic indefinitely. Moreover, many of the listed buildings nearby such as Sculpins Farm and Boyton Hall are recorded in the Domesday book and date back to Saxon times. Their proximity to the prisons will change forever the setting of these historic buildings. The EIA should look carefully at the history of each of

these buildings rather than make generic assumptions as to their worth based on their listing grade.

Archaeology

WASC endorse comments by Place Services that archaeology should be scoped in so that proper investigation can be carried out to determine likely evidence of prehistoric to Roman period remains before proposals are submitted.

Employment

Chapter 12 should assess the employment benefits to the immediate local economy, including information on the anticipated place of residence of employees and the need for new housing in the area. Evidence gathered from prisons elsewhere indicates that very few jobs within the latest prisons are filled by people within the parish where it is located. The ongoing HMP Grendon full planning application was submitted in July 2021 for a 1,468-inmate prison following MOJ consultation in Dec 2020. There are similarities in some respects, Parish prison employees at the existing prison were given as just seven. On the other hand, this area is popular with tourists, including cyclists and walkers and these proposals will do nothing to promote the appeal that this area has in the tourist sector of the local economy.

Water Supply

The WASC are concerned that the proposals on water supply in this area which is one of the driest places in the UK and where there are difficulties with water pressure. At the same time flooding in the surrounding area is a regular challenge including recent flooding at Toppesfield Bridge (despite recent alleviation works) and at the entrance to the site. We hope the EIA will give full consideration to these matters. It should be noted that part of the proposals site is within the River Pant Water Catchment Area.

The WASC considers that this site should never have been selected as a possibility for prisons of this scale. The location has poor accessibility, will have a dramatic impact on the landscape, ecology and character of the surrounding countryside, cause untold loss of amenity caused by increased traffic over a very wide area which is characterized by country lanes, open varied countryside, historic villages, scattered farmsteads. The proposals are wholly contrary to local and national planning policy and at odds with current and emerging prisons strategy-the site should have been discounted at an earlier stage. Had this been a scheme by a housing developer it is inconceivable that this scheme would have been entertained.

The only positive reason for locating the prisons on this site seems to be the net nil cost of land to government but even this would be offset by the long term costs arising from the huge number of construction vehicles having to travel over long distances from major roads or rail, the travel distance and hazards involved for massive supply chains to sustain the number of prisoners, visitors and staff, and proximity and journey routes to and from courts, visitors, access to specialist health services etc.

Would you please take the points raised in this letter into account in your response to the MoJ and keep Parish Councils advised of progress. WASC would be very pleased

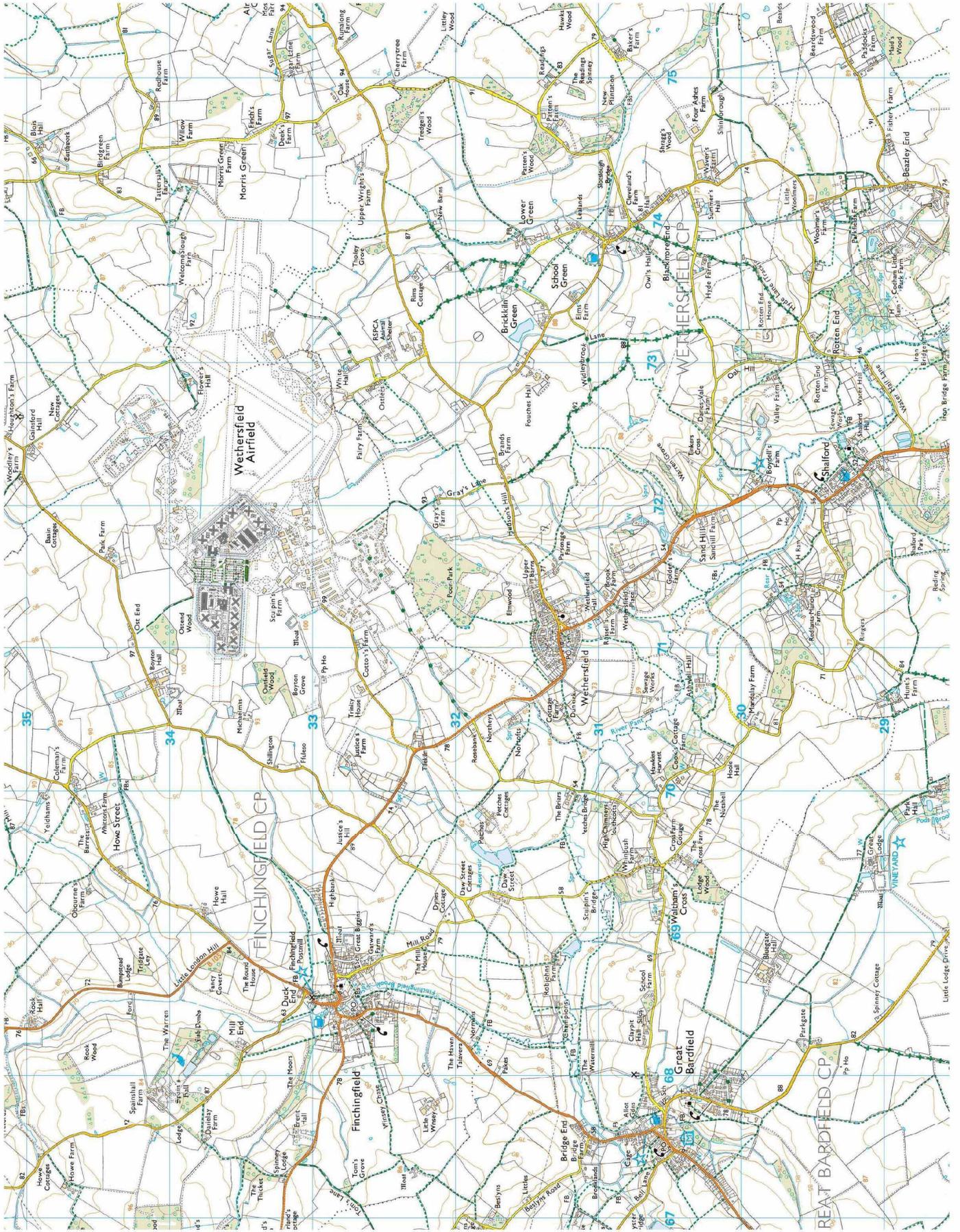
to discuss these proposals with your authority and provide any information it can to assist you.

Yours faithfully,



Michelle Baker
Clerk, Wethersfield Parish Council

A plan of the immediate area is below with the proposals superimposed.





Braintree District Council,
Development Services
Causeway House
Braintree
Essex CM7 9HB

Our ref: A/HEM/TOC/614/1
Your ref: 21/03405/SCO
Date: 02/12/2021

Specialist Archaeological Advice

Dear Sir/Madam,

RE: 21/03405/SCO - Land at Wethersfield Airfield Toppesfield Rd Wethersfield

The above application is for a scoping opinion for a new Category B and Category C Prison and associated uses and access.

Wethersfield Airfield is a non-designated heritage asset comprising the World War II airfield (EHER 16658). The Essex Historic Environment Record (EHER) shows that the proposed prison site lies within the historically important area of Wethersfield Military Airfield.

This military history of the site contributes greatly to the interest and significance of the airfield. The site was visited during a survey of military airfields in Essex which identified that although the airfield has been developed, several buildings and the original airfield layout remain. Recent guidance from Historic England on Historic Military Aviation Sites recognises the significance and vulnerability of these sites and the potential for conservation of them. The scoping opinion states that Heritage will form a topic in the Environmental Statement, it would be recommended that a full building record is made of all WWII structures and buildings on site to accompany this as supporting evidence.

The scoping opinion has stated that archaeology will be scoped out of the EIA based on the conclusions of a Desk Based Assessment which is still not available with the application details nor has it been provided to this office to review. As no archaeological investigation has taken place within the proposed development area and little archaeological investigation has taken place within



the wider area the archaeological potential of the site should be determined as uncertain, certainly for the prehistoric to Roman period.

The potential for some disturbance to archaeological remains is recognised in the areas of hardstanding at Wethersfield however there is good potential for the survival of archaeological remains in those areas beyond the runways and loops. This has been demonstrated at another former WWII airfield at Rivenhall where long-running excavations in advance of quarrying has demonstrated good survival of archaeological remains within the areas beyond the runways and hardstanding, and significant multi-period occupation sites and activity have been revealed.

Should the DBA not provide adequate information to determine the impact of the development on potential unknown heritage assets an evaluation may be required in accordance with NPPF paragraph 194. If the ground conditions are suitable a programme of geophysical survey should be completed prior to an application being submitted to allow a more informed assessment of the impact of the proposed scheme.

If you have any questions please do not hesitate to contact me.

Yours sincerely



Teresa O'Connor
Historic Environment Officer at Place Services

telephone: 03330 136852 | mobile: 07786 125894

email: teresa.oconnor@essex.gov.uk

NOTE: *This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter*



APPLICATION NO : 21/03405/SCO & 21/02425/SCR

DESCRIPTION : Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

LOCATION : Land At Wethersfield Airfield Toppesfield Road Wethersfield Essex

Thank you for consulting BDC Ecology.

We have reviewed Chapter 10 of the Scoping Letter dated 12th November 2021 submitted by Cushman and Wakefield and we have the following comments.

Summary

Baseline Information:

We recommend that a desktop assessment should be prepared in consultation with Essex Field Club and that these records should inform the survey requirements to ensure that Priority and Protected Species have been considered adequately. Records from new or updated surveys undertaken should be shared with the record centre.

Potential Impacts:

This proposed project does not impact on statutory designated sites as none are located within 1km of the application site. We concur that there are four Non-statutory designated sites located within 1 km of the site, which includes Bra30 - Outfield Wood/Boyton Grove Local Wildlife Site (LoWS), Bra35 - Ostend Wood LoWS, Bra 39 - Poor Park LoWS and Bra 45 - Park Wood LoWS. Furthermore, the site is adjacent to ancient woodland, which is listed as irreplaceable habitat under the NPPF 2021. Therefore, the proposals must aim to avoid any loss or deterioration of these irreplaceable habitats within the scheme design. Consequently, functional buffers zones, which should be of at least 15 metres from the boundary of the woodland in accordance with UK Government Guidance, should be implemented to ensure that the ancient woodlands are protected during the construction and operation phases of the development. In addition, this habitat is listed as Lowland Mixed Deciduous Woodland, which is a Priority Habitat under the NERC Act 2006. Therefore, any potential significant effects, both direct and indirect, should be assessed and appropriate mitigation and compensation measures recommended to ensure these can be secured by a condition of any consent. This will allow the planning authority to discharge all associated statutory duties, including its biodiversity duty under s.40 of the NERC Act 2006.

In terms of European Protected Species, we agree that Great Crested Newts should be scoped in for the assessment, as surveys have confirmed a medium sized population present within the

application site. However, we indicate that appropriate mitigation and compensation measures should be outlined for the development to allow the LPA to have certainty of the likely impacts to this protected species and to inform a European Protected Species Mitigation Licence.

Alternatively, Natural England's District Level Licensing for GCN is now available in Essex – see <https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes> - where sites can be registered to be covered by this strategic mitigation scheme. Guidance for developers and registration forms to join the scheme are available and the LPA will need a countersigned agreement with Natural England as evidence of site registration prior to determination where this European Protected Species is likely to be present and affected by development.

We also note that the provision of bat activity surveys have been scoped out from the assessment. However, we consider that impacts cannot be determined at this stage as it has not been confirmed whether linear features or woodland habitat will be impacted from external lighting sources during the construction and operation phases of the development. We therefore consider that bat activity surveys should be scoped in.

In respect of reptiles, we accept the survey methodology but consider that a low population of grass snakes should be expected within the development. Therefore, the species should be scoped in within the assessment and precautionary mitigation measures secured.

We also agree that Breeding birds should be scoped in and that any surveys conducted should preferably follow the BTO Common Bird Census methodology. If priority farmland birds are identified as a result of the surveys, then appropriate mitigation options should be recommended to avoid impacts to all Priority farmland bird species facilitating the site. It is highlighted that a Skylark Mitigation Strategy must be provided if it is indicated that Skylark breeding territories are confirmed to be present and affected within the development site. Two Skylark plots should be provided for every Skylark territory lost, following the methodology for the Agri-Environment Scheme option: 'AB4 Skylark Plots'. The Skylark plots should then be secured via a period of 10 years under the s.106 agreement, in nearby agricultural land. Alternatively, the implementation of the skylark plots could be secured via a condition of any consent, if the identification of appropriate nearby agricultural land in the applicant's control can be provided for the Skylarks plots. In addition, we also agree that wintering bird surveys will be required, and should follow the BTO Common Bird Census methodology and should be scoped in depending on results.

Furthermore, the assessment should effectively assess potential significant impacts on all relevant Priority species (NERC s41). Particular considerations should be provided for e.g. Brown Hare, particularly during the construction phase.

Given the mosaic of habitats present, we are not certain that the likely impacts on rare flora can be scoped out without the provision of further botanical surveys at this stage. This is because it is considered that there is a possibility that Priority species or Nationally Notable species (Nationally Scarce or Nationally Rare) could be present within the development site, which may be impacted by the proposals. As a result, we recommend that specialist botanical surveys should be carried out to determine the presence or likely absence of flora with high conservation value. Alternatively, further justification should be provided to indicate why rare flora can be scoped out for the assessment.

In addition, we also seek further clarity on the likely impacts upon Invertebrates before these species are scoped out for the assessment. Therefore, we recommend that invertebrate surveys

should be undertaken unless further justification can be provided that the habitat types present on site are unlikely to support Priority species or Nationally Notable invertebrate species.

Draft documents e.g. Construction Environmental Management Plan (CEMP) to cover the construction period, are welcomed and a separate long term Landscape and Ecological Management Plan will need to be prepared to ensure the compensatory habitats become established and the impacts from the development can be effectively minimised. These are likely to be secured as a condition of any planning consent

Methodology:

We note the surveys and assessment to date that have been undertaken to assess the impacts of this development on biodiversity. We recommend that nationally agreed guidelines are followed for these and other surveys and all survey work should be undertaken in the appropriate season by appropriately qualified ecological consultants. Survey and assessment should meet the requirements of Natural England Standing Advice.

Surveys should include Priority habitats and both protected and Priority species. The assessment of likely ecological impacts needs to include sufficient mitigation measures to minimise the impacts as well as identify compensation or offsetting requirements for any residual impacts.

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.

Opportunities:

Biodiversity enhancement opportunities should be embedded into the design of the scheme and we recommend creating Priority habitats as well as measures for Protected and Priority species. The ES should thoroughly explore all reasonable options to deliver measurable net gain from the development and restore biodiversity networks. We advise that the DEFRA Metric 3.0 (or its successor) should be used and should follow the CIEEM BNG Report and Audit Templates. We advise that all of the metric information should be submitted so that the full detail can be reviewed and that any Trading Summary Issues will not be acceptable. Further the Biodiversity Net Gain report should inform the conservation aims and objectives and management requirements of a Landscape and Ecological Management Plan.

Conclusion:

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.

Please contact me with any further queries.

Yours sincerely,

Amanda Wilkin BSc (Hons)

Ecology and Natural Environment Officer

Braintree District Council

[REDACTED]

From: Suds <Suds@essex.gov.uk>
Sent: 24 December 2021 14:36
To: Planning Comments
Subject: RE: Scoping Opinion Consultation 21/03405/SCO

Good afternoon,
Thank you for sending the scoping opinion consultation.
All information associated with surface water drainage should be included as part of any major planning application.
However there isn't a need for additional information to be supplied as part of an EIA.

Many Thanks
Zahida

Zahida Yousaf
Senior Development & Flood Risk Officer
Climate Adaptation and Mitigation
Environment & Climate Action
Essex County Council

Essex County Council | C422- C428 County Hall | Chelmsford | CM1 1QH

-----Original Message-----

From: planning@braintree.gov.uk <planning@braintree.gov.uk>
Sent: 10 December 2021 09:36
To: Suds <Suds@essex.gov.uk>
Subject: Scoping Opinion Consultation 21/03405/SCO

CAUTION: This is an external email.

Land At Wethersfield Airfield Toppesfield Road Wethersfield Essex

[Coronavirus: We must keep on protecting each other. Hands, Face, Space.]<<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.braintree.gov.uk%2Fcoronavirus&data=04%7C01%7C%7C3e4dfc24283f4cc6a59208d9bbc0716b%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C637747257487220259%7CUnknown%7CTWFPbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&data=31mDsnRt%2BATqDbCwLIPRviBXIci9TDa0Bttpj9AXNxU%3D∓reserved=0>>

Think before you print!

This email and any attachments, replies and forwarded copies are in confidence and are strictly for the use of named recipient(s) only. If you are not the intended named recipient, please contact the sender and delete the email from your system and you are prohibited from distributing, copying, making use of or unlawful use of any information without first gaining the express permission of the sender.

Internet email may be susceptible to data corruption, interception and unauthorised amendment for which Braintree District Council will not accept any liability. We strongly advise you not to email any information that would be likely to cause you distress if it were to be seen by others. If you have an enquiry of this nature please provide a postal address to allow us to communicate with you in a more secure way.

Any opinions or views expressed are not necessarily those of Braintree District Council and do not form any kind of contract.

All communications sent to or from the Council may be subject to recording and/or monitoring in accordance with relevant legislation.



Neil Jones
Braintree District Council
Causeway House
Braintree
Essex
CM7 9HB

Our ref: AE/2022/126839/01-L01
Your ref: 21/03405/SCO
Date: 14 February 2022

Dear Mr. Jones

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 REQUEST FOR SCOPING OPINION.

LAND AT WETHERSFIELD AIRFIELD, BRAINTREE, ESSEX, CM7 4AZ

Thank your consultation and apologises for the slightly late reply. We reviewed the scoping report submitted in respect to this planned proposal and generally agree with the conclusions in the report.

Contaminated Land

The contamination section notes the site as a former airfield and proposes mitigation for any contamination. For land that may have been affected by contamination as a result of its previous use or that of the surrounding land, sufficient information should be provided with the planning application to satisfy the requirements of the NPPF for dealing with land contamination. This should take the form of a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk), and provide assurance that the risk to the water environment is fully understood and can be addressed through appropriate measures.

Flood Risk

The flood section identifies that the site is in flood zone 1 and that an FRA will be produced. Our maps confirm the site lies within Flood Zone 1, the low probability zone. The application is for a new prison, which is considered to be a 'more vulnerable' land use in [Table 2: Flood Risk Vulnerability Classification](#) of the Planning Practice Guidance

Ecology

We welcome the intention to provide 10% net biodiversity gain. A suitably qualified ecologist can determine the presence of protected species and advise on appropriate mitigation measures. The results of these surveys should be included as well as any mitigation that may be required as the scheme progresses.

We trust this information is useful.

Yours Sincerely



Mr. Pat Abbott
Planning Advisor

Direct dial 0208 4748011

Direct e-mail pat.abbott@environment-agency.gov.uk



FINCHINGFIELD PARISH COUNCIL

Claire Waters, Parish Clerk and Responsible Financial Officer
25 Bayley Street, Castle Heddingham, Essex CO9 3DG
clerk@finchingfield-pc.gov.uk 07843 892806

Development Management
Braintree District Council
Causeway House
Braintree
Essex
CM7 9HB

30th December 2021

For the attention of Neil Jones

APPLICATION NO: 21/03405/SCO & 21/02425/SCR

DESCRIPTION: Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA

Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

Finchingfield Parish Council wishes to submit the following response to the scoping document submitted by Cushman and Wakefield on behalf of the Ministry of Justice. Finchingfield Parish Council already responded to the recent Ministry of Justice consultation setting out clear reasons for our objection based on facts and planning policy rather than a NIMBY knee jerk reaction, but there are concerns over the range of the scoping exercise proposed.

Finchingfield Parish Council is also a member of the Wethersfield Airbase Scrutiny Committee made up of 10 local parish councils that stand to be impacted by this development. WASC have made a submission on behalf of all 10 parish councils but given the strength of feeling locally regarding this development, the Parish Council wished to make a representation regarding the scoping exercise on behalf of the residents of Finchingfield Parish.

There is a great deal of local concern over the speed at which this application appears to be moving, given the dramatic impact it would have on the communities, environment and landscape of this rural area located only two miles from the centre of Finchingfield, which is widely regarded as "the prettiest village in Essex".

Indeed, given the very restricted access by road and lack of public transport it is hard to conceive that there is a serious intention to build two such large prisons in such a totally unsuitable area. The fact that it is even being proposed however and the proposed occupation dates of 2027 and 2029, gives serious concern that it is the intention of the state to ignore the impracticalities of the location and simply to try to bulldoze this development through.

The short lead in and lack of engagement with the local communities, drawing the Scoping Opinion solely to the attention of Finchingfield Parish Council and to no other parish council, reinforces those concerns.



FINCHINGFIELD PARISH COUNCIL

Claire Waters, Parish Clerk and Responsible Financial Officer
25 Bayley Street, Castle Heddingham, Essex CO9 3DG
clerk@finchingfield-pc.gov.uk 07843 892806

The fact that a firm has purportedly been measuring the site with a view to fencing it, adds further to the concerns over due process being followed.

There is reference within the Scoping Letter (P2) to access the site via Shaw Drive. Please note that Shaw Drive is on MOD property and is an internal road rather than an access road. Access from the B1053 is via Sculpins Lane.

The Scoping Letter recognizes the rural location of the site in a predominantly agricultural landscape, and inaccessibility, stating proximity to local villages and distance from the nearest towns, train stations, airport and motorway.

P7 states that “Any cumulative effects of the proposed development within the locality will also be considered.” P8 goes on to list those topics to be included in the ES. Cumulative in this context should mean effects in addition to those already taking place in an area that has already seen profound change in the last 50 years and that will continue to see increasing growth and traffic, even without the addition of a prison. In other words the environmental impact of the growth that will already happen without a prison should be assessed so that the impacts of the prison can be added to this expanding baseline rather than to a static baseline as at 2021.

P9 States that the majority of the application site is previously development (sic) land. The topographical report referred to on the previous page cannot support that. A much smaller site, previously sold off by the MOD, was not considered by BDC planners to be brownfield even though it had been highly developed. The topographers report stated that 70% of the site had been covered with concrete, tarmac and building foundation slabs. The topographers report for this application site will show a much, much lower % of built on surface that cannot under the government’s own guidelines be considered brownfield.

The high quality land referred to here was lost when the initial compulsory purchase of this land by the government took place. The land has the potential to return to agricultural use. There are many similar airfields up and down the country where the land has returned/remained in agricultural use. The loss of agricultural land should not be scoped out of the EIA process.

Lighting is proposed to be excluded from the EIA. Given the height four storeys and scale (i.e. sq metre footprint) of the development in such a high up area, the impact of the prison lighting will be major in the area and will be visible for miles around. It is hard to believe the light pollution will not spread across neighbouring arable land and villages. It will impact on wildlife in the area and takes no account of the fact that within a stone’s throw distance, almost 300 acres of arable and woodland was purchased earlier this year specifically for the purpose of rewilding. There will be other impacts too on this noble effort to rewild if prisons were to be built on the Wethersfield Airbase.

The reasons given for lighting to be scoped out of the EIA process and only appear in the Outline Planning Application as a lighting design strategy bears no relation to the level of Environmental and Ecological problems it can cause. A ZoI (Zone of Influence) of a 100m may be the limit of



FINCHINGFIELD PARISH COUNCIL

Claire Waters, Parish Clerk and Responsible Financial Officer
25 Bayley Street, Castle Heddingham, Essex CO9 3DG
clerk@finchingfield-pc.gov.uk 07843 892806

providing useful illumination. Comparing it to the light given off by the light of the current MOD Base is not an appropriate comparison. Lighting needs to be part of the scoping process.

P12, Chapter 3 mentions alternatives. It is not clear to the layman whether this refers to alternative sites, or alternative uses for this site. Both should be fully and honestly explored and discussed. Given the inaccessible position of the airbase, its size and geography combined with the MOD's presumed need to monetise an asset compulsorily purchased many decades ago, this is a project which the MOD should be discussing with the local communities, via the Wethersfield Airbase Scrutiny Committee. A working party formed from MOD representatives and WASC representatives could then work to ensure this site is put to best use. This is a classic case that would benefit from application of the 2011 Localism Act.

Chapter 12 Socio-Economic and Health.

Under the heading Foul Water, a statement says it is understood that the foul water system would be unable to accommodate the proposed development and that an on-site water treatment plant would form part of the new development proposals. Figures show that a person produces 150 litres of waste water a day. When both prisons are fully up and running they will be producing 600,000 litres (132,000gls) a day. The on-site plant may well be able to make it fit for discharge but where is it going to go? The current pipework around the site is unable to carry demand during heavy rainfalls. The Finchingfield Brook is part of the River Pant/River Blackwater system. This is a main river system under the Environment Agency's control for flooding. In fact they are in the process of designing and building an £18 million flood relief system in Coggeshall, a further downstream part of the Finchingfield Brook. If the plan were to use the river system from the new plant to discharge the treated water, whether scoped or not, discussion needs to take place between the EA and the MOJ. We see no indication of it from the scoping letter.

P30, Chapter 12 anticipates "that the proposed development will have a significant beneficial effect". And goes on to say "There is no defined way to determine significance of socio-economics effects. As such, professional judgement and previous experience will be used to define the significance of likely effects. With regards to employment, it is likely that effects will be positive and therefore, no mitigation will be required."

This seems like creative licence to produce "authoritative comment" based purely on supposition and heavily influenced by what the paymasters of the report would like it to say. The area in which the airbase sits has low population density, a relatively high number of retired people and very low unemployment. It is impossible that jobs created at the prison would be filled by local residents and therefore it would require staff to travel in from outside the area. Given the low population density the majority of these staff would be travelling a minimum of 10 miles and quite likely 20 or 30 miles adding considerably to traffic levels creating congestion and environmental pollution.

This applies during the build stage too. Those engaged in the construction industry have full order books, it is very difficult to engage any kind of tradesperson (electrician, plumber, bricklayer, plasterer etc) and so construction workers would also have to travel in.

Due to the appeal of our rural historic village, the local economy is reliant on tourism including day trippers, visitors to Finchingfield and other villages in the area. The widespread change in character



FINCHINGFIELD PARISH COUNCIL

Claire Waters, Parish Clerk and Responsible Financial Officer
25 Bayley Street, Castle Heddingham, Essex CO9 3DG
clerk@finchingfield-pc.gov.uk 07843 892806

of that would be caused by a prison development of this size would significantly damage that low key and light traffic, comparatively environmentally friendly, economic benefit.

As has been noted elsewhere, the roads serving the airbase are small B roads with pinch points through villages along narrow roads, made narrower by residents parked cars, bridges and twists and turns in the road. When roads are closed due to flooding or roadworks etc, it creates volumes of traffic along roads classified as “Quiet Lanes” and blockages where these lanes are insufficient to deal with the volume of the traffic or size of the vehicles that are unable to back up to pass.

Whether coming in via Bardfield, Finchingfield or Wethersfield, or from the Sible Heddingham direction there are pinch points at every approach. Already increasing traffic volumes in the area means this gets worse every year anyway. The additional traffic volumes these prisons would create would destroy the character of the area.

Chapter 13 deals with “Water Resource and Flood Risk”. The proposed development will displace a great of surface water that would otherwise naturally drain through the soil. There are several spots that already regularly flood and these would inevitably suffer with deeper floods and more frequently. This is partially recognised but seems to be discounted as not a problem as it will occur off site. Conversely, East Anglia generally is recognised as a dry area, suffering from low pressures, it does not appear sufficient thought is going to be given to where the huge additional volumes of water required during construction, but especially once active, are going to come from.

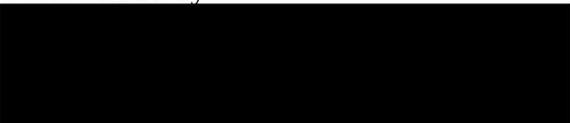
The above is mainly concerned with the direct effects of the prison and its staff only. That impact will be huge. The supporting infrastructure of suppliers and maintenance and support would impact massively on the area and over time, change it beyond all recognition. Whilst we recognise that we cannot make time stand still, the destructive impact of this development is not compatible with levelling up, localism or quality of life gains.

The need for a prison may be real, but it would be more appropriate to be located where it can be more easily accessed by staff and suppliers as well as visitors.

The desire for the MOD to make a financial return on their asset is understood. Much better for the MOD to work with the community to arrive at a use that brings financial return for the MOD but does not damage the area and ideally brings a benefit to the local communities.

Please note: as of January 5th 2021 we have a new Parish Clerk whose contact details are on the letter head. Please keep Finchingfield Parish Council up to date with any developments on this application.

Yours sincerely


Cllr Claire Collins
Chairman
Finchingfield Parish Council



Historic England

Mr Neil Jones
Braintree District Council
Development Services, Causeway House
Bocking End
BRAINTREE
Essex
CM7 9HB

Direct Dial: 01223 582716

Our ref: PL00760947

7 January 2022

Dear Mr Jones

**Town & Country Planning Act 1990 (as amended), Town & Country Planning
(Environmental Impact Assessment) Regulations 2017**

**LAND AT WETHERSFIELD AIRFIELD, TOPPERSFIELD ROAD, WETHERSFIELD,
ESSEX
Environmental Assessment (EIA) Scoping Request: 21/03405/SCO**

Thank you for consulting us regarding a Scoping Request in relation to the erection of two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities.

One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

The proposed application site consists of a military airfield, constructed in 1942 for the RAF and which was used later in WW II by the USAF.

Since 1993 the site has been in active use by the Ministry of Defence (MoD) as a police headquarters and training site.

The site is currently within the ownership of the MoD and the total area of the application site is 47.34 ha. The surrounding area is largely agricultural in character and land use and is categorised as countryside in Braintree's Local Plan.

Our initial assessment shows that there are no listed buildings, scheduled monuments or registered parks and gardens recorded within the site's red line boundary.

Having considered the *Scoping Letter* produced by Cushman and Wakefield on behalf of the Ministry of Justice, we are of the view that this development would have an impact on designated heritage assets and their settings in the area around the site and due to its flat topography, the proposals could affect the significance of heritage



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



assets at some distance from this site itself.

We would expect the Environmental Assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.

Chapter 8: Heritage Assets of the Scoping Letter refers to designated assets within a 1.0km radius of the site and we note that there are 13 grade II listed buildings within this area and that the airfield itself is a non-designated heritage asset.

In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Assessment to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

We recommend that the assessment of potential impacts of the development should be carried out in accordance with established policy and guidance, including the *National Planning Policy Framework* and *Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*.

The latter provides a thorough discussion of setting and methods for considering the impact of development. This should assess the significance of heritage assets, their settings and the contribution their settings make to the significance, and to assess the impact of the proposed development on the significance of the designated heritage assets.

The requirements for evaluation should be agreed in consultation with conservation and archaeological staff at Essex Place Services.

As your authority's advisers on the historic environment they should take the lead on advising on the identification, assessment and scope for mitigation on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place.

This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk).

Place Services are also best placed to advise on: local historic environment issues and priorities; how the proposals can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk





It is important that the impact of the development is well illustrated, and this can be achieved through photomontages, visualisations or similar techniques.

In this instance, due to the the significance and vulnerability of Wethersfield Airfield, we emphasise the need to assess the application site with reference to Historic England's document *Nine Thousand Miles of Concrete (A review of Second World War temporary airfields in England)* (2016) together with guidance in Historic England's conservation document *Historic Military Aviation Sites* (2016).

Whilst the airfield is a non-designated heritage asset, there is potential for a high level of survival of historic features including pill boxes, gun emplacements, air-raid shelters and observations posts.

Nissan huts, hangers, runways, perimeter tracks and the Control Tower also survive and the ES should reflect the Historic England guidance above regarding potential impact mitigation measures.

We would also expect the ES to consider the potential impacts on any non-designated features of historic, architectural, archaeological or artistic interest within the 1km study area, since these can also be of national importance and make a notable contribution to the character and local distinctiveness of an area and its sense of place.

Whilst standardised ES matrices are considered in some planning practices to be useful tools, we consider the analysis of setting (and the impact upon it) to be a matter of qualitative and expert judgement which cannot be achieved solely by use of systematic matrices or scoring systems.

Historic England therefore recommends that these should be in an appendix and seen only as material to support a clearly expressed and non-technical narrative argument within *Chapter 8: Heritage Assets* of the ES.

The ES should use the ideas of benefit, harm and loss (as described in NPPF) to set out 'what matters and why' in terms of the heritage assets' significance and setting, together with the effects of the development upon them.

We recommend that the *Landscape and Visual Impact Assessment* provides heritage-specific viewpoints with both photographs and photomontages that illustrate the ES and supports the results of the heritage assessment.

The setting of heritage assets is not, however, just restricted to visual impacts. Other factors should also be considered in particular noise, light, traffic and assessments.





We advise that all supporting technical heritage information (e.g. desk-based assessments, reports etc.) are included as appendices.

Paragraph 194 of the National Planning Policy Framework states that 'where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate Desk-Based Archaeological Assessment and, where necessary, a field evaluation.' We note that the *Scoping Letter* states that a DBAA has been produced by Orion Heritage.

The ES should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area.

In addition, the assessment should consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

Finally, we should like to stress that this response is based on the information provided in this consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, to object to specific proposals, which may subsequently arise, where we consider that these would have an adverse effect upon the historic environment.

If you have any queries regarding the above, or would like to discuss anything further, please contact me.

Yours sincerely,

Sheila Stones
Inspector of Historic Buildings and Areas
Sheila.Stones@HistoricEngland.org.uk



Land at Wethersfield Airfield, Finchingfield, Essex

For Braintree District Council

Technical Note 01: Review of Scoping Report regarding landscape and visual matters

16th February 2022

Introduction

Background

1. The Ministry of Justice (MoJ) is intending to submit an outline planning application to Braintree District Council (as planning authority) for the redevelopment of part of the former Wethersfield Airfield to accommodate two new men's prisons.
2. The proposed application site consists of a military airfield constructed during World War II, which since 1993 has been in active use by the Ministry of Defence (MoD) as a police headquarters and training site.
3. The application site extends to 47.34 ha. It is located within the gently rolling claylands typical of south Suffolk and north Essex, to the north of the village of Wethersfield and east of Finchingfield. Despite its name, the application site and the greater portion of the airfield fall within the parish of Finchingfield, with the eastern most former runways within the parish of Toppesfield.
4. The site has a relatively level topography, typical of airfields, and is situated on a localised highpoint within the wider landscape, giving it a slightly elevated feel. The surrounding landscape has a rural, agricultural character.
5. The main access to the airfield is via Sculpin's Lane and the B1053 that provides access back to Braintree and the A120. The former runways remain in-situ, set within grassed areas. Built form is largely limited to the south-western portion of the airfield, but various disparate structures and storage areas are present on the runways.
6. The site is not allocated for development within the Braintree District Development Plan.

Scoping Opinion

7. Although no formal confirmation has been received, the proposed development is considered to be EIA development. An Environmental Impact Assessment (EIA) will be undertaken to identify and assess the significant effects likely to arise from the proposed development and the findings presented in the form of an Environmental Statement (ES) that will accompany the planning application.
8. Cushman and Wakefield, on behalf of the MoJ, submitted a request to Braintree District Council for a Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)).
9. The purpose of the Scoping Letter is to provide Braintree District with sufficient information to enable it to make a formal Scoping Opinion as to what should be considered in any forthcoming EIA.
10. The letter provides details of matters that are likely to have significant effects on the environment and which will therefore be scoped into the EIA. It also provides *"a summary of each proposed chapter of*

the ES highlighting the baseline studies undertaken (or currently ongoing), the assessment of likely effects and any issues to be scoped out. The letter also highlights those matters likely to be excluded from the ES.”

11. Documents relating to landscape and visual matters - a Zone of Theoretical Visibility (ZTV), a set of draft viewpoint locations and a Landscape and Visual Impact Assessment (LVIA) methodology – were contained in an email to Braintree District dated 01.12.2022.

Proposed development

12. The Scoping Letter notes that the two prisons would operate independently of each other once operational and that each would have a full suite of ancillary facilities. The two prisons would each deliver around 1,715 prison places across seven houseblocks (3,430 places in total). It is anticipated that the proposals will include a Category B Training Prison and a Category C Resettlement Prison. The total built development would extend to 155,939sqm. There would be a common access to both prisons.
13. The letter notes that development would include the following elements:

Category C Men’s Prison:

- 7 x 4 storey houseblocks, including 1 x residential block for elderly persons providing 1,715 prison places in total
- Entrance Resource Hub
- Workshop
- Central Services Hub
- Kitchen
- A Care and Segregation Unit (CASU)
- Supporting buildings
- Car parking
- Perimeter fencing
- Access road
- Utility infrastructure
- Landscaping
- Site entrance

Category B Men’s Prison:

- 7 x 4 storey houseblocks including 1 x residential block for elderly persons providing 1,715 prison places in total
- Workshop x 2
- Support Building
- Entrance Resource Hub
- Central Services Hub
- Kitchen

- A Care and Segregation Unit (CASU)
- Car parking
- Perimeter fencing
- Access road
- Utility infrastructure
- Landscaping
- Site entrance

Commission

14. Braintree District Council has commissioned The Landscape Partnership to review the submitted materials relating to landscape and visual matters as part of the Scoping process, and in particular to advise as to:
- the suitability of the LVIA methodology and any modifications that are required to enable a robust assessment of the proposed development; and
 - the appropriateness of the viewpoints proposed to be considered in the LVIA, whether they are representative, and whether additional or different viewpoints should be considered and assessed.

Extent of review

15. In undertaking the review, consideration was given to the relevant parts of Landscape Institute's Technical Guidance Note 1/20: Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs), dated 10th January 2020.
16. The review was undertaken by Simon Neesam, a Director of The Landscape Partnership. He viewed the application site during a site visit in early February 2022, on a bright, clear day, from adjacent land, local rights of way, and public locations (e.g. areas with recreational access). It was noted that at this time of year, deciduous trees were devoid of leaves, ephemeral vegetation such as grass and herbaceous weeds in verges and field margins was not present, and arable crops in surrounding fields were largely absent. As such, vegetation in the surrounding landscape presented a worst-case scenario in terms of its screening properties. At other times of year, it can reasonably be assumed that the existing trees, hedges and other vegetation would be more effective in blocking or filtering views.
17. Simon Neesam is a Chartered Landscape Architect with over 25 years' experience. He holds a degree and a postgraduate diploma in Landscape Architecture and became a fully qualified Chartered Member of the Landscape Institute in 1994. Simon has a wide range of experience in landscape architecture and landscape planning, and has undertaken projects for private clients as well as national, regional, and local public sector bodies throughout the UK. He has carried out landscape assessments, visual impact assessments, and acted as expert witness for a variety of projects including major out-of-town retail facilities, highway schemes, renewable energy developments, landfill and mineral schemes, flood alleviations schemes, and new housing, often within sensitive landscapes or at potentially contentious locations.
18. It should be noted that The Landscape Partnership has not undertaken its own LVIA, and that any comments made regarding the judgements within the assessment are made following a site visit and on the basis of information provided within the following information supplied by Pegasus Group:
- Drawing No. P21-1035_01: Fig. 1: Zone of Theoretical Visibility, dated 09.08.2021

- Drawing No. P21-1035_05: Fig. 5: Viewpoint Photographs and Public Rights of Way, dated 23.11.2021
 - Appendix A: Landscape and visual effects detailed methodology (GLVIA3), undated
19. The review considers only landscape and visual aspects of these documents.
20. The findings are to be used by Braintree District Council when formulating its Scoping Opinion.

Review of LVIA methodology

21. The methodology that it is proposed would be used for the LVIA is set out in Pegasus Group document Appendix A: Landscape and visual effects detailed methodology (GLVIA3), undated.

Approach

22. The methodology refers to current guidelines and good practice. It is clearly set out and has been developed from the guidance contained in:
- Guidelines for Landscape and Visual Impact Assessment Third edition – Landscape Institute and Institute of Environmental Management and Assessment, 2013, (3rd edition) (GLVIA3)
 - An Approach to Landscape Character Assessment, Natural England, October 2014
 - Technical Guidance Note 06/19: Visual Representation of Development Proposals, Landscape Institute
 - Technical Guidance Note 02/21: Assessing Landscape Value Outside National Designations, Landscape Institute.
23. The methodology sets out the steps that would be undertaken:
- *determining the scope of the assessment;*
 - *collating baseline information for landscape and visual receptors, including completing desk study research and undertaking field-based survey work;*
 - *review the proposed development and identify and describe the likely impacts of the proposed development (enabling specific judgments to be made on sensitivity of landscape and visual receptors);*
 - *establish the sensitivity of landscape and visual receptors (balancing judgments on susceptibility and value);*
 - *determine the magnitude of impacts (balancing judgments on size / scale, duration and reversibility);*
 - *the assessment of the likely significance of landscape and visual effects through a balanced approach and clear description of judgments on sensitivity and magnitude; and*
 - *the identification of measures to avoid or remedy impacts and the subsequent re-assessment of likely effects.*
24. The methodology is generic and no site-specific information is included.

25. The 2017 EIA Regulations Reg 18(5) stipulates that the developer must ensure that the ES is prepared by 'competent experts' and that the developer must include a statement "*outlining the relevant expertise or qualifications of such experts*".
26. The Landscape Institute, in the absence of formal certification of specific competence, considers that a 'competent expert' would normally be a Chartered Member of the Landscape Institute who, has substantive experience of undertaking LVIA's. This may be evidenced by the assessor's CV, by reference to previous assessments, and by endorsement by other senior professionals.
27. Neither the methodology nor the Scoping letter provide details of the competent expert or their credentials.

Baseline appraisal

28. The methodology refers to the identification of a *preliminary study area* based on the site's wider setting and context, and which sets the broad parameters for collation of baseline information. This study area is not defined in the submitted material.
29. It would be useful to have sight of this preliminary study area early in the development of the LVIA.
30. Reference is made to the desktop study of existing published landscape character studies. No details are provided as to which studies would be referred to, but as a minimum it would be expected that the findings of the following publications would be referred to:
 - National Character Area profiles
 - Essex Landscape Character Assessment (2003)
 - Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessments (2006), including the 2015 update
31. The Scoping letter makes reference to the NCA profiles and the Braintree Landscape Character Assessment (including LCA B9: Stambourne Farmland in which the site is located). The text notes:

Whilst the site and study area do share some commonality with the published assessment, it is useful to go a step further and consider the site and its local landscape character in order to understand what if any further influences are at play. An exercise will be undertaken by way of a detailed analysis/description of local landscape character, and the subsequent assessment of impacts upon it, as an inherent part of the LVIA. This will include physical impacts on a character area/type and also potential indirect changes to nearby landscape character areas/types.

and this is welcomed.
32. It is noted that photography would be undertaken in accordance with the Landscape Institute's latest advice, Technical Guidance Note 06/19.

Assessment of landscape and visual effects

33. As recommended in GLVIA3, the methodology identifies landscape and visual receptors and then considers the sensitivity of each receptor (as a combination of landscape/visual value and susceptibility to change of the type proposed), and then the magnitude of change likely to be experienced (as a combination of landscape/visual size/scale of change, geographical extent and duration/reversibility).
34. The methodology is generally clear and transparent and includes criteria that have been used to make judgements on the sensitivity of receptors, the magnitude of change and the final judgment on the significance of change. However, it is not clear whether the criteria within the tables are cumulative or

discrete. For example, in Table A.1, to be of High value, should a landscape have a strong sense of identity and have national level landscape associations and good scenic qualities, or could it satisfy just one of the conditions. It is assumed that the latter approach has been used and that a balanced view has been taken. If this were not the case, many assets would fall outside of the criteria within the tables and be uncategorizable.

35. To reach a judgement on a receptor's landscape or visual sensitivity, value and susceptibility have been combined using professional judgement, and without reference to matrixes or tables. Whilst this approach is not contrary to GLVIA3, it can result in decisions that lack transparency. It is expected that explanation will be provided in the LVIA narrative as to how decisions have been made and factors balanced.
36. The assessment is not fully compliant with the recommendations as set out in GLVIA3 in that the approach used for the judgement of magnitude of change does not follow the approach set out in the guidelines. The guidelines recommend that an assessment of the magnitude of change should combine judgements on the size or scale of effect, the geographical extent of the area influenced and its duration and reversibility. These factors have been combined into the criteria in Tables A.3 and A.5 and how each factor influences the final judgement is not so clearly understood.

Defining significance of effects

37. For both landscape and visual effects, *“the final conclusion on the significance of an effect is based on the combination of sensitivity of receptor and magnitude of change (or impact). The rationale for the overall judgement on significance is based on the combination of each of the criteria individually leading to the balance and justification of these.”*
38. The methodology notes that *“detailed assessment is a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects of a proposed development; however not all landscape and visual effects arising will be significant.”* and that *“determination of the significance of an effect requires the application of professional judgement to balance the findings in relation to the sensitivity of the receptor and the magnitude of the predicted impacts.”*
39. Table A.6 and A.7 set out the criteria for determining the significance of landscape and visual effects ranging from Major Beneficial (Positive) to Major Adverse (Negative), via Moderate Beneficial (Positive), Minor Beneficial (Positive), Neutral/Negligible, Minor Adverse (Negative), and Moderate (Negative) Adverse.
40. It is usual to consider nature of change (Beneficial, Neutral or Adverse) independently of significance of effect.
41. Para A.5.4 notes that:

The GLVIA3 advocate a move away from formulaic matrices and tables and encourages an approach using professional judgement. Analysis and consideration of value and susceptibility gives rise to a spectrum of judgements on sensitivity, which along with magnitude inform decision making of the effects and help to determine the acceptability of a proposal in landscape and visual terms.
42. The significance criteria are clear (particularly those for visual). However, when criteria are introduced at this stage of the process, they can become the primary assessment consideration and this can effectively side line the early descriptions and judgements on sensitivity and magnitude.
43. It will be expected that the forthcoming LVIA includes comprehensive narrative as to how the judgements on significance of effects have been made, with clear evidence of how earlier

considerations regarding sensitivity and magnitude have been considered, balanced and fed into the final conclusion.

44. The LVIA makes no judgement on which of the landscape and visual effects are to be considered Significant in EIA terms.
45. Likewise, no commentary is provided in the Scoping letter as to which effects are to be considered significant. [This is at variance to the approach taken for other disciplines, where a judgement is made].
46. Confirmation is required as to which LVIA effects are to be considered Significant in EIA terms.

Review of proposed viewpoints

ZTV

47. The ZTV is presented on Drawing No. P21-1035_01 – Fig. 1: Zone of Theoretical Visibility.
48. Two models are provided, a bare earth ZTV and a screened ZTV.
49. For both ZTVs, the built form is modelled as two separate blocks that each have an assumed height of 17.4m.
50. Bare earth ZTV Production Information:
 - DTM data used in calculations is OS Terrain 5
 - Calculations based on a bare earth survey
 - Viewer height set at 1.7m
 - Calculations include earth curvature and light refraction
51. The text notes: *“This Zone of Theoretical Visibility (ZTV) image illustrates the theoretical extent of where the development will be visible from, assuming 100% visibility. It is generated using terrain data only and does not account for screening that vegetation or the built environment may provide. It is, as such, ‘a worst case’ ZTV and the actual extents of visibility are likely to be less extensive.”*
52. Screened ZTV Production Information:
 - DTM data used in calculations is OS Terrain 5 that has been combined with OS Open Map Local data for woodland and buildings to create a Digital Surface Model (DSM).
 - Indicative Woodland and Building heights are modelled at 15m and 8m respectively
 - Viewer height set at 1.7m
 - Calculations include earth curvature and light refraction
53. The text notes: *“N.B. This Zone of Theoretical Visibility (ZTV) image illustrates the theoretical extent of where the development will be visible from, assuming 100% visibility, and includes the screening effect from vegetation and buildings, based on the assumptions stated above.”*
54. The woodland is modelled at a common height of 15m and building heights at 8m.
55. The visibility recorded by the ZTV is strongly informed by surrounding vegetation, including woodland blocks in the vicinity of the site and lines of trees on its boundaries. This vegetation varies in terms of form and importantly height across the study area.
56. Confirmation is required that a woodland height of 15m is suitable to provide a realistic reflection of the screening properties of the existing woodland and the likely visibility of the proposed development.

57. Initial observations suggest that the heights of some of the tree lines around the western end of the site (which the ZTV suggests would limit the visibility of the western most building block) may be lower, and/or that they have limited screening properties due to their narrow form. Similarly in the vicinity of Flower’s Hall to the north-east of the airfield.
58. **NB:** It is assumed that the ZTV will be updated as necessary to reflect any changes in the form of the proposed development from that currently assumed.

Viewpoints

59. The viewpoint locations that Pegasus Group intends to consider in the LVIA are set out on Drawing No. P21-1035_05 – Fig. 5: Viewpoint Photographs and Public Rights of Way.
60. The covering email that accompanied the submission of the draft viewpoint locations, noted that:
- These [viewpoints] are based on our initial site work, as well as a Zone of Theoretical Visibility (ZTV) which has helped guide potential locations prior to attending site (also attached). This is based on a ‘worst case’ scenario of built form in two locations at 17.4m high.*
61. No explanation is provided as to why particular viewpoints have been selected, or their exact location. It is expected that such details will be included in the LVIA.
62. Table 1 considers the suitability of each of the viewpoints proposed for consideration in the LVIA. Where appropriate, commentary is provided, including suggested alternative locations. The table also describes additional visual receptors that were identified by The Landscape Partnership during the field survey and consideration should be given to including these in any future LVIA; these are identified letters. The viewpoints are located on an annotated copy of Pegasus Group’s viewpoint location drawing, attached to this report. It is suggested the viewpoint reference numbers can be rationalised and re-numbered once the final set of viewpoints is fixed.
63. **NB:** It is assumed that the selection of viewpoints will be updated as necessary following review of the ZTV and to reflect any changes in the form of the proposed development from that currently assumed.

Table 1: Viewpoints

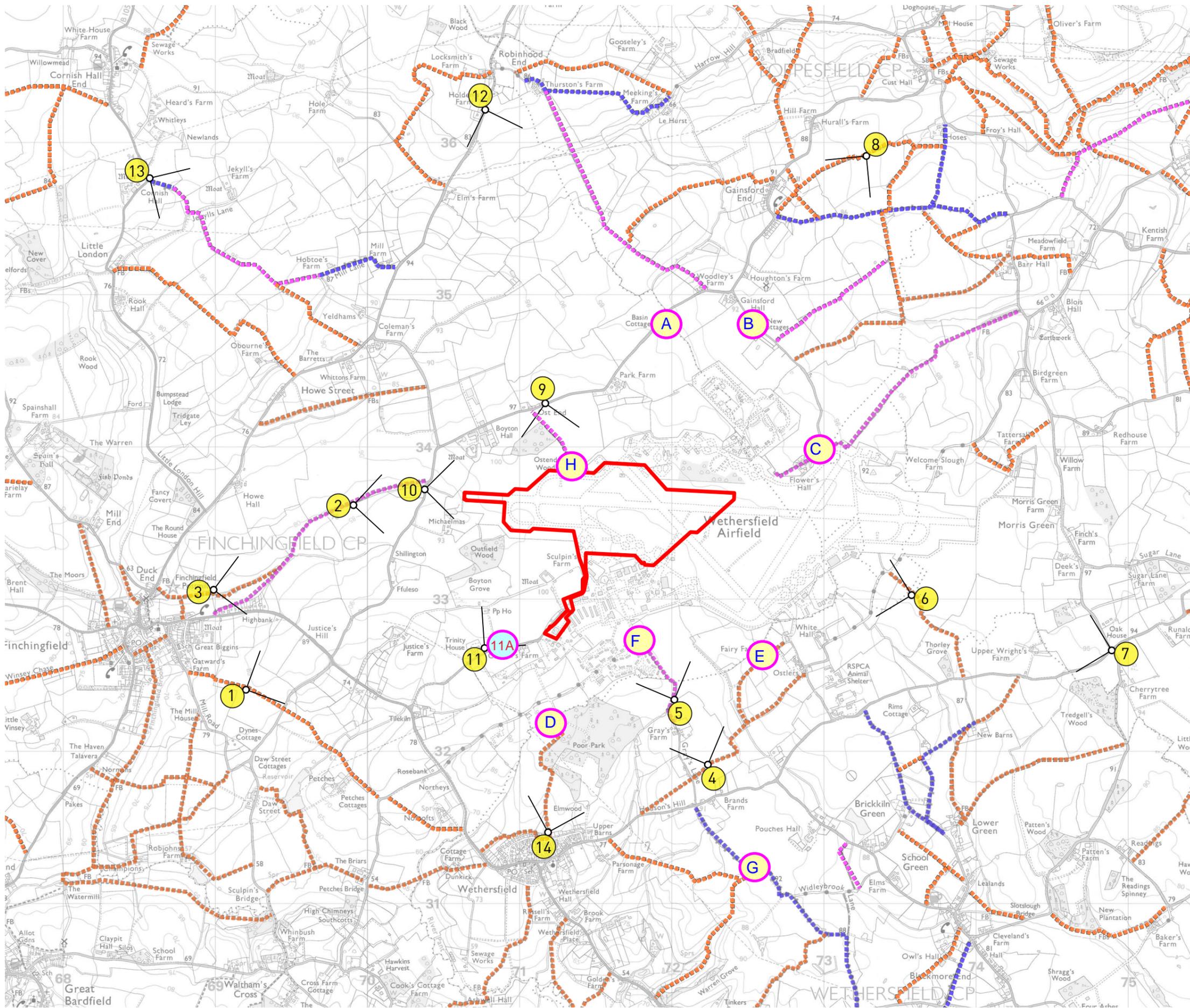
Visual receptor	Commentary
Viewpoint 1	<ul style="list-style-type: none"> Assume the exact final location will reflect a high point on this PRow.
Viewpoint 2	<ul style="list-style-type: none"> Final position to reflect the most open views towards the site.
Viewpoint 3	<ul style="list-style-type: none"> Final position to reflect the typical most open views towards the site from PRows extending out from Finchingfield.
Viewpoint 4	<ul style="list-style-type: none"> No comment.
Viewpoint 5	<ul style="list-style-type: none"> No comment.
Viewpoint 6	<ul style="list-style-type: none"> Review whether this is the most open location on PRow 115_41, e.g. would a position closer to the airfield be more appropriate.
Viewpoint 7	<ul style="list-style-type: none"> No comment.

Visual receptor	Commentary
Viewpoint 8	<ul style="list-style-type: none"> Final location to reflect the most open views from PRoWs east of Gainsford End.
Viewpoint 9	<ul style="list-style-type: none"> No comment, save there may be merit in moving the viewpoint to the east to gain a clearer line of sight.
Viewpoint 10	<ul style="list-style-type: none"> No comment, save check that views not available slightly to the north at junction of PRoW and road.
Viewpoint 11	<ul style="list-style-type: none"> May be merit to moving the viewpoint further east along Sculpins Lane to give a clearer line of sight to the site and proposed development. See annotated drawing.
Viewpoint 12	<ul style="list-style-type: none"> No comment.
Viewpoint 13	<ul style="list-style-type: none"> No comment.
Viewpoint 14	<ul style="list-style-type: none"> Views unlikely, but merit in including to demonstrate views from Wethersfield.
Viewpoint TLP A	<ul style="list-style-type: none"> Review. Potential for views to airfield from road to north of site in vicinity of Basin Cottages.
Viewpoint TLP B	<ul style="list-style-type: none"> Lane to the north-east of the site, between Gainsford Hall and Willow Tree, and/or possibly to the south of Willow Tree.
Viewpoint TLP C	<ul style="list-style-type: none"> From PRoW 107_7 and/or from lane to the east, potential views subject to exact position of intervening buildings and/or the height of woodland block.
Viewpoint TLP D	<ul style="list-style-type: none"> From northern end of PRoW 117_33, adjacent to Poor Park woodland. Views into airfield. Effect of development would depend on exact location and height of intervening buildings.
Viewpoint TLP E	<ul style="list-style-type: none"> From PRoW 117_50, in vicinity of Fairy Hall. Views into airfield where not blocked by foreground built form.
Viewpoint TLP F	<ul style="list-style-type: none"> From PRoW 79_05, on the southern boundary of the airfield. Effect of development would depend on location and height of intervening buildings and views over or between.
Viewpoint TLP G	<ul style="list-style-type: none"> From PRoW 117_7, byway to the south-west of site and east of Wethersfield. ZTV suggests longer-distance views available.
Viewpoint TLP H	<ul style="list-style-type: none"> From PRoW 79_38 on the northern boundary of the airfield.

64. Viewpoint photographs have yet to be provided.

65. No reference is made to visualisations.

66. Block wireframe visualisations would be useful to demonstrate the view (or lack of view) from some of the key or most sensitive viewpoints.



KEY

-  Site boundary
-  Representative viewpoints
-  Public footpath
-  Public bridleway
-  Byway open to all traffic

Annotation of Pegasus Group drawing to illustrate comments made regarding viewpoint locations. To be read in conjunction with The Landscape Partnership's Technical Note 01: Review of Scoping Report regarding landscape and visual matters 17.02.2022

-  Suggested additional viewpoint
-  Suggested alternative viewpoint location

Land at Wethersfield Airfield, Braintree
Client: Ministry of Justice

Fig. 5: Viewpoint Photographs and Public Rights of Way

Drawing no. : P21-1035_05
Date : 23/11/2021
Drawn by : JW
Checked by : KM
Scale : 1 : 25000 @ A3



 DESIGN
  ENVIRONMENT
  PLANNING
  ECONOMICS
  HERITAGE

Consultee Comments for Planning Application 21/03405/SCO

Application Summary

Application Number: 21/03405/SCO

Address: Land At Wethersfield Airfield Toppesfield Road Wethersfield Essex

Proposal: Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

Case Officer: Neil Jones

Consultee Details

Name: Mr Martin Mason ECC Highways

Address: County Hall, Chelmsford CM1 1QH

Email: Not Available

On Behalf Of: ECC Highways

Comments

Dear Neil,

Thank you for your consultation dated 10th December 2021 and sorry I've been unable to resource responding before now.

Having reviewed the submitted information, I confirm the planning application(s) should be accompanied by a Transport Assessment, the scope of which should be agreed with the Highway Authority as soon as possible.

Thanks again.

Martin



Our ref:
Your ref:

Janine housden
Braintree District Council
Causeway House
Docking
Braintree
Essex

Mark Norman
Operations - East
Woodlands
Manton Lane
Bedford MK41 7LW

Direct Line: 0300 470 4938

15 December 2021

Dear Sir,

Town and Country Planning (Development Management Procedure) Order 2010

Proposal Planning Application: Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

LOCATION : Land At Wethersfield Airfield Toppesfield Road Wethersfield

Thank you for consulting on a formal request for a scoping opinion on the above proposed development which was received on the 14 December 2021

As you may be aware National Highways is a strategic highway company under the provisions of the infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). As such we have responsibilities for managing the SRN in accordance of our licence and in general conformity with the requirements of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. In respect of this proposal, the nearest trunk road is the A120

As detailed in the accompanying Environmental Impact Assessment Scoping Report.

I have the following comments to make on the Scoping Report

1. The applicant considers that the scheme falls under Schedule 2 of the EIA Regulations 2017 and therefore an Environmental Statement will be required to support any planning application. Highways England agrees with this position.

2. The report references a need for a transport assessment and detail in the appendix of the The assessment should be undertaken in accordance with Dft Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development”
3. The Transport Assessment should be informed by a Walking Cycling and Horse Riding Assessment Report (WCHAR)

Yours faithfully



Mark Norman
Spatial Planning Manager
Operations (East)
Email: mark.norman@highwaysengland.co.uk

Date: 15 December 2021
Our ref: 377576
Your ref: 21/03405/SCO



Braintree District Council
planning@braintree.gov.uk

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

BY EMAIL ONLY

Dear Sir/Madam

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017): Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

Location: Land At Wethersfield Airfield Toppesfield Road Wethersfield Essex

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated and received on 10 December 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours faithfully

Joanne Widgery
Consultations Team

Annex A - Natural England Advice on EIA Scoping

General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

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

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The [National Planning Policy Framework](#) (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

Designated nature conservation sites

The proposal is unlikely to adversely impact any European or internationally designated nature conservation sites (including 'habitats sites' under the NPPF) or nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves or Marine Conservation Zones).

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017

is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

Biodiversity net gain

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.0](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 174 and

175 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 211 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store

and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

Our ref: 21/023405/CB
Your ref: 21/023405/SCO

Wren House
Hedgerows Business Park
Colchester Road
Chelmsford
Essex CM2 5PF

EMAIL ONLY

planning@braintree.gov.uk

Braintree District Council
Causeway House
Bocking End
Braintree
CM7 9HB

Catherine Bicknell
Email: Catherine.bicknell@nhs.net

18 February 2022

Dear Sir / Madam

21/023405/SCO

**Land At Wethersfield Airfield Toppesfield Road Wethersfield Essex
Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning
(Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017
EIA Regulations) for two prisons which will operate independently of each other once
operational and each have a full suite of ancillary facilities. One prison will be a
Category B and the second a Category C Prison and there will be a common access to
both prisons at Wethersfield Airfield, Braintree.**

1.0 Introduction

- 1.1 Thank you for consulting the Mid and South Essex health and Care Partnership on the planning consultation detailed above.
- 1.2 Further to a review of the scoping letter dated 12 November 2021 the following comments are made on behalf of the Mid Essex Clinical Commissioning Group and the Mid and South Essex Health and Care Partnership (HCP).

2.0 The proposed development

- 2.1 The scoping letter explains that the proposed development comprises two prisons that will operate independently of each other on land at Wethersfield Airfield. Each prison will accommodate 1,715 prison places and have a full suite of ancillary facilities.

3.0 Scope of environmental statement

- 3.1 The purpose of the scoping letter is to establish the matters likely to have significant effects on the environment that should therefore be scoped into the environmental statement.
- 3.2 The scoping letter explains that the environmental statement will include a chapter on socio-economic and health matters. It is agreed that the development proposed is likely to have significant effects on human health and so should be scoped in.

- 3.3 The scoping letter indicates that a health impact assessment (HIA) will be appended to the environmental impact assessment and this will be used to judge potential health effects of the development and will include recommendations to maximise positive health effects and reduce any negative effects. The inclusion of an HIA is welcomed.
- 3.3 The Essex Design Guide includes guidance on undertaking HIA's and will be a useful reference point for this element of the environmental assessment. The HIA should assess the proposed development's impact on access to education, skills and employment, access to healthcare, access to open green and blue spaces, active environments, promoting access to healthy food and environmental sustainability.
- 3.4 In relation to access to healthcare services, the HIA should consider the commissioning of primary and secondary care, public health, dental, ophthalmic and mental health services. In addition, an assessment should be included of the impact on emergency and planned care services that are carried out in an acute hospital setting (including ambulance transfer) and what protocols and capacity will need to be in place to support access to these services.

4.0 Conclusions

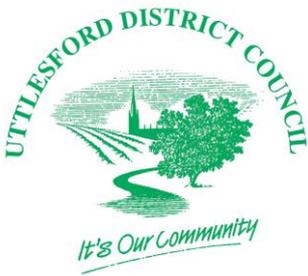
- 4.1 The HCP has identified that the development is likely to have significant effects on human health and so this matter should be scoped into the environmental impact assessment.
- 4.2 The CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response.

Yours faithfully



Catherine Bicknell

Planning Policy Officer for Mid and South Essex



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

Braintree District Council
Manor Street
Braintree
Essex
CM& 3HW

20th December 2021

Your ref: 21/03405/SCO &
21/02425/SCR
Our ref: UTT/21/3668/PE

Please ask for Lindsay Trevillian on 01799510547
email: ltrevillian@uttlesford.gov.uk

Dear Sir/ Madam,

LOCATION: Land At Wethersfield Airfield Toppesfield Road Wethersfield, Essex
PROPOSAL: Scoping Opinion (under Part 4, Section 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter known as the 2017 EIA Regulations) for two prisons which will operate independently of each other once operational and each have a full suite of ancillary facilities. One prison will be a Category B and the second a Category C Prison and there will be a common access to both prisons at Wethersfield Airfield, Braintree.

I refer to documents received on 10th December 2021 submitted in relation to the above proposal under your reference 21/03405/SCO & 21/02425/SCR.

Following review of the supporting documentation and drawings, I advise that Uttlesford District Council Planning Department wish to advise that they have no comments to make.

I would appreciate a copy of the Decision Notice for this application in due course.

Yours sincerely

Mr Lindsay Trevillian
Principal Planning Officer