

**ENVIRONMENTAL STATEMENT REVIEW**  
**BEXHILL TO HASTINGS LINK ROAD**

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# REVIEW OF THE ENVIRONMENTAL STATEMENT FOR BEXHILL TO HASTINGS LINK ROAD

## Introduction

The Environmental Statement (ES) has been reviewed by two members of staff of the Institute of Environmental Management & Assessment (Appendix 3) in accordance with the Institute Review Criteria and Review Grades (Appendix 1 & 2). The documents reviewed are listed in Appendix 4.

The headings presented in **bold** are from the Institute Review Criteria for assessing the quality of ESs (appendix 1). The Review Criteria and Review Grades have been developed from original work by Lee and Colley (1990)<sup>1</sup> and are based on the legislative requirements of EC Directives 85/337/EEC and 97/11/EEC on environmental assessment<sup>2</sup>, and on current reasonable best practice standards for ESs produced in the UK.

The review is a qualitative assessment of the ES, based on best practice, not just statutory requirements. The review does not involve a site visit, or take account of additional meetings or information supplied to a planning authority, as this information is not normally available to members of the public. ESs are public documents, which should contain all the necessary environmental information for decision makers, and it is on this basis that the Institute of Environmental Management & Assessment reviews ESs. The Institute does not oppose or support developments, but seeks to ensure that all relevant information is made available to decision makers.

The Institute acknowledges that aspects of the proposed development, such as pollution control and monitoring, will be covered by other authorisations. However, the Institute considers that it is reasonable best practice for environmental assessments for planning purposes, to consider many of these issues at the planning application stage. This has been reiterated by Planning Policy Statement 23 *Planning and Pollution Control*<sup>3</sup>, which gives guidance on the roles of planning authorities and pollution control bodies. It states that the ES "must include a description of the development, the likely significant environmental effects (including where appropriate impacts on air, water and/or soil quality before, during and after the proposed development), mitigating measures envisaged, an outline of the main alternatives studied by the applicant and reasons for his/her choice and a non-technical summary."

The advice contained in the review is based on the Institutes knowledge and experience of good practice in EIA and understanding of a wide range of environmental issues. Nevertheless, complex technical issues are likely to benefit from the advice of a specialist and in some cases this will be recommended.

## Structure of the Report

The criteria are split into three sections and the review report is structured accordingly:

**Section 1** addresses all of the information contained within an Environmental Statement with the exception of the assessment of the impacts.

**Section 2** addresses the assessment of the impacts on the environment. The section covers the information relating to:

- the baseline conditions
- the prediction of the magnitude of impacts
- the evaluation of significance and
- mitigation measures.
- follow-up

This section of the report provides an overview of the treatment of the above topics within the ES. This is followed by a review of those aspects of each environmental issue that would benefit from additional details being provided to fill gaps in the information or to provide clarification.

In order to aid decision makers, the review report in this section is structured in accordance with the environmental issues referred to in the ES. However, in order to ensure the report remains concise and focused the comments will primarily focus on those areas where the ES could be strengthened to provide an improved basis for decision-making.

**Section 3** addresses the presentation and communication of the information. This includes a brief review of the non-technical summary.

**Section 4** lists the recommendations made within the report. Where no recommendations are made this section is omitted.

## **1 General Criteria**

### **1.1 Description of the Development – A**

The proposal is for a two lane single carriageway 5.6 km link road between Bexhill and Hastings. The need for the development is expressed in terms of addressing existing transport problems within the area and to facilitate the wider regeneration of Bexhill and Hastings. The scheme is being promoted by East Sussex County Council who will also be the determining authority for the scheme.

The planning history of the proposal is described and includes the rejection of the proposed Hastings and Bexhill bypass by the Secretary of State for Transport in 2001. The rejection of this identified the need to propose a transport solution that is integrated into a wider regeneration programme for the area.

The proposal includes a 'Greenway', comprising cycle, pedestrian and horse riding facilities separated from the main carriageway. Maps are provided that indicate the route of the proposed road and the Greenway and cross sections demonstrate the nature of the separation between these elements at various points along the route. The links into the existing road system are clearly illustrated. The route follows the line of an abandoned railway line in the Bexhill urban area and thereafter crosses open countryside. Crossings, bridges and the vertical alignment of the road are all described and appropriately illustrated.

The ES describes the process for the identification and design of the proposal. Alternatives were considered (see 1.4 below) and consultation with the public and a range of organisations was undertaken to assist in the design of the scheme. The changes made to the proposal as a result of the consultations are described. Where the design of the road departs from accepted standards and guidance this is clearly stated together with the reasons for doing so.

The construction process for the road is described. Construction is anticipated to take in the region of 2 years. A Gantt diagram is provided that demonstrates the duration of each of the construction phases and the activities that are to take place within each phase. The anticipated location of construction compounds is described and illustrated.

The proposed earthworks for the scheme are designed to minimise the need to export any excavated materials from the site. The proposals match the volume of excavation with the volume of fill. A table is provided to demonstrate where excavated materials will be derived from and where the same material will be deposited. The methods for handling soils are described.

The process for the construction of the road surface is described. Vehicle types to be used are identified. The maximum number of workers on the site is quantified and the anticipated working hours are provided. Work outside of these hours is not generally anticipated with the exception of identified key activities including the tie ins to the junctions at either end of the link road.

Construction traffic is quantified and associated with specific construction activities. The total traffic is quantified and divided by the anticipated number of working days to provide a figure of average daily construction traffic (Chapter 3B, p 3B-27, Table 3B.10 & para. 3B11.4). Whilst this figure is helpful a maximum figure should be provided that would demonstrate the peak in traffic generation.

A construction environmental management plan is proposed to manage and control the environmental effects of the construction phase.

## **1.2 Site Description – A**

The ES provides a comprehensive description of the site and the area to be affected by the development. Land use along the route corridor is detailed together with the existing road network. The components of the road network that are most likely to benefit from the link road (in terms of change in traffic flows are identified).

Water courses within the vicinity of the route corridor are identified. Designated sites are described and their location and extent are illustrated on appropriate maps.

The policy context for the site and the proposal is described. All of the assessments of the environmental effects take into account the likely condition of the site in the event that the development does not proceed. This is described as the 'do minimum' option and also takes into account the likely off site effects, e.g. traffic flows on the existing road network.

## **1.3 Scoping – B**

The scope of the EIA for the proposal has been heavily influenced by government guidance in the form of Volume 11 of the Design Manual for Roads and Bridges and the on line WebTag guidance. A scoping report was published in March 2006 and a scoping opinion is stated to have been issued by East Sussex County Council (ESCC) in July 2006 (Chapter 1, p 1-10, 1.5.2). Given the extensive appendices that accompany the ES, it is somewhat surprising that neither of these documents (particularly the scoping opinion) have been included. The provision of the scoping opinion would enable the reader to verify whether the issues raised by the various consultees have been adequately addressed in the ES. As the report stands there is only the assurance of the author on this issue (Chapter 1, p 1-11, 1.5.5).

Clarification should be provided on the extent of consultation relating to the scoping report and subsequent inputs to the scoping opinion. Confirmation should be provided that all of the appropriate statutory consultees were provided with an opportunity to comment on the scope of the EIA. Clarification should also be sought on whether non-governmental organisations and affected communities were provided with an opportunity to influence the scope of the EIA.

Consultation relating to the design of the scheme appears to have been extensive and we do recognise that this is likely to have provided non-statutory groups and communities with the opportunity to identify their environmental concerns.

Notwithstanding the above comments, the scope of the EIA does appear to be appropriate to the scheme. Nevertheless, we regard it as good practice to provide a record of the comments of the consultees and an indication of where and how these have been addressed in the ES.

## **1.4 Consideration of Alternatives – A**

The consideration of alternatives for the scheme appears to have been comprehensive. The background to the development of the proposed bypass during the 1990s is described. A strategic 'rethink' was required as a result of the rejection by the Secretary of State for Transport of the proposed Bexhill and Hastings bypass in 2001. This was informed by an Access to Hastings Multi-Modal Study which commenced in 1999. This considered a number of options with regard to development of the road infrastructure and whilst recognising the potential economic benefits, the report did not consider there to be an overwhelming case that any of the bypass proposals should be built.

Following the rejection of the bypass a Task Force was established to develop a regeneration strategy for Bexhill and Hastings. The current scheme is supported by the Task Force and is considered to be a vital component of the regeneration strategy (Chapter 4, p 4-9, 4.1.38). In 2001 the South Coast Corridor Multi-Modal Study was commissioned and this further developed the concept of the link road. Following the completion of this study ESCC were invited by the Secretary of State for Transport to develop proposals for the link road. Public consultation was undertaken as part of the development of the proposed scheme.

Six route options for the proposed scheme were developed. One of the key criteria was to minimise the effect on the Combe Haven Site of Special Scientific Interest (SSSI). The ES provides a map that illustrates the route options. The advantages and disadvantages of each of the options is described and the findings are summarised in a matrix. Information on the cost of each of the options is also provided.

The route options were subject to consultation with the public as well as statutory consultees. The selection of the preferred option was based on this consultation as well as information about the likely costs and environmental impact of the scheme. The route selected is reported to have significant support from the public (although it was not the most popular) and statutory consultees and is considered to minimise the environmental effect.

Other elements of the strategy to support access to and travel within the Hastings and Bexhill are summarised.

## **2 Issue Specific Criteria<sup>1</sup>**

### **2.1 General Comments**

#### **2.1.1 Baseline Conditions – B**

Baseline conditions are comprehensively described in the ES for each of the environmental effects considered. The sources used to gather baseline information are cited and where surveys have had to be conducted the methods used have been clearly described. Source data is provided in appendices and it is therefore possible for the reader to verify that the summaries presented in the main document are representative.

For many of the environmental effects the importance or value of the baseline has been evaluated and the basis for doing this is described (see 2.2.5 below). The basis for evaluating the importance of Red Data Book bird species as being of only local value should be clarified (see 2.2.7 below).

Some contaminated land and cultural heritage work is intended to take place at a later stage. A reasoned justification should be provided for not undertaking the work in order for the information to be included in the ES. This is particularly important for the cultural heritage surveys which are intended to be undertaken prior to the determination of the planning application (see 2.2.3 and 2.2.9 below).

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<sup>1</sup> See 'Structure of the Report' in the Introduction for advice regarding the structure of this section.

### **2.1.2 Prediction of Impact Magnitude – A**

The ES provides a clear statement on the magnitude of the impact for each of the effects considered. Impacts resulting from the construction as well as the operation phase are considered. Operational impacts are considered for the year of opening and for the design year (opening year +15 years).

Impacts are quantified where appropriate. More qualitative descriptions are supported by systematic assessment methods based on widely accepted guidance. Appropriate illustrations and diagrams are also used.

The traffic and transport impacts of the proposal are reliant on the accuracy of the traffic model used. It is not considered to be within the scope of this review to review the appropriateness of the model. The assistance of an appropriate specialist would be required to undertake this work. Nevertheless, it should be noted that the accuracy of the model will also underpin the air quality and noise impact assessments.

Most of the environmental effects are assessed using a system of classification for the value or sensitivity of the baseline conditions, the magnitude of the impact and these are used to determine the significance of the effect. Explanations are provided for the classifications to demonstrate the basis allocating these to specific impacts. The criteria used for the magnitude of impacts on flooding risk and air quality require further explanation (see 2.2.4 and 2.2.5 below).

An assessment of night time noise impacts has not been undertaken. However, given that there is some prospect of night time construction work this assessment should be included in the ES (see.2.2.6 below).

### **2.1.3 Impact Significance – B**

An assessment of the significance of effects is provided for each of the environmental effects considered. For each of the effects a system of classifying the level of significance is provided and classification terms are defined in order to demonstrate the basis for allocating the significance levels to a particular effect. In isolated cases additional explanation is required for different significance levels (e.g. see 2.2.1, 2.2.2 and 2.2.5 below).

There are examples where the assessment of the significance of an effect has assumed a 'best case' in terms of the effectiveness of mitigation. Where there is uncertainty, the assessment should assume worst case or at least indicate the range of significance likely to be experienced (e.g. see 2.2.10 below).

For the majority of the environmental effects an overall conclusion on the significance of the impact is provided. This is presumably designed to take an overview of the individual impacts identified and provide an indication of their significance. Information should be sought clarifying how this conclusion has been reached and whether it results from a systematic assessment process or whether it is simply the opinion of the assessor. If the former, the method used for reaching this conclusion should be provided (e.g. see 2.2.11 & 12 below). If the latter is true, then a clear statement that the conclusion is an opinion should be included to maintain the transparency of the ES.

### **2.1.4 Mitigation – B**

Mitigation has been incorporated into the design of the scheme to a large extent. This approach is used as a justification for not citing the magnitude and significance of effects prior to taking mitigation into account. Where additional measures are

proposed these are clearly described. Exceptions are where assessment work is not sufficiently progressed to develop precise mitigation proposals, specifically for contaminated land and cultural heritage. In these cases there is a tendency to assume that the effectiveness of the 'unknown' mitigation measures will be maximised whereas it would have been more appropriate to be clear where uncertainties might exist (see 2.2.3 and 2.2.9 below).

Commitment to mitigation is clearly stated with few exceptions (e.g. bat boxes, see 2.2.7 below). Mitigation of the impact on Crowhurst Shooting Club has not yet been confirmed and therefore it would have been more appropriate to take account of the worst case in this instance (see 2.2.10 below).

As mitigation for the nature conservation and biodiversity impacts of the scheme replacement and compensatory habitat is to be provided. Information needs to be provided on the location and current condition of these areas in order to clarify the impact of providing these mitigation measures (see 2.2.7 below).

### **2.1.5 Follow-Up – C**

The ES contains a number of references to follow up activities. Principal amongst these are a Construction Environmental Management Plan (CEMP) and habitat management to compensate for the nature conservation and biodiversity impact of the proposal.

The ES does not include a draft of the CEMP, but sets out the scope of the plan. Whilst many of the management measures are identified in the ES as part of the mitigation, it would nevertheless be helpful to have a clearer idea of the content of the CEMP and therefore the commitments being made.

The ES also includes a commitment to compliance with other best practice guidelines and to form a liaison committee comprising statutory authorities and representatives of affected communities. Inspections are to be carried out to ensure that health and safety and environmental requirements are being adequately implemented.

A range of commitments are included in the ES to improved habitat management of existing habitats and the creation and management of replacement habitat. Appendix 12-J provides a summary of management requirements. However, to demonstrate greater commitment to the implementation of the management requirements a clearer indication should be provided of the resources to be allocated to the management measures and the time period to which the commitment applies. Safeguards against the future withdrawal of the resources should also be outlined. These factors are particularly important as the habitat replacement and management plays an important role in compensating for the effects of the project.

## **2.2 Issue-Specific Comments**

### **2.2.1 Travel and transport**

The assessment of the effects on travel and transport are reliant on the accuracy of the transport model developed for the area. Information on the development and validation of the model is provided in the "Travel and Transport Report" and technical notes are provided as appendices to the report (Chapter 6, 6.2.6). Reviewing the appropriateness of the traffic and public transport models is not considered to be within the scope of this review and would require input from an appropriately qualified specialist.

Section 6.2.20 of the ES correctly states that there are no standard significance criteria for accident benefits/disbenefits. No significance criteria are proposed by the author of the ES. Given this context, clarification should be provided on the basis for concluding that the effect on safety as a result of construction traffic generated by the proposal is “slight adverse” (6.5.3). This is particularly important as no significance levels are predicted for operational safety impacts.

Table 6.5 includes a security assessment which compares the existing route with the scheme route. Indicators for each of the schemes are assessed as poor, moderate or high. These terms should be defined to ensure that the reader is clear what the outcome of the assessment is, e.g. should moderate be viewed as positive or negative, how does poor differ from moderate and high?

### **2.2.2 Agriculture and Forestry**

The ES includes an assessment of the loss of agricultural land during both construction and operation. Table 7.1 provides criteria for evaluating the significance of impacts. Information identifying the basis for these classifications would increase the transparency of the assessment. Operational impacts are calculated on the basis of successful restoration of land to a standard capable of agricultural use. Clarification should be provided on the likely rate of success of restoring land to agricultural use disaggregated to the various agricultural land quality classifications. In the event that there is a significant risk to successful restoration a reasonable worst case assessment should be provided.

### **2.2.3 Geology and Soils**

Explanations of the significance criteria used for geology and soils are provided in Table 8.1 (p 8-5 – 8-6). The explanation for a large beneficial impact refers to the whole or partial removal of a contamination source that is not directly mobilised by the development. Whilst, this would undoubtedly be a beneficial effect, there are potential circumstances where it is not appropriate to regard partial removal as being of 'large beneficial' significance, e.g. where the majority of the contamination remains on the site.

The assessment of contamination on the site is the result of a walkover survey and some preliminary investigations. However, chemical analysis has not been undertaken to determine the significance of any contamination that may be present (p 8-14, 8.4.2). A reasoned justification should be provided for not undertaking the investigations to enable the information to be considered within the ES.

Further investigations are planned should the proposal receive planning permission. Given this context and that the duration and cost of fully mitigating any contamination (as is implied by the assessment of significance) is unknown, the ES should clarify whether there is some uncertainty relating to the significance of the contaminated land effects.

### **2.2.4 Water Quality and Drainage**

Table 9.10 provides criteria for assessing the magnitude of the predicted impact on flooding. The large and small impacts (both beneficial and adverse) require further explanation as currently the words “large” and “small” have simply been replaced with alternative terms, “significant” and “marginal”. Quantifiable explanations could have been provided represented by a range of return periods for flooding.

### **2.2.5 Air Quality**

Section 10.2.18 states that for 'calculating greenhouse gas emissions associated with transport of construction materials travel by road for an average distance from the nearest sources of aggregate, sand and cement', a distance of 50km is assumed. As the reviewers do not have local knowledge it is impossible to verify whether or not this assumption is realistic.

Section 10.2.62 states that 'the contribution of the scheme to tackling climate change has been assessed in the context of a 15% increase or reduction in net CO<sub>2</sub> emissions ... from the scheme, compared to the Do-Minimum option'. The ES should clarify what is meant by this statement as it is unclear how a 15% increase in net CO<sub>2</sub> emissions can be classed as a contribution to tackling climate change.

The ES includes an assessment of the population exposure to PM<sub>10</sub> within the Hastings Air Quality Management Area. A 1.4% reduction in 2010 PM<sub>10</sub> levels with the scheme is predicted, compared to the do minimum option (p 10-39, 10.3.60) and it is concluded that this is highly significant on the basis of the significance criteria provided in Table 10-A.4. The basis for the percentage changes as assigned to each level of significance should be described to enable the reader to understand why, for example, a 1.4% reduction in PM10 is significant.

Significance criteria for greenhouse gas emissions are provided in Table 10-A.9 (Appendix 10-A, p 10-A-16). These are based on changes from existing levels. Whilst this is the conventional approach to the assessment of any environmental effect, given that the UK stated policy on greenhouse gas emissions is a 60% reduction by 2050 with significant progress (26-32%) by 2020<sup>2</sup> one could argue that any increase should be considered to be of high negative significance as it is moving in the opposite direction to policy requirements.

Table 10.3 provides categories for sensitivity and magnitude of impact and demonstrates how these interact to result in a given significance level. Whilst the factors that are considered in determining magnitude and sensitivity are identified, the categories used are not defined making it difficult to see how and why impacts are attributed a given level of magnitude or sensitivity.

Sections 10.3.14 – 10.3.18 discuss the potential for construction dust to cause impacts to vegetation. It is stated that 'any impacts would be transitory in nature with rainfall assisting in reducing any detrimental effect' whilst this may be a reasonable assumption the ES could have identified whether any mitigation will be necessary during prolonged dry spells.

### **2.2.6 Noise and Vibration**

A number of properties have been used as representatives of local areas to provide a basis for assessing the noise impact of the development (p 11-12, 11.2.70). Information describing whether the local authority was consulted on the selection of the representative properties and their thoughts would be helpful.

Section 11.2.88 (p 11-16) indicates the Councils that have been consulted on the method used for the assessment of the impact of construction noise. A record of the comments or opinions of these authorities would be helpful to demonstrate that the assessment is in compliance with their requirements.

The ES states that a separate assessment for night time work has not been undertaken as no agreement with the local Environmental Health Officer has yet

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<sup>2</sup> Draft Climate Change Bill, March 2007

been reached on the nature and extent of night time works (p 11-25, 11.5.21). As this section implies that there is some potential for night work and the construction details also indicate that some activities will require work outside of regular working hours (p 3B-26, 3B.10.18), the worst case should have been assumed and a night time assessment should have been undertaken. Section 11.5.30 states that no significant night time noise impacts have been identified, but this should be placed in the context of no night time noise assessment being undertaken.

### **2.2.7 Nature Conservation and Biodiversity**

The ES provides a list of organisations consulted during the assessment of the nature conservation and biodiversity effects (p 12-8, 12.2.30). The purpose of consultation with English Nature, the Sussex Wildlife Trust and the Environment Agency is stated. An indication of the purpose and methods of consultation with the other groups listed would also be helpful.

Table 12.14 summarises the valued biodiversity resources and identifies their significance. The use of the term significance is confusing as it appears to actually relate to the importance of the resource rather than the significance of an effect to it. Furthermore the basis for evaluating Red List bird species as being of local importance in Table 12.14 should be provided. Table 12.1 provides definitions for the different levels of importance and Red Data Book species are only referred to with regard to species of international value, specifically to those that are threatened or rare. The species referred to may not be threatened or rare, but the reason for their presence on the Red Data list is that their populations are in sharp decline. There could therefore be a case for valuing them more highly as effects that contribute to this continued rate of decline could be considered to be more significant.

In order to compensate for the nature conservation and biodiversity effects of the development a large amount of replacement and compensatory habitat is being provided. The location and current nature conservation and biodiversity value of the areas to be used as replacement habitat must be identified. This is essential to demonstrate the value added by the replacement habitat and that the mitigation itself will not result in significant effects.

To mitigate the impact on bat roosts in buildings that will have to be demolished, the ES states that artificial bat roosts can be included in mitigation for the scheme (p 12-111, 12.6.44). A clearer commitment to the provision of the roosts would be helpful to ensure that they form part of the plans for the scheme.

Extensive commitments are made within the ES to the improved management of existing habitats and the active management of replacement and compensatory habitat. In order to demonstrate the delivery of these commitments additional information should be provided on additional resources to be provided for habitat management and the time period for which the commitment to ongoing management is valid.

### **2.2.8 Landscape and Visual Impact**

The 'sensitivity to change' evaluation criteria are provided in Table 13.5. The explanations of each of the classifications for sensitivity should provide a clearer indication of the factors that contribute to the sensitivity of the landscape. This approach would be consistent with the Guidelines for Landscape and Visual Impact Assessment (7.17) which are stated to have been used when undertaking the EIA. Despite the apparent weakness in the criteria, it is clear that a wider range of factors that contribute to sensitivity have been taken into account in evaluating the landscape (e.g. Table 13.10).

The evaluation of the sensitivity of the landscape generally shows some consistency between the evaluation of the quality and value of the landscape and the sensitivity. An exception is the South Slopes of High Weald which is stated to be of high quality and value, but is considered to be moderately sensitive to change (Table 13.11). A justification for this apparent inconsistency would be helpful.

### **2.2.9 Cultural Heritage**

Reference is made to further work required to clarify the archaeological potential of the land within the scheme (p 14-28, 14.4.5). It is intended that this is undertaken prior to a decision being taken on the planning application. This implies that the evaluation is important to decision making. Given this context clarification is required as to why the information has not been included in the ES. Given the proposal to provide the information after the publication of the ES clarification should also be provided that the additional information, when submitted, would be subject to the consultation requirements set out in the EIA Regulations.

### **2.2.10 Effects on Pedestrian, Cyclists and Recreational Users**

Section 15A.6.3 (p 15A-25) refers to the impact on the Crowhurst Shooting Club that will lose an area used for clay pigeon shooting. The ES states that the County Council will seek replacement land, but that none has been identified to date. Given this context, the assessment would have been more robust if the worst case had been assumed (i.e. no replacement land is provided) and the impact had been assessed as 'large adverse'.

### **2.2.11 Social and Community Effects**

The final section of this chapter provides a conclusion on the overall social and community effects of the scheme (p 15B-56, 15B.8.6). Clarification should be provided on the basis for coming to this conclusion. If it is the result of a systematic evaluation then the method used should be described. If, however, it is simply the opinion of the assessor then this should be clearly stated, as a minimum, and preferably should be omitted from the ES.

### **2.2.12 Combined and Cumulative Effects**

The ES provides a conclusion on the overall construction impact of the development. This would require a trade off between the different types of effects to reach this conclusion. As a minimum, the method for undertaking this should be described and the approach justified. However, as with the point made under 2.2.11 (above), if the conclusion represents the opinion of the assessor then it should be clearly stated as being an opinion.

## **3 Presentation of Results**

### **3.1 Presentation – C**

The information provided in the ES is presented in a clear and logical order. Illustrations, maps and diagrams are used to support the text, although it would have been helpful if these could have been provided adjacent to the text that referred to them rather than entirely separately from the text. Non technical language is

generally avoided and a glossary is provided to address the technical terms that are required.

The quality of the presentation is compromised by the length of the document, making it time consuming to read and difficult to assimilate all of the information.

Views from the road are addressed in the Traffic and Transportation chapter (Chapter 6). The criteria used for the basis of the assessment are to be found in the Landscape and Visual Impacts chapter (Chapter 13). To improve the navigation of the document it would have been preferable to have included the assessment of the view from the road in the Landscape and Visual chapter.

The tables that provide the significance criteria for the air quality assessment can be found in Appendix 10-A. Given that this is a critical element of the assessment process, it would have been helpful for the tables to have been included in the main document.

Section 11.5.10 (p 11-23) refers to Figure 11.37. However, this figure is not provided within the ES.

### **3.2 Objectivity - C**

The ES provides an objective account of the environmental effects of the proposed link road. The methods used for assessing effects are described and the bases for assessing significance are clearly stated. However as mentioned above either the method used to determine the overall conclusion on impact significance for each discipline should be provided or a clear statement identifying that it is based on professional opinion. The inclusion of this information would have enhanced the objectivity of the ES.

The objectivity of the document could have been further improved by providing a clear record of the responses of consultees to the scoping exercise. This would have provided a transparent demonstration of whether the ES fulfils the requirements of the consultees.

The ES should also provide a clearer indication of uncertainty in relation to the likely success of habitat creation and the outcomes of assessment work not yet undertaken (i.e. contaminated land and cultural heritage surveys).

### **3.3 Non-Technical Summary - C**

A Non-Technical Summary (NTS) has been produced. The document is presented as a stand alone document thereby facilitating a wider readership. The NTS describes the role of Environmental Impact Assessment (EIA), provides background to the project and identifies the project objectives before describing the project. Maps and figures are provided which illustrate the scheme. The alternatives that are considered as part of the project are outlined briefly within the NTS along with basic information on the construction phase.

For each of the environmental disciplines addressed within the ES a brief summary of the beneficial, neutral and adverse effects is provided within the NTS. The beneficial and adverse effects are not always reported to an equal extent within the NTS giving the document an unbalanced feel. For example, the noise section notes the total number of properties that will have a reduction in noise that is of minimal to slight magnitude as a result of the proposal (1740 properties) while only the number of properties that will experience a significant and major increase in noise are

identified (520 properties). To ensure that readers get accurate information on the effects of the scheme the information reported in the NTS should give a balanced account of the schemes effects. This means where minimal beneficial effects are reported minimal adverse effects are reported also.

Mitigation measures to be implemented as part of the scheme are described although on occasion it would have been appropriate for additional information describing proposed mitigation to have been included. For example, effects on agriculture and forestry are identified within the NTS but no indication provided on the extent to which these can be mitigated and the measures that are likely to be used to mitigate the effects.

## REFERENCES

1. Lee N & Colley R (1990), *Reviewing the Quality of Environmental Statements, Occasional Paper No. 24*, EIA Centre, University of Manchester and as updated by Lee N, Colley R, Bonde R & Simpson J (1999), *Reviewing the Quality of Environmental Statements and Environmental Appraisals, Occasional Paper No. 55*, EIA Centre, University of Manchester.
2. Commission of the European Communities (1985), *Directive on the assessment of the effects of certain public and private projects on the environment, (85/337/EEC)*, Official Journal of the European Communities, 175, Brussels; and as amended by the Directive 97/11/EC.
3. Department of the Environment (1994), *PPG23 - Planning and Pollution Control*, HMSO, London.

## **APPENDIX 1 – IEMA ES REVIEW CRITERIA**

### **1 General Criteria**

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

*The ES should describe the purpose and objectives for the development. The proposal and its need should be placed in the context of local/regional/national plans/objectives/ strategies. The anticipated time scales of construction, operation and (where appropriate) decommissioning of the proposal should be given. The likely methods of construction (techniques and equipment to be used) should be given where construction could give rise to significant impacts. In instances where the likely methods of construction are unknown the ES should indicate possible methods and adopt the worst-case scenario approach in prediction of related impacts. The description should include the physical characteristics of the proposal, including its location, the design and size of the development and the area of land take during construction and operation. The ES should describe the main characteristics of any production processes, for instance the nature and quantity of materials to be used. The description should be illustrated by the use of maps and/or diagrams. A brief outline of the experience of the operator and the operational process (es) that will be employed should be included within the ES. The ES should provide reasoned estimates for the quantities and type of traffic that will arise during construction and operation. Where materials are considered to be an important resource, the ES should describe and quantify the materials to be used. The quantities and types of residues and emissions generated at each of the above phases should also be estimated.*

#### **1.2 Site Description**

*The area of proposed land take should be clearly described and indicated on an appropriate map or diagram. The land uses on the site and the surrounding area should be described and illustrated. The ES should describe any policies, plans or designations that are relevant to the site and its surroundings. The study area should be consistent with the area potentially affected by the development. The description should place the affected land in the context of its surroundings. The ES should also describe how the affected land would be expected to develop without the proposal and the future status of the land in the absence of the project (e.g. is the site allocated for development or how would the conservation status change over time).*

#### **1.3 Scoping**

*The Environmental Statement (ES) should describe the scoping process that has been undertaken to identify key impacts. The description should include details of consultation with appropriate statutory and non-statutory consultees, including the public. The ES should identify those parties consulted and provide a summary of their responses. Where issues raised by the consultees are not to be addressed in detail in the ES, a reasoned justification for their exclusion should be given. The scoping process should identify those aspects of the environment that are likely to be significantly affected by the development (including in particular, population, fauna, flora, geology and soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors). The ES should also evaluate any direct effects and any*

*indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects, resulting from the existence of the development, the use of natural resources and the emission of pollutants, the creation of nuisances and the elimination of waste. The ES should clearly state what effects will, and what effects will not, be addressed and how this decision was reached, together with the spatial and temporal scope of the assessment. The ES should identify the regulations under which the EIA is required, and indicate whether it is also to be used to address other regulatory requirements (e.g. Appropriate Assessment under the requirements of the Habitats Directive, or as part of a Pollution Prevention and Control Application).*

#### **1.4 Consideration of Alternatives**

*The ES should describe the main alternatives to the proposal that have been considered. For example, alternative sites, construction practices, plant and equipment, operating processes and site layouts should be considered (where appropriate). The advantages and disadvantages of each option should be clearly stated. The main reasons for the selection of the preferred option should be described in outline, taking into account the environmental effects. Other factors influencing the choice of alternative should be noted, e.g. feasibility, cost-effectiveness and reasonableness of each option. If a formal option appraisal has been carried out it should be described and the relevant decision factors noted.*

## **2 Issue Specific Criteria**

### **2.1 General Comments**

#### **2.1.1 Baseline Conditions**

*The ES should describe the current condition of those aspects of the environment that are likely to be significantly affected by the development. An indication of how these aspects could be expected to develop if the project were not to proceed should also be given. Where existing data has been used to establish the baseline the source of the data should be identified in the ES. The ES should provide a clear description of the methods used to supplement existing information. Where possible, the data gathered should be expressed quantitatively. The baseline environment should be evaluated, for example in relation to its sensitivity and importance. This could be achieved by comparison to relevant threshold limits (WHO Limits, EU Quality Standards etc.) or by reference to appropriate environmental designations. Any limitations of baseline surveys should be recognised.*

#### **2.1.2 Prediction of Impact Magnitude**

*The predictions for the magnitude of the likely significant effects of the development should be identified in the ES. The magnitude of the impact should be predicted as a deviation from the established baseline conditions, for each phase of the proposal. The information and data used to predict the magnitude of impact should be clearly*

*described. Where there are any gaps or uncertainty, these should be identified. The methods used to establish magnitude should be clearly described and be appropriate and reasonable in relation to the importance of the impact. Where assumptions or unsupported data has been used in the predictions these should be highlighted and accompanied by an indication of the reliability/confidence of those assumptions or data. The data given should be quantified and levels of confidence in the estimates given. The ES should identify quantitatively the impacts that remain following mitigation. The ES should evaluate any direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects, resulting from the existence of the development, the use of natural resources and the emission of pollutants, the creation of nuisances and the elimination of waste.*

### **2.1.3 Impact Significance**

*The significance of all impacts should be assessed using the appropriate national and international quality standards limits (WHO Limits, EU Quality Standards etc). Where no such standards exist, the ES should describe the judgements (assumptions and value systems) that underpin the attribution of significance. The assessment of significance should consider the impact's deviation from the established baseline condition, the sensitivity of the environment and the extent to which the impact will be mitigated or is reversible. The range of factors which are likely to influence the assessment of significance should be clearly identified. The ES should also detail how these variables will affect the significance of the impacts over the life of the development. The ES should identify the significance of impacts that remain following mitigation.*

### **2.1.4 Mitigation**

*The ES should describe the measures proposed to avoid, reduce, and if possible, remedy significant adverse impacts. The ES should provide an indication of the effectiveness of the stated measures. The ES should demonstrate a clear commitment to implementing the mitigation measures and indicate how and when these measures will be implemented. Where there is uncertainty over the effectiveness, or it is dependent on assumptions, justification should be provided for the acceptance of the assumptions.*

### **2.1.5 Follow-Up**

*The ES should provide details of any management plans that are to be implemented to deliver mitigation measures and to monitor the environmental impact of the project. These should also provide details of the time scales of the management plans and their geographical extent. Where a management plan is to be integrated into an environmental management system, the ES should describe how this would be implemented. The ES should identify those responsible for the follow-up programme and describe how the results of such a programme will affect the proposal's operation.*

### **3 Presentation of Results**

#### **3.1 Presentation**

*The ES should be clear and logical in its layout and presentation and be capable of being understood by the non-specialist. The use of technical terms should be kept to a minimum, with a glossary provided. A full list of references should be provided. The inclusion of information not directly relevant to the nature of the proposal and its associated impacts should be avoided. Plans should be provided to assist in understanding the locations of impacts and should be labelled with all places mentioned in the text.*

#### **3.2 Objectivity**

*The ES should be a balanced document, providing an unbiased account of the environmental effects with reasoned and justifiable arguments. The ES should give appropriate prominence to both positive and negative effects relative to their importance. The ES should summarise the issues raised by consultees. The ES should be explicit in recognising areas of limitations within the ES, any difficulties that have been encountered and assumptions on which the assessment is based. How these have affected the ES and what measures were taken to limit them should be detailed.*

#### **3.3 Non-Technical Summary**

*The NTS should provide sufficient information for the non-specialist reader to understand the main environmental impacts of the proposal without reference to the main ES. The NTS should include a summary of the description of the development, the main alternatives considered, the aspects of the environment likely to be significantly affected by the development, the likely significant impacts and the mitigation measures to be implemented. The NTS should include or make appropriate reference to maps and diagrams which, at a minimum, illustrate the location of the application site, the footprint of the proposed development, and the location of relevant key features. The NTS should be provided as a separate, stand alone document to facilitate a wider readership.*

### **4 Recommendations**

*Any recommendations will be noted in this section. If the ES does not merit comment in this section, it will be deleted from the review. This section will be not be graded.*

## **APPENDIX 2 - INSTITUTE REVIEW GRADES**

- A** Excellent, no tasks left incomplete
- B** Good, only minor omissions and inadequacies
- C** Satisfactory despite omissions and inadequacies
- D** Parts well attempted, but must as a whole be considered unsatisfactory because of omissions and/or inadequacies
- E** Poor, significant omissions or inadequacies
- F** Very poor, most tasks left incomplete
- N/A** Not applicable. The review topic is not applicable or relevant in the context of this statement

## **APPENDIX 3 - REVIEWERS**

- Karl Fuller - Associate of the Institute of Environmental Management and Assessment
- Claire Pettit - Institute of Environmental Management and Assessment

## **APPENDIX 4 - DOCUMENTS REVIEWED BY THE IEMA**

- Environmental Statement – Volume 1 Main Report
- Environmental Statement – Volume 2 Appendices
- Non-Technical Summary