Appendix F

Construction Traffic Management Plan

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REPORT

Little Oakley Managed Realignment

Construction Traffic Management Plan

Client: Hutchison Ports (UK) Limited

Reference: PC2519-RHD-ZZ-XX-RP-Z-0016

Status: S1/P01

Date: 25 November 2021

Royal HaskoningDHV

Enhancing Society Together

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Appendix 1 Minutes of National Highways Meeting

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Executive Summary

Hutchison Ports (UK) Limited (HPUK) is intending to progress with the development of a container terminal facility at Bathside Bay (Bathside Bay Container Terminal (BBCT) in the lower Stour estuary, Essex, pursuant to planning permission 10/00202/FUL, granted by Tendring District Council (TDC) in February 2013. This planning permission authorises the reclamation of Bathside Bay and the construction and subsequent operation of a new 122ha deep sea container port facility (1.4km length quay) with associated rail terminal and buildings.

Related to BBCT, HPUK also submitted a planning application for works at the Small Boat Harbour (SBH) site to the east of BBCT.

Planning permissions 10/00202/FUL and 10/00203/FUL replaced earlier permissions (references 03/00600/FUL and 03/00601/FUL), granted in 2006, and extended the time limit for the implementation of the BBCT and SBH. The planning permissions expire on 29 March 2022.

In order to implement the BBCT and SBH consents a series of applications to discharge and vary planning conditions and obligations have been submitted to TDC. Discharge of conditions application reference 21/01625/DISCON validated by TDC on 20th September 2021 included a Construction Traffic Management Plan (CTMP) for BBCT.

To compensate for the impact of BBCT on nature conservation sites in the Stour and Orwell estuaries, off site compensatory measures are required. A proposal was developed for the managed realignment of coastal flood defences at Little Oakley in the Walton Backwaters ('the proposed scheme') located to the south of the Stour and Orwell estuaries, approximately 2.6km from Bathside Bay. An ES ('the 2003 ES') was prepared for that scheme (Royal Haskoning, 2003) and an application for planning permission was granted by TDC (reference 03/01200/FUL) ('the 2006 permission'). The 2006 permission expired in 2016.

HPUK will make a new application for planning permission for the same scheme at Little Oakley as previously authorised by planning permission 03/01200/FUL, together with a marine licence application for the licensable works. Through scoping discussions regarding the new application the need for a Construction Traffic Management Plan (CTMP) was identified by Essex County Council highways department.

The objective of this CTMP is to define a strategy to ensure that construction traffic at Little Oakley is managed and parameters (e.g. traffic numbers and routes) assessed within the BBCT Environmental Statement and Transport Assessment (TA) are managed and not exceeded. The Supplementary TA submitted in association with the variation of conditions application reference 21/01810/VOC validated on 20th October 2021 concludes that the assessments within the original TA remain valid.

As a worst case scenario the BBCT TA assessed the transfer of 100,000 m^3 of topsoil from Little Oakley by road. Since production of the BBCT documents, further review of the construction methodology at Little Oakley and BBCT has been undertaken. It is expected that any topsoil arising would be transferred from Little Oakley by sea.

This CTMP contains the control measures and monitoring procedures for managing the potential traffic and transport impacts of constructing Little Oakley. The scope does not extend to any works at BBCT and SBH, which are subject to a separate CTMP and planning consent.

The measures contained within this CTMP are proportionate with the scale of works to be undertaken.

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1 Introduction

1.1 Background

Hutchison Ports (UK) Limited (HPUK) proposes to develop a new deep-water container terminal at Bathside Bay (BBCT), adjacent to Harwich International Port. The planning application for the project was submitted to Tendring District Council in April 2003, reference 03/00600/FUL. The application was accompanied by an Environmental Statement (ES) and Transport Assessment (TA). A Construction Traffic Management Plan (CTMP) was also provided.

Connected to the BBCT, HPUK also submitted a planning application for works at the Small Boat Harbour (SBH) site to the east of BBCT, reference 03/00601/FUL. This application was also accompanied by an ES and TA.

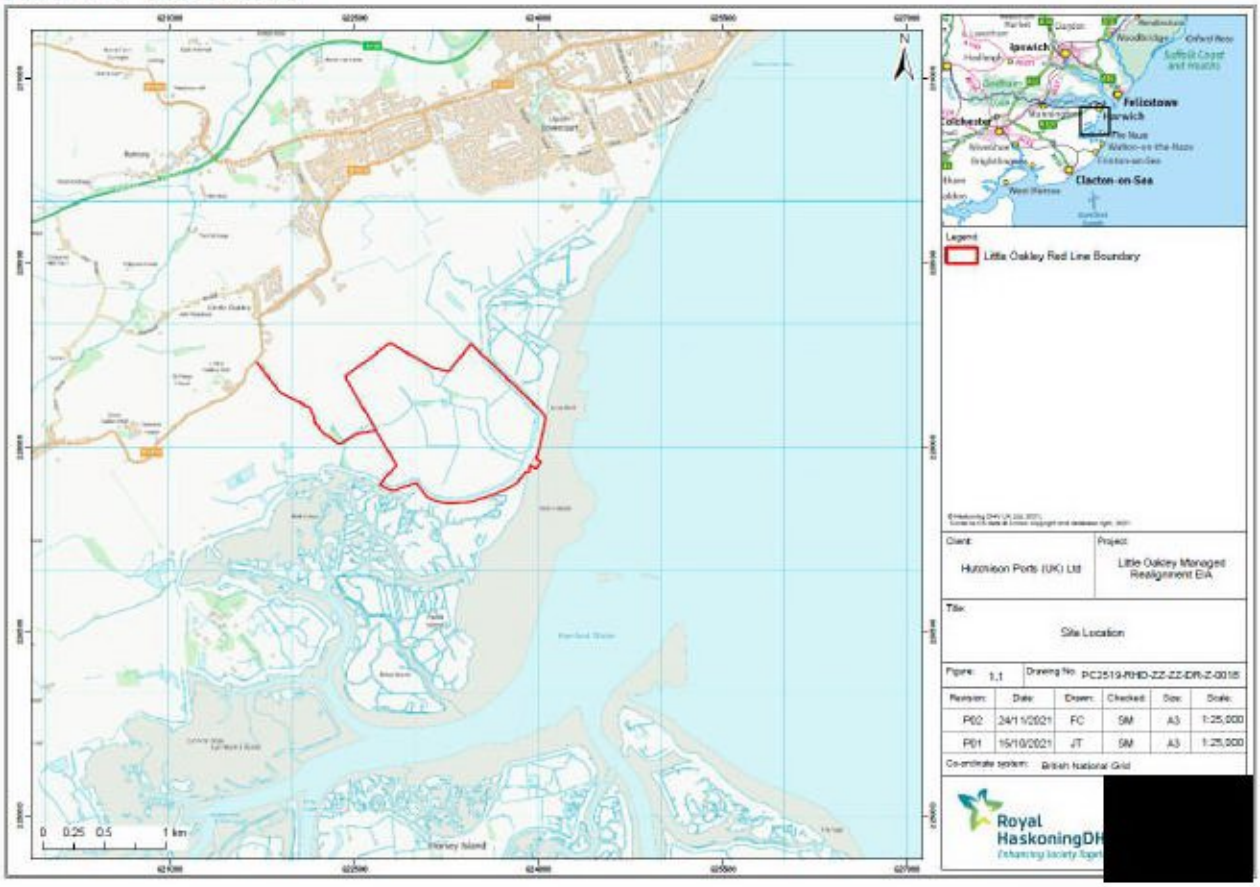
Planning consent was granted for the BBCT and SBH applications, subject to planning conditions and a section 106 agreement. Planning conditions included the provision of a further CTMP before commencement of construction. These original consents were subsequently replaced by 2010 applications for an extension of time, granted on 29 March 2011 reference 10/00202/FUL and 10/00203/FUL for the BBCT and SBH respectively. The latest consents require the developments to commence on or before 29 March 2022.

In order to implement the BBCT consent a series of applications to discharge and vary planning conditions and obligations have been submitted to TDC. An updated CTMP has been developed for BBCT, and submitted to TDC as part of an application to discharge pre-commencement conditions reference 21/01625/DISCON in September 2021. The BBCT CTMP sets a framework for the full discharge of the related conditions.

In addition to a CTMP, a Supplementary Transport Assessment (STA) was produced for BBCT and submitted to TDC as part of an application to vary pre-commencement conditions reference 21/01810/VOC in October 2021. The STA concludes that the anticipated traffic generation associated with construction of BBCT will not result in a severe highway impact, subject to implementation of the CTMP.

To compensate for the impact of BBCT on nature conservation sites in the Stour and Orwell estuaries, off site compensatory measures are required. A proposal was developed for the managed realignment of coastal flood defences at Little Oakley in the Walton Backwaters ('the proposed scheme') located to the south of the Stour and Orwell estuaries, approximately 2.6km from Bathside Bay (**Insert 1.1**). An ES ('the 2003 ES') was prepared for that scheme (Royal Haskoning, 2003) and an application for planning permission was granted by TDC (reference 03/01200/FUL) ('the 2006 permission'). The 2006 permission expired in 2016. HPUK intends to make a new application for planning permission for the same scheme as previously authorised by planning permission 03/01200/FUL, together with a marine licence application for the licensable works.

Insert 1.1. – Site Location



1.2 Document Purpose

This CTMP addresses the traffic impact of the proposed scheme at Little Oakley, as requested by Essex County Council highways department during scoping discussions. It accords with the framework set by the original BBCT CTMP and the updated CTMP submitted in association with application reference 21/01625/DISCON.

The objective of this CTMP is to define a strategy to ensure that the construction traffic is managed. By implementing the defined strategy the proposed scheme will not have a severe highway impact.

1.3 Document Scope

This CTMP contains the control measures and monitoring procedures for managing the potential traffic and transport impacts of constructing the proposed scheme at Little Oakley.

The CTMP reflects the proposed phasing of works at Little Oakley, with topsoil from the managed realignment stored on site during main construction. Once the scheme works are complete, topsoil will be transferred by sea.

For convenience, the document follows a similar structure to the BBCT CTMP. The remainder of this document comprises:

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- Section 2 provides details and outcomes of consultation;
- Section 3 describes the proposed development;
- Section 4 sets out the general measures to be used to mitigate the environmental impact of traffic associated with the construction of the project; and
- Section 5 gives information on more specific measures to be employed during construction.

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2 Consultation

2.1 Background

The 2004 BBCT CTMP was developed in consultation with a number of relevant organisations including:

- The Highways Agency (now National Highways);
- Essex County Council; and
- Tendring District Council.

After submission of the 2003 application, a Transportation Topic Working Group was convened to take forward all issues relating to landside traffic arising during the construction and operational phases of the proposed development. This group comprised representatives from the above organisations plus HPUK and the Strategic Rail Authority and consultants representing the various parties have also been present at meetings.

The existence of the Working Group facilitated the exchange of information on landside transport, and assisted in the preparation of the 2004 document. The Working Group will be reinstated to consider issues as the project is implemented.

National Highways and Essex County Council were reconsulted during the development of this CTMP and their specific comments are summarised below.

2.2 National Highways

A scoping meeting was held with National Highways on 11th August 2021 regarding BBCT, subsequent to the issue of a scoping note on 7th August 2021. Minutes of the meeting are included as **Appendix 1**.

National Highways noted that it only typically reviews CTMPs where traffic volumes are low if there would be a direct impact on the Strategic Road Network. The Little Oakley construction works were not expected to trigger this criterion.

HPUK committed to regular joint meetings with National Highways and Essex County Council (see Transportation Topic Working Group).

2.3 Essex County Council

Essex County Council highways department were consulted regarding the proposed scheme at Little Oakley as part of scoping for the Environmental Statement. The scoping response is included as **Appendix 2**. In summary their comments were:

"More clarification is needed on how construction traffic is going to gain access to the site. A Construction Traffic Management Plan should accompany the planning application which would report upon the following:

- Construction vehicles access arrangements, vehicle routing strategy, mitigation measures to be implemented (i.e. coordination and control of vehicle arrivals and departures, wheel washing, signage), locations of construction compound areas.
- In addition and prior to the commencement of any work on the site a joint inspection of the route to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and

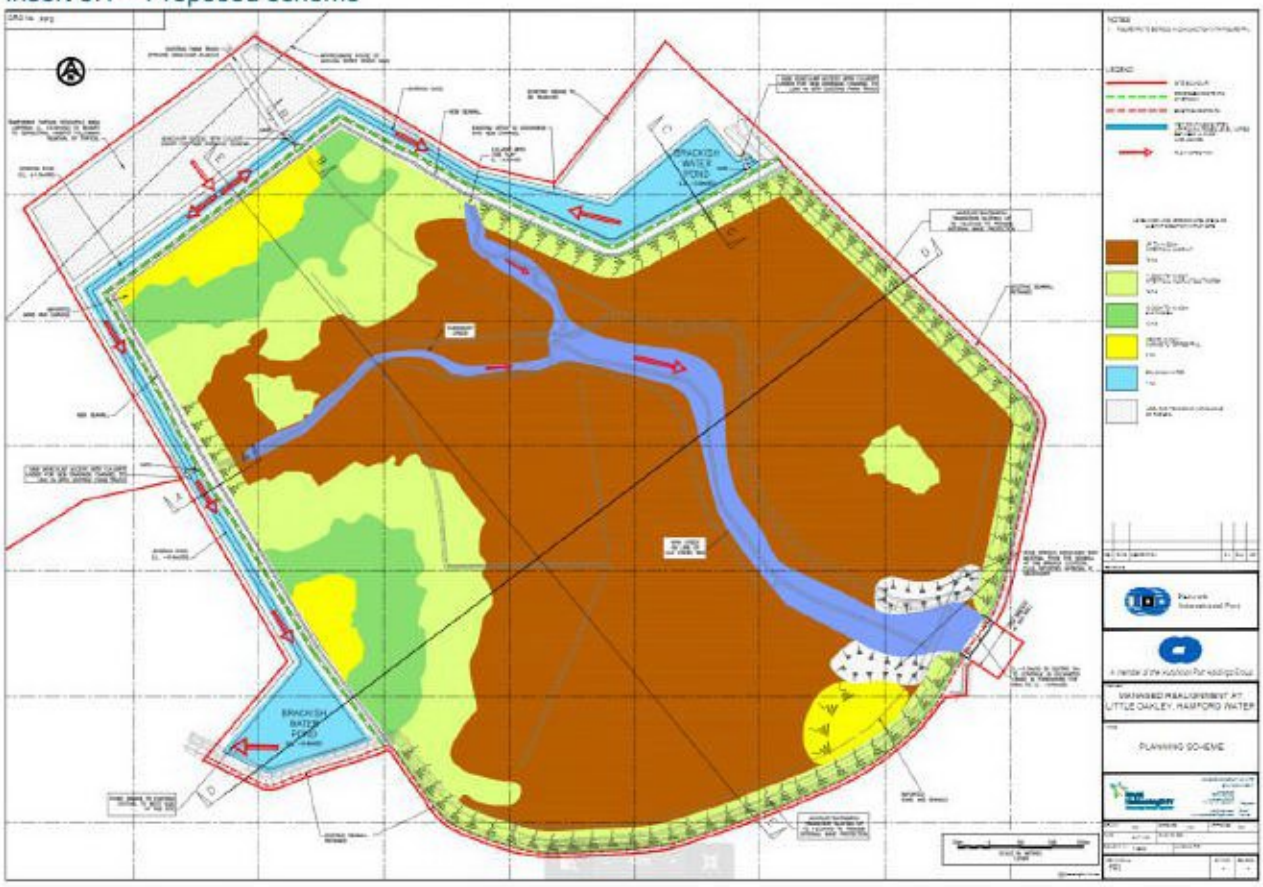
any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority.
- Plus, clarification on any temporary traffic management proposals required during the construction phase; such as: temporary road and/or PROW closures; temporary two-way/ three-way traffic signal requirements this can form part of the Construction Traffic Management Plan.
- Should a temporary construction access be required from the public highway, visibility splay details will be required together with swept path analysis drawings for construction traffic entering and leaving site."

3 Description of Construction Works

3.1 Introduction

This section provides a description of the works that would be undertaken during the construction phase of the proposed managed realignment at Little Oakley. Further detail is provided within the ES for the scheme. A plan of the proposed scheme is provided in **Insert 3.1**.

Insert 3.1 – Proposed scheme



3.2 Terrestrial works

3.2.1 Stripping of vegetation and removal and temporary storage of topsoil

Bushes, trees and vegetation within the site below the level of future high water spring tide would be stripped and burned. However, it is proposed that some wood is retained and stored for use to enhance the ecological interest of the new borrow dyke habitat. Any trees that are present in the area that would not be inundated would be left. Approximately 250mm of topsoil would be stripped from localised areas as required to adjust land levels and from beneath the footprint of the seawalls.

The exact areas for topsoil removal would be determined during the construction process, but generally it would be from within the area between +1.5 and +2.0mOD on **Insert 3.1**. It would be necessary to temporarily store this soil in the area shown on **Insert 3.1**. This would cover an area of approximately 7ha and form a pile up to 2m in height, which would be slightly higher than the crest level of the newly constructed seawall.

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3.2.2 Construction of the sea wall

A seawall would be constructed around the site as shown on **Insert 3.1** in order to protect the farmland surrounding the site from inundation. The height of the seawall has been determined based on two factors:

- The requirement to maintain the standard of flood defence provided by the existing seawall; and,
- The need to partially screen the realignment site from the footpath to limit disturbance to waterbirds (see below).

In order to satisfy the above, the crest height of the seawall has been set at the same level as the existing seawall (i.e. +4.5m OD). This gives a minimum height of around 1.5m. A geotechnical investigation of the ground along the line of the proposed seawall indicates that the ground conditions are reasonable, and the seawalls would be stable with slopes at 1 in 3.

A 1m deep cut-off trench would be formed beneath the centreline of the new seawalls and backfilled with compacted clay to prevent the transfer of water into or out of the site by old land drains or porous soil. Material for the seawall would be excavated from the landward side of the location of the walls. In doing so, borrow dykes and pond areas would be created to landward of the seawall. A strip of between 5m and 8m wide would be maintained between the borrow dyke and seawall to accommodate the footpath and to allow vehicular access for maintenance. At certain points, the ditch would be culverted to provide access and vehicle turning areas.

In addition to providing the material required for the construction of the seawall, the excavation would also generate material that would be placed against the inner face of the new and existing seawalls (i.e. within the realignment site). A slope would be created, rising from existing levels to +2.2mOD against the seawall, over a width of at least 30m; this is intended to provide some wave protection to the face of the new seawalls, by generating a fronting zone of saltmarsh. This would avoid the need to armour the walls on their seaward face.

The upper 250mm of soil would not be suitable for use in constructing the seawall as it is assumed that the organic content of this material would be too high. This soil would be removed and stored in the area for use in landscaping at Bathside Bay, locally on agricultural land and for facing the new seawall.

The outer face of the seawall (and the inner face above MHWS) would be seeded with local species.

3.2.3 Viewing platforms

During construction of the sea wall up to five viewing platforms will be installed along the length of the new sea wall to allow users of the footpath to view the developing realignment site. A set of shallow steps will be built into the landward side of the new sea wall leading to a viewing platform set into the bund to reduce skyline visibility and to deter access onto the top of the bund. The viewing platform will be constructed in such a way to maintain the structural integrity of the bund wall.

3.2.4 Borrow dykes (drainage channels)

There is an existing drainage system on the landward side of the seawall. Surface water from the surrounding area to the north and west drains into this system and discharges to the sea via an outfall to the west of the proposed realignment site. The Environment Agency advised that this outfall is 600mm in diameter with an invert level of -1.4 feet OD (approximately -0.4mOD). The existing channel stores the run-off at high tide to be discharged at low tide.

To the north-east of the site, surface water would drain into the new borrow dykes and pond which would flow through a culvert in the new seawall to enter the realignment site. The culvert would be fitted with a tide flap with an invert level of -0.4m OD. Water will then flow across the intertidal area and connect with the main creek that would flow along the line of the old creek that is present within the site.

To the north west of the site, water would enter the borrow dyke system and flow to the pond area at the south-west corner of the realignment site. Water would flow via this pond area to the existing 600mm outfall to the west and discharge as at present.

It is proposed that a physical connection between the existing and new borrow dykes and ponds would be maintained for a period of time in order to assist migration of plant propagules and aquatic invertebrates from the existing ditches. A forced (pumped) circulation system may be set up to assist this process. For example, water from the existing borrow dykes could be pumped into the new dykes and ponds. This will greatly enhance the colonisation of the new ditches with such species. Subsequently, the construction of the seawalls would be completed, thereby cutting off the existing borrow dyke system from the new system.

3.2.5 Excavation of a creek system

To facilitate drainage of the realignment site, it would be necessary to excavate a simple creek system in the lowest parts of the site. The majority of the creek would be within the existing old creek bed as this already forms the lowest part of the site and would run toward the breach location. The creek would extend to the proposed culvert in the new seawall in the east of the site which allows water to flow into the site.

It is proposed that a subsidiary (blind) creek would be created to facilitate drainage of the western part of the realignment site. This would drain into the main creek described above.

The excavation of a creek system has the advantage that it would control the location of erosion of the bed as the site fills and empties. As described, the creek system would be largely based on the existing system of drainage channels, with only minor deepening and widening required in places.

3.2.6 Placement of sand and shingle

Prior to breaching of the seawall approximately 6,000m^3 of sand and shingle would be placed at a depth of approximately 0.2m over an area of approximately 3ha above the level of MHWS tides at the back of the site. This material would be sourced from the dredging of the approach channel to Bathside Bay, from regular maintenance dredging undertaken in the Harwich approach channel or from a commercial source and would be pumped ashore from a dredger to an area just inside the seawall. This would then be transported to the back of the site.

Following the breaching of the seawall, a further 6,000m^3 of sand and shingle, covering an area of approximately 2ha, would be pumped behind the western wave break to form a mixed habitat of sand, gravel and mud similar to that found in certain parts of Bathside Bay.

3.3 Intertidal works

3.3.1 Breaching of the sea wall and construction of wave breaks

Following the completion of the construction of the seawalls and borrow dykes, the existing seawall would be breached at the location indicated on **Insert 3.1**. The breach would be created by the removal of a section of seawall approximately 70m long working from the top of the seawall down on neap tides. Construction would be undertaken from the landward side of the wall over the low water period. The central

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5m of the breach would be excavated down to an invert level of -0.5mOD, stepped up to a higher level at either side.

Immediately prior to creating the breach, wave breaks would be constructed using material excavated from the breach inside the seawall on either side of the creek. Space would be left within these structures to accommodate material arising from the excavation of the breach. The area of the site covered by the wave breaks would be approximately 2ha.

Existing seawall armouring from the breach area would be re-used to provide initial armouring to the exposed ends of the breach and the seaward face of the wave breaks. If necessary, additional armouring for the breach and wave breaks could be imported.

3.3.2 Excavation of a creek

Once the breach in the sea wall is completed the intertidal creek system created within the realignment site, would be extended across the existing intertidal foreshore seaward of the breach for a maximum distance of approximately 65m where it would reach a level of -0.5mOD and will aid drainage within the site. The width of the creek across the foreshore would be 5m and, therefore, the overall area of foreshore directly impacted due to the excavation of this section of the creek on the existing foreshore would be approximately 0.05ha (allowing for side slopes).

It is proposed that, in order to minimise impacts to the intertidal area, this works can be undertaken using land-based plant from within the footprint of the creek. The sediment arising from this works will preferentially be side cast, adjacent to the creek to be redistributed naturally by tidal currents, or will be beneficially placed within the realignment site.

3.3.3 Pumping of dredged mud into the realignment site

It is proposed that between 100mm and 200mm of dredged material (fine mud) would be pumped into the parts of the realignment site below MHWS. This equates to approximately 150,000m^3 of material. This material would be obtained from the regular maintenance dredging that is undertaken in the berths and approaches to Felixstowe by the Harwich Haven Authority (HHA).

The material would be pumped into the site following the breach. A small trailing suction hopper dredger would be positioned adjacent to the Hamford Water navigation channel and the dredged material would be pumped into the realignment site through a pipeline that would float on the water surface, lay across the foreshore at low tide and pass through the breach. Dredged material would migrate within the site following placement to form a level surface. It would be necessary to reposition the end of the pipeline periodically to target the placement of silt within different parts of the realignment site.

The approximate cargo for each dredger is 1,000m^3 and, therefore, approximately 150 cargoes would be required. It is proposed that 4 cargoes would be discharged per 24-hour period. The pumping of the mud into the realignment would, therefore, involve a dredger being positioned adjacent to the navigation channel intermittently for a period of approximately 38 days. The cargo of the dredger would be discharged over approximately 45 minutes.

In order to prevent significant outwash of silt from the site immediately following placement, it is proposed that placement would only occur in certain parts of the site. Furthermore, a network of small bunds (up to 30cm high) would be built within the site by land-based plant using in situ material in order help to contain the silt in certain areas, particularly areas away from the immediate vicinity of the breach where tidal currents would be strongest.

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3.3.4 Summary of quantity of material excavated and imported

Table 3.1 summarises the estimated total quantity of material that would be excavated within the site and the estimated quantity of materials that would also be exported from, and imported to, the site.

Table 3.1 Quantities of material excavated and imported

Activity	Quantity of material
Quantity of earth moving required	290,000m^3
Topsoil	100,000m^3
Imported silt	150,000m^3
Imported sand and gravel	12,000m^3
Imported rock or concrete armouring	To be determined during detailed design

In addition to the above, it would be necessary to import material for constructing the footpath around the site perimeter.

3.3.5 Details of construction plant

The vegetation within the realignment site would be removed using small to medium sized rubber tyred face shovels or tracked bulldozers.

The bulk of the excavation would be carried out by rubber tyred self-loading scrapers capable of skimming off thin layers, transporting and depositing material where required assisted by 360° excavators and bulldozers. Alternatively, 360° excavators could be used and these could load rubber tyred dump trucks for transport and deposit.

The breach would be constructed using two 360° excavators which would load rubber tyred dump trucks for deposit into the wave breaks.

Sand and gravel would be pumped out through a pipeline directly into the site. The pipeline would be moored to a pontoon on the northern side of the Hamford Water channel where it is wide and deep; therefore, the dredger would not obstruct use of the channel.

Mud would be pumped into the site using a small trailing suction hopper dredger in a similar manner described above for sand and gravel.

3.3.6 Programme for construction

Construction of the realignment scheme would commence subject to the discharge of consents being achieved for Bathside Bay and the commencement of marine works at Bathside Bay. Overall, the construction phase is expected to be completed within a maximum duration of 18 months. No works would be undertaken during the winter period because the ground conditions would be unsuitable.

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4 General Measures to Reduce Construction Impacts

4.1 Preamble

This section of the CTMP describes and commits to those general measures which are relevant to the Little Oakley Managed Realignment (LOMR) works. The review is set out under the original themes within the BBCT CTMP for ease of stakeholder review.

4.2 Works to Roads and Footpaths

4.2.1 Legislation and Guidance

The legislation set out in the BBCT CTMP remains valid, namely:

- Highways Act 1980;
- New Roads and Street Works Act 1991;
- Town and Country Planning Act 1990; and
- Traffic Management Act 2004.

The legislative framework outlined has informed the development of the measures set out in this works to roads and footpaths section.

4.2.2 Temporary and Permanent Road and Footpath Closures and Diversions

The LOMR works will require diversion of the coastal footpath. It is proposed that the permanent footpath diversion will be completed prior to closure of the existing route.

HPUK will consult with the Highway Authority with regard to the closure of roads and footpaths (Town and Country Planning Act 1990 (s.257) and Highways Act 1980 (s.137)) and the posting of notices informing local residents, businesses etc. After award of contract, it will be the contractor's responsibility to finalise consultations and obtain written consent from the Highway Authority.

4.2.3 Maintenance and Repair of the Highway

The contractor will be responsible for any damage caused by their activities to the Highway in the vicinity of the worksite (Highways Act 1980 (ss.148-151)) and will comply with agreed highway maintenance regimes.

Essex County Council's "Maintenance & Inspections Strategy: Carriageways, Footways & Cycleways", July 2019 defines the Council's maintenance regime. It is expected that the B1414 and B1452 are classed as the highest priority (PR1), with monthly inspections. At section 1.4 of the document defects that are likely to be a source of danger or of inconvenience to the highway user are defined, primarily as 50mm or greater changes from the designated level.

The scope of highway condition surveys will be agreed with Essex County Council and be undertaken by the contractor in the vicinity of the sites prior to the commencement of the works and after the substantial completion of construction works. The survey will most likely comprise of a Coarse Visual Inspection survey. The survey will include the agreed route along the B1414 and B1452 used by the construction traffic. Any damage to the existing road network as a consequence of LOMR will be repaired by the contractor or a financial contribution made to the highway authorities to cover the cost of remedial works.

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4.3 Avoidance of Nuisance

4.3.1 Legislation and Guidance

The legislation set out in the BBCT CTMP remains valid, namely:

- Highways Act 1980; and
- Environmental Protection Act 1990

The legislative framework outlined has informed the development of the measures set out in this avoidance of nuisance section.

4.3.2 Mud on Roads

Site roads will be kept clean and well maintained, as follows:

- Hard surfaced site roads will be dampened down with water bowers and sprays as required throughout the working day. The frequency of dampening down will be increased in periods of prolonged dry weather or during dusty activities.
- Any hardstanding areas will be cleaned daily using wet sweeping methods. The frequency will be increased during dry and/or dusty periods.
- Haul routes within the site and hardstanding will be visually inspected for integrity and condition and any maintenance undertaken as a result will be recorded within the site log book.

Wheel washing facilities will be provided at the site's point of egress to prevent the carrying of dust and mud off the site. All construction vehicles will pass through the wheel washing facilities. The wheel wash will incorporate a rumble grid to dislodge accumulated mud and dust and will be positioned so that there is an adequate area of hard surfaced road between it and the public highway.

4.3.3 Dust

All vehicles entering or leaving the site with loose or potentially dusty material will be adequately sheeted to avoid deposition of material onto the highway.

4.3.4 Responsibility for Enforcement

The contractor will be responsible for all HGVs delivering to, or exiting from, a worksite. HPUK will have a contractual arrangement with the contractor to ensure that all the measures set out in the CTMP are adhered to.

4.4 Vehicle Emissions

Vehicle emissions are regulated through the Road Vehicles (Construction and Use) Regulations 2002, and the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984 made under the Road Traffic Act 1988. Further amendments implement the European Directives on vehicle emissions known as the EURO standards, which remain in place with the UK's withdrawal from the European Union. The EURO standards set emission limits for several pollutants from different types of vehicles.

Construction vehicles will be required to comply with the EURO 6 standard. Drivers will be required to:

- Switch off their vehicle's engine when stationary to prevent exhaust emissions (and noise). An authorised person may request a driver to switch off their engine if they believe a stationary idling

offence (under reg.98 of the Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1806) is being committed. Failure to comply is an offence.

- Keep their engines in tune and their catalysts working efficiently.

In practice, emissions are controlled through the MOT. All vehicles used by contractors must comply with MOT emission standards at all times. Vehicle owners can be prosecuted if their vehicle emits substances in excess of the standards. The Vehicle Excise Duty (Reduced Pollution) Regulations 1998 enable HGVs meeting certain particulate emission standards to qualify for a Reduced Pollution Certificate.

4.5 Site Access

Vehicular access to the realignment site would be via an existing track which joins the B1414 to the west of Little Oakley.

HGV traffic to and from the site would be expected to route via the B1414 and B1352 to reach the A120 at the Ramsey Bridge roundabout. HGV deliveries would be scheduled to avoid peak school arrival and departure times (expected to be 0800 to 0900 and 1500 to 1600) to minimise potential conflicts.

4.6 Parking

There should be no day-time or overnight parking of lorries within the vicinity of any construction site, except with agreement of the Highway Authority in specified holding areas for lorries awaiting to deliver or remove materials to or from the site.

HGVs waiting to enter or leave the site must switch off their engines to avoid unnecessary engine noise and emissions.

Parking will be provided for personnel within the designated construction site, no parking on the public highway will be permitted.

4.7 Abnormal Indivisible Loads

The movement of Abnormal Indivisible Loads (AILs) if required, will be outside of the restrictions (identified routes, times) contained within this CTMP and will be subject to separate liaison with the highway authorities and police through the Electronic Service Delivery for Abnormal Loads (ESDAL) system.

The likelihood is that any AILs would be Special Types General Order categories 1 and 2, i.e. under 80 tonne gross vehicle weight.

The contractor will notify the highways authority and police through ESDAL and agree appropriate timings and routes appropriate to the type of load.

Royal HaskoningDHV

5 Site-Specific Measures

5.1 Overview

A number of site-specific measures have been developed from a consideration of the general measures described in Section 4, and from discussions with the Highway Authorities and the Local Planning Authority (both historic and recent).

The contractor will discuss and agree with the Highway Authorities a number of specific traffic mitigation measures before the works commence. These measures will be implemented as a matter of best practice to ameliorate the effects of construction activities. These measures are described below.

5.2 Sea Transport

HPUK intend that topsoil be transported from LOMR via barge. This will minimise impact on the road network, road users and the associated environment.

The contractor will also be encouraged to import / export other materials by sea, where this proves to be both feasible and cost-effective.

5.3 Construction Traffic

5.3.1 Personnel

As set out in Section 3, the construction works will be undertaken by excavators and other large equipment. The number of construction workers on-site will therefore be limited, and not expected to exceed 20 personnel per day. Given the limited number of personnel, it would not be proportionate to introduce controls to restrict personnel commuting to site.

5.3.2 HGVs

It is anticipated that HGV traffic associated with the LOMR works will primarily relate to the delivery and removal of construction equipment and plant.

5.4 Marking of Lorries

The registration numbers for all HGVs making deliveries will be recorded by the contractor. This will allow for checking and enforcement of any reported breaches of the agreed delivery routes.

The contractor will provide an 'identifier' that will be placed within the window of all delivery vehicles to enable residents to identify if an HGV is engaged on work on LOMR.

HPUK will also ensure that weighting is given to the selection of suppliers with GPS tracking. GPS tracking together with delivery records will serve to augment the unique identifier to allow the contractor to respond to any complaints and provide a complete evidence base.

5.5 Hotline Number

Information signs will be erected which will include a "hotline" telephone number for the public to report concerns. The contractor would manage this number.

Royal HaskoningDHV

5.6 Safety

All HGV drivers for LOMR will be formally inducted. The induction will establish a clear set of responsibilities that all drivers will be required to follow, such as:

- Timings;
- Clarification of approved HGV routes;
- Highway safety concerns;
- Adherence to speed limits; and
- Details of reporting accidents and 'near misses'.

5.7 Access Routes

The primary route for HGV traffic to access the LOMR site will be via an existing track which joins the B1414 to the west of Little Oakley, the B1414, B1352 and the A120. HGVs would head north-east on the B1414 and then turn left at the junction with the B1352. HGV traffic would then join the A120 trunk road at the Ramsey Bridge roundabout.

This HGV route has been carefully selected (based on a desktop study and previous consultation) to minimise the potential for adverse environmental impacts by avoiding weight restrictions and major sensitive receptors.

HGV traffic will not be permitted to use other local routes to access the site unless diverted in an incident or having prior permission of Essex County Council.

The main receptors in close proximity to the road network include residential properties along the B1414 and the B1352. Other sensitive receptors identified include bus stops, local shops and a pharmacy. While no schools are located immediately adjacent to the access route, the Two Village and Chase Lane Primary Schools are in close proximity.

An up to date log of all drivers will be maintained, to include a written undertaking from them to adhere to the Highway Authority's approved routes for construction traffic. In the case of non-compliance, the contractor and/or their sub-contractor(s) would be in breach of contract, necessitating disciplinary action against individual drivers.

The contractor will apply to the Highway Authority for approval for all temporary road signs on the public highway that indicate routes to the site.

To support the strategy to control HGV routes, each driver would be issued with a delivery pack. This pack would be a convenient size so that it can be stored in the cab and include the following information:

- A plan showing the delivery routes and the location of the site access;
- Details of appropriate lorry park, services and other designated overnight parking locations where drivers would be permitted to stop;
- A copy of the identifier to display in the HGV window; and
- Details of disciplinary measures for non-compliance.

Appropriate traffic signage would be installed to direct LOMR HGV traffic along the agreed route.

Compliance with the agreed HGV delivery routes will be subject to the monitoring and enforcement measures set out in Section 5.9 of this document.

5.8 Operating Hours

On-site working hours will typically be 0700 to 1900 Monday to Friday and 0800 to 1300 on Saturday. However, construction work is allowable outside of these hours, subject to controls on noise levels. It is the responsibility of the contractor to demonstrate how and over what timeframe they will conform with these conditions.

To minimise the impacts of HGV movements on the sensitive receptors, a daily operating profile would be agreed with ECC. It is anticipated that HGVs would not be permitted to use the access route from 0800 to 0900 and 1500 to 1600 during school term times.

5.9 Monitoring, Enforcement and Governance

The CTMP will be managed by the contractor. A nominated member of staff will be appointed as 'Logistics Manager' and will be responsible for the day-to-day organisation and monitoring of construction logistics for the sites for the duration of the LOMR works. The Logistics Manager will be responsible for regular liaison with key personnel at Essex County Council, local residents and groups.

The Logistics Manager will report to a representative from HPUK who in turn, will act as a point of contact for National Highways, Essex County Council and Tendring District Council for regulatory matters.

A key role of the Logistics Manager will be to undertake on-going monitoring. Principal data to be collected would be:

- Number of vehicle movements to the site;
- CTMP breaches and complaints; and
- Safety: Logistics related incidents.

These data will be collated and made available to stakeholders on request.

To ensure that the CTMP can be effectively enforced, it is important to define what will constitute a breach. For the LOMR works, the following actions will constitute a breach of the CTMP, whereby corrective measures will be required and will be actioned:

- Construction traffic leaving mud and debris on the highway;
- Construction workers not parking in designated areas or causing overspill parking on the public highway;
- Construction traffic operating outside of agreed hours;
- Construction HGVs not adhering to the agreed routes; or
- Construction HGVs parking on the public highway.

On receipt of a report of a potential breach, the Logistics Manager will investigate the circumstances and compile a report for the highway authority. The highway authority will review the information, request further clarifications (if required) and confirm to the Logistics Manager if a material breach has occurred.

Royal HaskoningDHV

If the breach is found to be material the following three stage process will be followed:

- Stage One – the highway authority highlights a potential breach and requests the Logistics Manager to review the data and concerns. The Logistics Manager would then agree the extent of the breach of controls, if it is material and agree action. This is likely to be a Contractor warning at this stage.
- Stage Two – If a further material breach is identified the Contractor would be given a further warning and required to produce an action plan to outline how the issue would be rectified and any additional mitigation measures proposed.
- Stage Three – Should further breaches still occur the Contractor would be required to remove the offender from site and the Contractor/ supplier would receive a formal warning. Any continued breaches by individuals of the supplier/ Contractor may be dealt with by the formal dispute procedures of the contract.

Individual employee breaches would be addressed through UK employment law whereby the three-stage process outlined above would form the basis for disciplinary proceedings.

The outcome of all breach investigations will be reported back to the highway authority by the Logistics Manager.

Appendix 1

Minutes of National Highways Meeting

Royal HaskoningDHV

Royal HaskoningDHV
Enhancing Society Together

Minutes

HaskoningDHV UK Ltd.
Mobility & Infrastructure

Present:	Eric Cooper, Highways England (HE) Andrew Cuthbert, AECOM (Technical support for HE) Emma Andrews, Savills Jane Albins, HPUK Phil Marshall, RHDHV Elizabeth Merrick, RHDHV
Apologies:	Andrew Ross, RHDHV Chris Stoneham, Essex County Council
From:	Phil Marshall
Date:	11/08/2021
Location:	Microsoft Teams
Copy:	
Our reference:	PC2519-RHD-ZZ-XX-MI-Z-0001
Classification:	Project related
Enclosures:	

Subject: **BBCT - Supplementary Transport Assessment Scoping**

Number	Details	Action
1	***Introductions and Apologies*** PM made introductions and apologies. The agenda of the meeting was explained. AC noted that moving forward his colleague from AECOM, Caroline Brooks, will be our point of contact for this project.	
2	***Planning Context*** JA gave a brief overview of the site's planning history, including the following; • The original application was submitted in 2006; • Some design work had been undertaken regarding the proposed off-site improvements; • A variation application was submitted in 2013 due to changes in the economic circumstances brought on by the 2008 economic crash; • The planning consent for the variation application was to end in 2021; • A judicial review in 2016 failed, which extended the planning by a year. Therefore, planning consent now ends in 2022; • The government have awarded Free Port East which included Bathside Bay; and	

Number	Details	Action
	• There is now an urgent need to implement the planning consent. **Action: Provide information regarding judicial review to HE**	**EA**
	EA gave an overview of the actions that will be taken as the planning consent is implemented; • Regulatory changes will need to be reflected in the masterplan • Some conditions will be discharged • A Section 73 application will be submitted to vary some pre-commencement conditions	
	PM presented the draft master plan. The following points were noted; • Changes to the masterplan will not lead to a change in HGV trips, however, HGVs leaving the site will now enter the SRN via the eastern arm of the 'Safeway' roundabout rather than the northern arm; • EA stated that Phase 1 will occur inside of the existing sea wall; • JA confirmed Great Anglia have not implemented a siding that was proposed; • Construction and Operation of Phase 1 will have a relatively low trip generation in comparison to the rest of the phasing.	
	PM gave an overview of Conditions that will need to be varied, as set out in the scoping note issued on the 7th August.	
	AC commented that the lack of definition for key terminology in the conditions could lead to confusion and a misunderstanding in what needs to be done to discharge a condition.	
	Action: Define key terminology used in conditions **Action: Justifications for changing conditions needs to be agreed upon by RHDHV, Savills, and HE** **Action: Provide full conditions and previous statement of common ground to HE**	**EA / PM** **PM** **EA / PM**
	It was highlighted that the mitigation works included in the conditions need to be reviewed as well as timeframes associated with the mitigations i.e. Condition 44 i).	
3	***Scope of Construction Traffic Management Plan (CTMP)***	
	PM introduced the 2004 CTMP and the link between the 2004 CTMP and the one that will be produced for this application.	

Number	Details	Action
	Due to the construction phasing, the present application's CTMP will be a working document to ensure that evolves through each phase.	
	Action: HE to review 2004 CTMP and note any comments.	**EC/AC**
	Other documents associated with the CTMP were also discussed. It was decided that due to the comparatively low proposed numbers of construction workers on-site during Phase 1, it will not be necessary to produce a Travel Plan for said workers.	
	AC noted that HE only typically looked at CTMPs where traffic volumes were low if there would be a direct impact on the SRN. The Phase 1 construction was not expected to trigger either of these criteria.	
	Action: clarify Construction Worker numbers and activities for Phase 1	**PM**
4	***Scope of Supplementary Transport Assessment***	
	PM noted that to assess the impact of the Phase 1 construction works it was proposed to compare construction traffic with A120 link flows derived from 2019 DfT counts and growth factors. It was expected this could demonstrate negligible impacts on the SRN for Phase 1.	
	AC informed us that an Essex county-wide SATURN model and a local VISSIM model (east of junction 28 to slip roads towards Clacton) were used in a recent planning application. These models may be suitable for use for BBCT. (We would need to be mindful as to whether BBCT is included in the model as a committed development).	
	PM noted that these tools would be investigated for applicability for the design of mitigation for the operational scheme. This would be separate from the STA and be used to satisfy the amended conditions.	
	A list of committed developments (including the Colchester Garden Community) needs to be established for modelling.	
	AC informed us that a new scheme called Pond Hall Farm has planning consent. Part of the application is a new roundabout on the A120. Although there are doubts as to whether the	

Number	Details	Action
	roundabout was designed with BBCT construction and operational traffic in mind. The application is available on the Tendring planning portal under ref. 14/01431/OUT and 19/00239/DISCON. EC noted that the HE Concrete Roads Programme includes the A120 and that existing road surfaces are likely to be built on top of rather than completely removed. The temporary impact of these works should be considered within the construction programme for BBCT. Although EC is unsure of the delivery programme. **Action: HE to provide details and a timeframe in association with the expected resurfacing of the A120 as part of the Concrete Roads Programme** EC and AC advised using crash data up to February 2020, and the best way to identify clusters is to use CrashMap, and then local authority data to get more detailed data. PM suggested that to establish a crash baseline RHDHV should use CrashMap to compare any identified 1999-2003 cluster locations and causes, to any identified 2015-2019 cluster locations and causes. AC and EC agreed that the collision study area up defined in the scoping note should be extended to also include the route HGVs will take from the soil reclamation site to the BBCT site. AC informed RHDHV that a safety issue east of A120/A133 was identified as the cause of multiple crashes. The issue has now been addressed through the provision of a new roundabout, and therefore any crashes caused by the safety issue should be excluded from the review. **Action: HE to identify any changes to the SRN that have occurred between 2003 and present**	**EC/AC** **EC/AC**
5	***Next Steps*** The following items were identified as requirements by HE to ensure the project's timeline is met; • A need for regular joint meetings with Essex County Council; and • A need for an agreement tracker.	

Number	Details	Action
	Action: To provide an agreement tracker to attendees of this meeting	**PM**
6	***AOB***	
	EA shared that the deadline for the discharge of conditions and S73 applications is the end of September 2021.	
	AC and EC were concerned with the limited timescales but will be on hand to discuss technical work in advance. EC and AC were keen to maintain dialogue and sought to review any technical work possible in advance of planning submission.	
	AC and EC recommended that an HGV booking system is used for BBCT construction traffic	

Appendix 2

Essex County Council Scoping Response

Royal HaskoningDHV

Tendring
District Council

Planning
Council Offices
Weeley
Essex
CO16 9AJ

Emma Andrews - Savills
33 Margaret Street
W1G 0JD

Please ask for Matthew Lang
[redacted]

Our Ref: 21/01165/EIASCO

2 September 2021

Dear Emma,

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017: REGULATION 15 SCOPING OPINION REQUEST

APPLICATION NUMBER:	**21/01165/EIASCO**
PROPOSAL:	**Managed realignment of coastal flood defences.**
LOCATION:	**Hamford Water, Little Oakley**

This letter constitutes the District Council's Scoping Opinion in relation to an Environmental Impact Assessment that is to be undertaken for the above proposed development, and is made following the submission of your request under 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs).

The Scoping Opinion outlines the matters that the District Council considers should be addressed by the Environmental Impact Assessment (EIA) and included within the Environmental Statement (ES) that is to be prepared to accompany the planning application.

The opinion has been prepared by Tendring District Council within the terms of its duty under the above Regulations. The purpose of scoping is to identify the matters which should be covered in the environmental information in support of an application for permission and, in particular, to identify the matters which are of most importance so that these can be addressed in an appropriate manner, in the environmental studies. This opinion has been informed by the contents of the submitted Managed Realignment at Little Oakley, Hamford Water Environmental Scoping Report and consultation comments (including those of the statutory consultees).

Notwithstanding attempts to be as comprehensive as possible, as provided by the Regulations, this opinion shall not preclude the Council from subsequently requiring the applicant to submit further information in connection with the planning application when it is submitted. The ES must be amended in the light of new issues and new information that might arise during the processing of the application. The scope of the EIA must be flexible enough to allow new issues which emerge during the course of the environmental studies, or as a result of proposal changes or through consultations, to be incorporated.

The Council is broadly satisfied with those Environmental Parameters Scoped in and Scoped out of the ES as detailed within Table 5.1 of the submitted Environmental Scoping Report. The Council also agrees with those areas likely to give rise to significant environmental issues, and being;

- Estuarine and coastal hydrodynamics
- Marine and estuarine ecology
- Waterbirds and seabirds
- Terrestrial and freshwater ecology
- Archaeology and cultural heritage
- Tourism, recreation and local community
- Land drainage and coastal defence
- Information for the Habitats Regulations Assessment
- Cumulative Impact Assessment
- Water Framework Directive Compliance Assessment

I would however draw your attention to the following specific comments from consultees on areas within the Scoping Report;

Natural England

Natural England have reviewed the submitted Environmental scoping report (Royal Haskoning DHV, 21 June 2021) and note the scope and level of detail proposed for the environmental statement will draw heavily on the surveys and assessments undertaken in support of the 2003 Environmental Statement (ES) (Royal Haskoning), which supported an authorised planning permission application (03/1200/FUL) for the same scheme.

Supporting surveys and data

Natural England supports the undertaking of bespoke waterbird surveys for the overwintering period in 2021/2022 to help assess the current use of the realignment site and to augment the data gathered from the Wetland Bird Surveys (WeBS). However, they advise that a Phase 1 survey undertaken in spring 2021 is unlikely to sufficiently update the original 2003 ES and a full suite of surveys would be required to inform an EIA nearly 20 years later, or the applicant will need to demonstrate that the original data is still fit for purpose.

Hamford Water is a dynamic hydrological area and changes can be rapid and impactive. Whilst, the passage of nearly 20 years may not have changed the topography on the landward side of the project area, the hydrodynamics and sedimentological regimes could now differ on the seaward side. Data and assessments used to predict impacts from this project need to be robust, evidence based and current.

Natural England advise that water quality and suspended sediment concentrations should be scoped into the Environmental Statement and any likely impacts on interest features and supporting habitats should be considered, and should include any increase in pollution risks resulting from both construction and operational phases of the project.

Legislation has developed since the original application (e.g. People Over Wind Ruling by the Court of Justice of the European Union) and consideration needs to be given to the impact of these changes in the assessments being undertaken.

Compensatory measures vs planned realignment

Natural England note that the project includes compensation for the proposed Bathside Bay development, compensation for impacts on designated/supporting habitats within Hamford Water SAC/SPA/Ramsar/SSSI areas, and an additional area forming part of the 2010 Shoreline Management Plan. Clear identification of the percentage area forming compensation for Bathside Bay, impacts on designated habitat, and the area proposed for the epoch 2 realignment at Little Oakley should be made.

Coastal Path

The diversion of the Public Right of Way will impact the newly designated England Coast Path including any 'spreading room' areas. Consideration needs to be given to the impact on and from the diversion of the England Coast Path. This is likely to require separate consideration and revision of the associated England Coast Path Habitats Regulations Assessment. The Natural England Coastal Paths team will need to be involved in discussions.

Other Relevant Matters

In the recent 25 Year Environment Plan, the Government has committed to making sure the existing requirements for net gain for biodiversity in national planning policy are strengthened and the current trend of biodiversity loss is halted. This approach is likely to be supported by the forthcoming planning policy guidance. Currently most developments still result in biodiversity loss. Natural England therefore advises that each development reverse this trend and deliver net gains in biodiversity.

Natural England strongly recommends that this strategy achieves a net gain for biodiversity and we advise that a biodiversity metric is used that would be relevant to each local authority. This approach would ensure that your authority will have met its duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Royal Society for the Protection of Birds

The RSPB seeks assurance that the Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) scoping will address the requirements for the compensation scheme at Little Oakley set out in "Deed relating to Bathside Bay Container Terminal, Little Oakley Managed Realignment and the Conservation (Natural Habitats & c) Regulations 1994" dated 15 October 2004 (between Harwich International Port Limited [HIPL], the Harwich Haven Authority, the Environment Agency and English Nature (now Natural England).

The Deed (and associated Compensation, Mitigation and Monitoring Agreement [CMMA]) sets out the legal obligations in respect of the Little Oakley compensation site, including its aims, objectives, targets, timings of breach in relation to the impacts on Bathside Bay, monitoring and future management, as well as the establishment of an Advisory Group to be consulted by the regulators. Any proposal by HIPL to update the detailed objectives set out in the CMMA (section 3.2.3) would rely on the acquisition of up to date information in respect of the use of Bathside Bay by SPA/Ramsar waterbirds and only on the basis of advice by the Regulatory Group and Advisory Group. This could be relevant to the nature of any waterbird survey work required under the EIA and HRA.

Environment Agency

Flood Defences

The works will involve breaching defences maintained by the Environment Agency. The Environment Agency need confirmation that they will no longer be expected to maintain those defences and that the Environment Agency will not maintain any defences/structures/main river watercourse channels created by the managed realignment. Confirmation that the landowner is in agreement with the changes to our maintenance regime is also required, if this is not Harwich International Port Ltd.

The Environment Agency would need to be provided with detail of the layout of the managed realignment site, as well evidence that these works will not increase flood risk to others.

Drainage

It would appear the realignment will likely split the drainage of Foulton Hall Ditch between Southall Sluice and Strachen Sluice, which may affect and interrupt drainage during and after construction. Details are given on page 24 of the report, but we would need clarification of how the applicant intends to manage the issues that may be caused during and after construction for instance are they going to modify the watercourses sluices or build a new one.

Environmental Permitting

In accordance with The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016, Schedule 25, Part 1, these works may require a Flood Risk Activity Permit. The applicant should apply for a Bespoke Flood Risk Activity Permit. Information about Flood Risk Activity Permits, and application forms, can be found here; https://www.gov.uk/guidance/flood-risk-activities-environmental-permits. Please submit these forms, or any questions about a FRAP at this location to FDCCoastal@environment-agency.gov.uk.

Ecology

The realignment scheme has potential to deliver replacement habitat for Bathside Bay but care should be taken to ensure that any habitats that are created are sustainable for the long term. Whilst it is understood that existing levels have to be worked with and mudflat is the largest habitat to be replaced there is great scope to deliver niche habitats for rarer species here too with little additional cost. Shingle habitat is being proposed to be incorporated near the new seawall on the west side and it would be a great opportunity to design this in a way that provides ideal habitat for terns and other shingle nesting bird species. Care would have to be taken to avoid disturbance of rare species in this new proposed replacement habitat. Further erosion should be avoided and gentle gradients will make seawalls much more sustainable and much less likely to exacerbate erosive forces and ricochet the damaging energy elsewhere. Whilst new footpath users will want some wide views of new habitat this should be designed carefully to prevent unnecessary visual disturbance to birds on the new intertidal area.

Council's Trees and Landscaping Officer

The Environmental Scoping Report submitted in relation to the managed realignment of coastal defences and habitat creation appears to make provision for the future and detailed consideration of all landscaping and associated impacts of the development proposal on the existing local landscape character and varied habitats.

Historic England

It is for the local authority to determine whether an EIA should be prepared for the proposed development. Historic England considers the historic environment to represent a potentially significant issue in EIA terms, and we recommend the historic environment should be 'scoped in' to their assessment. We consider that the results of the assessment exercise should result in a specific Cultural Heritage chapter of the ES.

Historic England Advice

The proposed application site covers a large area of agricultural land to the southeast of the village of Little Oakley and to the south of Upper Dovercourt. The development has the potential to impact upon both designated and non-designated heritage assets and we have noted the development is potentially within the setting of one scheduled monument, to the east of the scheduled monument known as 'Heavy Anti-aircraft gunsite 350m north east of Little Oakley Hall' (LEN: 1019486).

There is also one Grade II* listed building within 2km of the centre of the application site (St Mary's House, LEN: 1112098) as well as seven Grade II buildings within 2km of the centre of the site.

The EIA Regulations 2017 require EIAs to identify, describe and assess in an appropriate manner the direct and indirect significant effects of the proposed development. The assessment will need to be carried out in accordance with established policy and guidance, including the National Planning Policy Framework (NPPF), the Planning Practice Guidance and Historic England's Good Practice Advice.

The impact of the proposed development on the setting and significance of the designated heritage assets will require a robust assessment. A detailed heritage impact assessment will be required to support the application - to 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 works on the significance of the designated heritage assets.

Whilst standardised EIA matrices are considered in some planning practices to be useful tools, we consider the analysis of setting (and the impact upon it) as 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 the cultural heritage chapter.

The EIA 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 the LVIA provide heritage specific viewpoints with both photographs and photomontages that illustrate the ES and support the results of the heritage assessment - with regards to the key designated assets mention above. We recommend the key viewpoints for analysis are agreed with stakeholders in advance. If these are to be presented in the Landscape and Visual chapter, then the assessment needs to be clearly set out and cross referenced with the heritage chapter.

The setting of heritage assets is not however just restricted to visual impacts and other factors should also be considered in particular noise, light, traffic and assessments. Where relevant, the cultural heritage should also be cross-referenced to other relevant chapters, and we advise that all supporting technical heritage information (e.g. deskbased assessments, reports etc.) are included as appendices.

Given the designated heritage assets within close proximity of the proposed site, we would welcome further discussions with the applicant in order to refine the approach to the scope of the EIA, to the assessment, enhancements and mitigation. Likewise, the local Conservation Officer will need to be consulted in relation to the built environment.

We also note the potential impact on non-designated heritage assets within the redline boundary, which includes the remains of at least ten 'red hills', which are the remains of Bronze Age, Iron Age and/or Roman salt-making sites along the coastal zone.

These have not been the subject of previous systematic archaeological investigation. We would also recommend that any assessments include the potential for deposits of palaeoenvironmental interest to be preserved. If present, remains could be preserved, such as plant macrofossils, insect remains, pollen, diatoms and foraminifera, which provide information about the landscape and environment, and how this may have changed over time.

It is noted that the proposed development would result in some areas of the site being inundated. The impact that this may have on archaeological deposits should be considered as the flooding could impact the soil chemistry and, therefore, the preservation conditions of the archaeological deposits and remains. The effects are likely to be site specific and relate to the geology, topography, the composition

of the archaeological deposits (aquifers vs aquitards), the composition of the archaeological remains and frequency of inundation (i.e. periodic or sustained).

We strongly recommend that the applicant involve the District Council's specialist advisers on archaeological matters and we recognise that they are best placed to provide advice on non-designated heritage assets and to give advice on how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment, and of any required mitigation measures. We would welcome the opportunity to provide advice and guidance relating to the archaeological assessment and proposed mitigation measures.

We consider the historic environment to represent a potentially significant issue in EIA terms, and we would recommend the need for further work to support the publication of an ES. Consequently, a detailed assessment will be necessary to fully consider the impact on the historic environment. This should include assessments of how the proposed development may alter the preservation conditions of archaeological deposits.

Essex County Council Place Services – Archaeology

The proposed application for managed realignment follows an earlier application from 2003 for which a Desk Based Assessment and walkover survey was completed. There are a number of recorded archaeological sites on the HER within the proposed site boundary and surrounding area and the area was identified within the 2003 DBA as one of high archaeological potential. The site is known to contain multi-period archaeological remains, many of which will be impacted upon by the proposed development. The archaeological remains known to exist within the site boundary reflect the changing nature of the coastal zone and its use as a resource since prehistoric times and also human exploitation and manipulation over time until the postmedieval periods when the areas were reclaimed. Many elements of this history are likely to be preserved below ground and include the existing sea wall. The DBA and walkover survey concluded that at the time of the survey the character, extent, condition, and in some cases the precise location, of the archaeological remains within the scheme could not be defined without further field evaluation.

The application proposes to submit a DBA in support of the application to assess the potential impacts of the proposal. The DBA will need to be updated and will need to be supported by further assessment of the known, and unknown archaeological remains that lie within the site boundary. An air photo and LIDAR assessment would facilitate more accurate determination of the location of any features identified as cropmarks, in addition a geophysical survey suited to the soils would be able to locate any red hills that are not visible as above ground features. Both these techniques, in conjunction, would allow more accurate identification of the location and extent of known archaeological features and identification of any unknown features such as agricultural buildings, sea walls and counterwalls, and possible prehistoric sites.

A programme of targeted trial trench evaluation may be required based on the results of the AP survey and geophysical survey to establish the nature and complexity of the surviving archaeological deposits. This evaluation would enable due consideration to be given to the archaeological implications and would lead to proposals for preservation in situ and/or the need for further investigation

The impact of the scheme on these features would need to be considered in terms of inundation and waterlogging of archaeological sites, this would need to be considered on a monument by monument basis as each will have varying responses to the proposed change of environmental conditions.

The following would be recommended for inclusion with the EIA application:

Desk Based Assessment, Aerial Photographic Assessment and Geophysics Survey with targeted trial trench evaluation.

Marine Management Organisation

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Essex County Council Highways

- This project would indeed impact on the England Coast Path which at this location follows FP19 Little Oakley along the top of the seawall. However, when the government approved the ECP scheme they knew that the route would have to adapt over time.

- Therefore, their main concern would be that the new footpath route was put in place and opened for public use before the existing one is closed off. In fact this will have to happen for use of the TCPA not to be invalid. To that end dealing with the PROW should be one of the first things they do once planning is in place.

- They understand that there may need to be short periods during the construction phase when no footpath route was available around the site but can we seek to ensure that any such periods are kept to an absolute minimum?

- The ECP and connection to the Essex Way are very important to the PROW team and this elevates the PROW above the ordinary.

- The PROW team process TCPA orders for TDC so the logistics should be there to effect that without too much issue once planning permission is secured.

More clarification is needed on how construction traffic is going to gain access to the site. A Construction Traffic Management Plan should accompany the planning application which would report upon the following:

- Construction vehicles access arrangements, vehicle routing strategy, mitigation measures to be implemented (i.e. coordination and control of vehicle arrivals and departures, wheel washing, signage), locations of construction compound areas.
- In addition and prior to the commencement of any work on the site a joint inspection of the route to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority.
- Plus, clarification on any temporary traffic management proposals required during the construction phase; such as: temporary road and/or PROW closures; temporary two-way/ three-way traffic signal requirements this can form part of the Construction Traffic Management Plan.
- Should a temporary construction access be required from the public highway, visibility splay details will be required together with swept path analysis drawings for construction traffic entering and leaving site.

General Environmental Statement Content/Appropriate Assessment

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- 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, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets,

including the architectural and archaeological heritage, 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 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.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g. designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on the website https://designatedsites.naturalengland.org.uk/

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites, and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

The development site is within the following designated nature conservation sites:
- Hamford Water SSSI, Hamford Water SAC, Hamford Water SPA, Hamford Water Ramsar.
- Further information on the SSSIs and their special interest features can be found at https://magic.defra.gov.uk/.

I hope you find the information above helpful, however if you have any queries please contact me.

Yours sincerely

Matthew Lang
Planning Officer