

BRIEFING NOTE 01(v3)

West Southwater and Malinslee Link

Environmental Statement Review

December 2009

1.0 Introduction

- 1.1 This briefing note covers the headline issues with respect to our review of the RPS Environmental Statement (ES) for 'Land at West Southwater and Malinslee Link, Telford' October 2009.
- 1.2 A planning application has been submitted for redevelopment of West Southwater (full planning application for *the erection of superstore (ASDA), petrol filling station, car parking, servicing and associated landscaping and access including realignment of part of Southwater Way*) and the Malinslee Link site (outline consent for circa 79 dwellings).
- 1.3 One ES has been submitted for both of these applications. This note focuses on West Southwater application. We have also provided comments in relation to the Malinslee Link part of the ES. For clarity we have provided separate comments on the two applications, where possible.
- 1.4 This note provides:
- Commentary in respects to compliance with the EIA Regulations;
 - General comments highlighting the main concerns in relation to the scope, quality and compliance of the ES (set out for each technical topic covered in the ES). Reference has also been made to Institute of Environmental Management and Assessment's (IEMA's) ES Review Criteria. For this section we have dealt with the West Southwater (ASDA) and the Malinslee Link applications separately.
- 1.5 Overall it is considered that in a number of areas the ES is deficient, as it does not comply with the EIA Regulations. There are also numerous omissions and errors throughout the document, we have not included all of these within this note but rather highlighted the key issues.

2.0 Compliance with the EIA Regulations

- 2.1 The RPS ES for 'Land at West Southwater and Malinslee Link, Telford' October 2009 does not fully meet the requirements of the EIA Regulations. The following provides commentary on the key failings of the ES, pertaining to the West Southwater site:
- i) The alternatives section does not meet the EIA Regulations which requires the ES to include '*An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects.*' Evidence is available on the negotiations between ASDA and Telford Trustee No.1 and Telford Trustee No.2 in relation to options on the Trustees landholdings. We would also refer to comments below in the 'Alternatives' section of this note.
 - ii) The description of the proposed development is lacking and is not considered to fully meet the requirements of the EIA Regulations which require '*Description of the development, including in particular..... a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases.*' For example, no description is provided of the construction and demolition phase/s, limited information is provided on the PFS (nothing provided on the size of proposed petroleum storage or its design). In respects of the completed development, the reader is therefore required to read the ES alongside the development plans, when the ES should be a standalone document. Furthermore, no justification is provided as to why, in this instance, the development is taken to mean both the application at West Southwater and

the Malinslee Link application. In regard to the Malinslee Link application, the description is inadequate as it fails to provide even the minimum information required for outline planning applications (refer to the Malinslee Link Site Description / Description of the Proposals section of this note and further comments to be provided by Drivers Jonas on this application).

- iii) The non-technical summary (NTS) is overly technical and not written in plain English. For example, the noise section states '*In line attenuators and an acoustic louvre screen to the roof top plant.....*'. Additionally the significance of impacts is provided in an annex, rather than within the NTS document itself, and in a tabular form, which appears to be a direct copy of the main text of the ES, without suitable modification for the likely reader of the non technical summary.
- iv) The EIA Regulations require '*An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information*'. Whilst some of the technical studies do highlight some difficulties (for example in the Air Quality Chapter it is explained why it has not been possible to verify the air quality model), a number of difficulties are identified in this note which should have been highlighted in the ES. It is our view that the assumptions / approach taken in the EIA to address these difficulties should be clearly stated in the ES. For example, the assumptions in respect of what would happen to the existing ASDA store and PFS once they cease to operate and the store is vacated has not been clearly defined and it is unclear what has been tested in the EIA.
- v) There are also a number of areas where technical data which supports the assessments has not been provided which could arguably be a non-compliance with the EIA Regulations. Most notably noise calculations and monitored data recorded at existing ASDA facilities have not been provided. The socio-economic chapter is also lacking in data to substantiate the assessment; (however, in this case rather than omitting to include such data within the ES, the assessment has not actually made reference to any data).

2.2 The above points are also relevant to the Malinslee Link site. Additionally, and rather significantly, as the parameters that have been assessed for the outline application are not set out in the ES, we are unable to ascertain if the 'likely significant environmental effects' of this development have been fully assessed.

3.0 Other Matters

Floor Space – Current Telford and Wrekin Offices

- 3.1 The ES does not state the existing total floor area of Telford and Wrekin Council office accommodation (which we understand is approximately 9,000m² with 860 employees) which will be lost from the West Southwater site as a result of the ASDA proposals.
- 3.2 A key assumption that is made within the ES is that the existing offices will be relocated prior to the commencement of works on the West Southwater site. However, the proposed site for the relocated offices has not been identified and, to our knowledge, no application has been made for the new office site to date. Therefore no information has been provided on the effects of the loss or gain in office floorspace in the area and other associated indirect effects. We would normally expect this information in order that the likely environmental impacts associated with the change or loss of land use can be identified and assessed.
- 3.3 Furthermore, it is not clear what assumptions have been made in the ES with regards to the relocation of the Council offices and therefore what has been tested in the ES. Clearly if the office accommodation cannot be delivered prior to the expiry of the existing ASDA lease (2014), this then would have implications for the West Southwater proposals and the ES. Furthermore, it could be argued that the relocated office scheme application is part of a wider a more substantial development, given it is undeniably linked to the delivery of the West Southwater (ASDA) scheme (refer to the Circular 02/99: Environmental Impact Assessment, as amended). Therefore we are of the view that the ES should have given consideration to the office relocation scheme.
- 3.4 We would expect that the socio-economic assessment would provide a calculation of the likely change in levels of employment, based on the existing and proposed floor areas and land uses.

However, the number of employees lost from the site has not been considered in the West Southwater ES as only the scenario of the 'relocation' of the TWC offices within the Town Centre has been considered. Given that this application does not commit to providing alternative accommodation, it is hard to see how relocation can be relied upon. Indeed it is somewhat harder to appreciate how the provision of the relocated offices could result in a *moderate benefit* with respect to employment, as reported in the RPS ES (paragraph 11.6.12). In any event, a 'replacement' is unlikely to result in a moderate beneficial effect. Therefore, it is considered that in the absence of an identified replacement site, the assumption and the basis of the assessment is unsubstantiated.

- 3.5 As noted above, recently three major applications have been submitted to TWC; West Southwater (ASDA), Malinslee Link Residential scheme and East Southwater (TWC and SEG). None of these schemes provide replacement office accommodation for the Council offices. Whilst office accommodation is provided in the East Southwater application no commitment is given to its potential end user or occupants.

Assessment of Separate Applications

- 3.6 The ES provides, for the majority of the environmental topics, an assessment of the ASDA application, an assessment of the Malinslee Link residential development application and then an assessment of the two developments. Commentary is provided on the significance of the effects for each application separately and is generally presented clearly. However, in some instances this has not occurred. For example, the air quality chapter does not differentiate between the construction effects of the two sites. It is believed that the commentary provided addresses the scenario that both sites are constructed simultaneously, although as no construction programme details are provided this is unclear. Furthermore, the significance of the demolition and construction effects is not stated for either application.
- 3.7 As noted earlier the description of the Malinslee Link outline application is deficient. Therefore it is unclear what has been tested in the ES and if this is adequate.
- 3.8 As noted elsewhere, it is unclear why the ES has assessed both the West Southwater and Malinslee Link planning applications.

Cumulative Impacts / Assessment of the West Southwater and Malinslee Link Applications

- 3.9 This note does not comment on the defects in the retail assessments submitted with the ASDA application already identified in Drivers Jonas' letter to the Council of 16 November 2009. In particular the ES fails to assess the serious impacts which would result from the likely scenario whereby no replacement supermarket operation reoccupies the existing ASDA unit if ASDA relocates to the Civic Offices site.
- 3.10 The approach to the cumulative assessment is lacking. Information on the proposed construction programme / phasing of each of the developments is not set out clearly within the ES. This is important as often the most significant impacts from urban development arise during demolition and construction phase, especially if the construction programmes from more than one development should overlap.
- 3.11 Generally the ES provides an assessment of the West Southwater application, Malinslee Link application and then the combined effects of both of the applications. However, no justification or reasoning is provided for why the EIA has assessed the combined effects of West Southwater and Malinslee Link applications (and no other developments).
- 3.12 The majority of the chapters have not provided sufficient assessment of the scenario that the construction programmes for the West Southwater and the Malinslee Link developments overlap. Generally the ES repeats the 'stand alone' impacts of each of the developments. As such there is no change in the magnitude or duration of the effects described, nor is any justification provided as to why there would be no change. It is considered that the assessment reported in the ES is unlikely to be a true representation of the environmental effects should both developments be constructed at the same time. For example, it would be likely that the noise and dust effects would be increase in both duration and magnitude.

- 3.13 Conversely if the Malinslee Link application was constructed first, a scenario would arise whereby new residential receptors would be present during the construction of the West Southwater scheme. The ES has not considered this scenario. The ES does not provide any information on the likely phasing or justification for not considering this scenario. Further, no commentary has been provided on the likelihood that the West Southwater scheme could be delayed due to the need to decant the civic offices. In the absence of any justified reason for excluding this scenario, it is considered that the EIA should have considered the effects on the new residential receptors at the Malinslee Link site, which could be the 'worst-case' construction scenario for some assessment such as air quality and noise.
- 3.14 Cumulative effects with any other developments are not considered within the ES. There is no commentary to describe if there are any other schemes which could give rise to significant cumulative effects. As previously mentioned it is surprising that the proposals for new civic offices are not considered. Given the need for this scheme to be completed in order for the ASDA site to be delivered, it is considered that these applications are linked and the ES should have considered the likelihood of cumulative effects of both of these schemes.

Consideration of 2016 Opening Year

- 3.15 The ES provides insufficient detail with respect to the proposed opening date of the ASDA, or indeed the Malinslee Link site. As stated above, no information on the construction programmes or phasing is provided within the ES. Given the use of 2014 traffic data it is assumed that this is the proposed opening year, although this has not been explicitly stated in the ES. No indication of the reasonableness of a 2014 opening year this assessment is given. It is clear that the ASDA site is reliant on the construction of the replacement TWC offices. The implications of this on the assumed construction programme have taken this into consideration.
- 3.16 The socio-economic effects only seem to consider the relocation of the ASDA, and there is no consideration of the possible scenario that ASDA (temporarily) ceases trading within Telford Town Centre, if the opening date for the new store extends beyond 2014. Such a scenario would have significant impacts with respect to socio-economics, both directly (employment) and indirectly (loss of only large food store in Telford Town Centre).
- 3.17 In relation to the air quality and noise, the 2016 completion (opening year) traffic flows are unlikely to result in a change in terms of the significance of effects (notwithstanding issues identified by PBA with respect to the traffic model used). However, the interim scenario would be likely to have very different traffic flows and effects, at both local and potentially county level. Changes in the assessment of traffic flows and effects would therefore also have implications for the air quality and noise assessments.

4.0 Commentary on ES Review

West Southwater

Ch 1. Introduction (and Methodology)

- 4.1 No overall methodology is provided for the ES. We would expect this to include information pertaining to the 'screening' (determining the need for EIA) and 'scoping' of the ES. Whilst formal 'screening' and 'scoping' is not required by the EIA Regulations, it would be expected that some commentary on these important stages of the EIA process is provided within the ES. The 'Introduction' chapter does include some text on the need for EIA, but it is inconclusive as to why an EIA is required for this particular scheme and does not explain why an EIA has been undertaken. No commentary is provided on the overall scope of the EIA. Without this commentary, it is difficult to see how the scope of EIA was determined. It should however be noted that a number of chapters do provide some details in respect of the specific scope of technical assessments (for example the ecology assessment does include an explanation of the ecology scoping exercise undertaken, albeit the associated reports and correspondence are not included within the ES).

- 4.2 In accordance with best practice, details of consultation undertaken during the EIA should also be provided in the ES. Based on the information provided within the ES, there is no evidence that any consultation with the public, and that only limited consultation with statutory stakeholders and TWC has been completed. However, the covering letter to the West Southwater application states that extensive pre-application consultations have been undertaken. If this was the case, it would be expected that the scope of the EIA would have been discussed and agreed with TWC.
- 4.3 There is no detail on the approach to the applications, and why in this instance the on ES has been prepared to cover both the West Southwater and Malinslee Link applications. In the absence of knowledge of the inter-relationship between the schemes the ES becomes difficult to determine the adequacy of the ES.

Ch 2. Site Description / Description of the Proposals / Alternatives

- 4.4 The description of the sites is insufficient. It does not provide the area of each site. It does not properly address existing uses (TWC offices), indeed floor areas for proposed landuses are not given on the planning application form (and presumably the applicant would have had the information available to them). In addition, the issue of land ownership is unclear; this should be stated and / or illustrated on a plan. The drawing accompanying this chapter does not show the full extent of the boundary of the sites and the redline boundaries are not sufficiently clear. Indeed only one boundary is shown which encompasses both sites, rather than showing the two application sites individually.
- 4.5 The description of the proposed ASDA store is lacking and does not allow the potential environmental effects to be easily identified (omissions include; opening hours, heights of buildings, materials, proposed ground levels, retaining walls, acoustic fencing, landscaping, highways improvements, drainage, and details of the construction process/programme).
- 4.6 Given that the ES assesses two applications, it would be reasonable to expect that the description sets out the inter-relationship between these applications, and the approach to the assessment of the likely environmental impacts (i.e. the approach to the 'cumulative' impact of the two developments). It is also considered that commentary should have been provided on the assumptions related to 'replacement' TWC civic offices.
- 4.7 The EIA Regulations 1999 (as amended) require '*An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects*'. The ES is considered deficient as no information on environmental effects has been provided in relation to the alternatives discussed. The ES does make reference to the retail sequential test. However, the alternative sites considered / identified and the reasons for the applicant's choices are not clearly stated in the ES. Alternative layouts and designs are alluded to, but none are set out in the ES, although it is noted that these are identified and discussed within the Design and Access Statement. As stated above, we understand that evidence is available on the negotiations between ASDA and Telford Trustee No.1 and Telford Trustee No.2 in relation to options that ASDA considered on the Trustees landholdings.

Ch 3. Planning Policy

- 4.8 Whilst it is not considered that this chapter necessarily needs to be included with the ES, the planning policy chapter lacks objectivity and is considered to be overly favourable of the scheme. Some planning policy, notably Annex to PPS1 is omitted.

Ch 4. Transport

- 4.9 This ES chapter has numerous omissions. The ES chapter does not provide any significance criteria relating to any road user other than vehicles, and that the significance criteria which have been identified are not then used in the assessment. Indeed some impacts are not assigned any significance whatsoever. Furthermore, the assessment focuses on traffic with pedestrians, cyclists and public transport largely ignored. There is some lack of consistency with other chapters particularly in respect to the movement of waste, proposed cut and fill balance on the site, and removal of materials off site during construction operations.

- 4.10 PBA have provided comments detailing technical problems with the Transport Assessment and traffic model separately. These comments would also relate to the ES chapter.
- 4.11 Reference should be made to the 'Ground Conditions' section of this note which raises questions over the reasonableness that a 100% cut and fill balance (including the use of demolition arisings) can be achieved on site. This would therefore have implications for the assessment of construction traffic.

Ch 5. Flood Consequence and Drainage

- 4.12 The significance criteria defined in this ES chapter are not consistently applied in the assessment. Limited detail is provided on, and no commitment made to, the provision of SuDS and attenuation measures. This is considered deficient for a detailed planning application. For example, consideration is given to the use of permeable paving, however, the planning application drawings show 'tarmac' to be employed across the car park surface. The implementation of permeable paving should be stated in the landscaping proposals (possibly identified as porous asphalt), and we would anticipate this detail being provided at this stage of the planning process. The assessment poses a number of options for mitigation; however, without firm commitment the significance of impacts reported cannot be justified. There is no consideration of the PFS in a number of sections of this assessment, particularly pertaining to contamination of surface waters, in for example an accidental spillage.

Ch 6. Landscape and Visual

- 4.13 It is unclear how the viewpoints were identified, or whether they were agreed with TWC. In the absence of visual information showing the proposals (e.g. computer generated images such as verified visual photomontages or wirelines) it is rather difficult to appreciate the impacts that are assessed or to justify the reported effects.
- 4.14 Certain details of the development are set out in this chapter that are not included in the development description, including for example details of the acoustic fence. It should be noted that a 3m acoustic fence is stated, however this is shown as 4.5m high on the planning application drawings.

Ch 7. Air Quality

- 4.15 The significance criteria provided for the construction phase defines levels of risk rather than significance. Further, the significance criteria provided are not considered to be particularly relevant as it refers to 'London' as a threshold as part of the criteria. In addition, the significance of construction effects are not reported in the ES (for either application).
- 4.16 Consideration has not been given to the scenario that the Malinslee residential scheme is completed and operational while the ASDA is being constructed which would be the 'worst-case' in respects of air quality and therefore should have been assessed.
- 4.17 A reasonable assessment of air quality impacts related to traffic emissions from the completed development is provided (although reference should be made to the comments by PBA on traffic model/data). However, the assumptions / scenarios tested are questioned (refer to comments elsewhere in this note related to the construction programme, phasing of the developments and the TWC office relocation). As previously discussed there is no consideration of any other opening year other than 2014.
- 4.18 The air quality model used was not validated in accordance with best practice, which is a serious error. Suitable monitoring should have been completed to enable validation to be undertaken, and as a result of this omission the results should not be relied upon.

Ch 8. Noise

- 4.19 Further detail of the development, over and above that in the description of development section, is set out in this chapter, including that pertaining to the service yard and hours of operation. However, it should be noted that there are inconsistencies with respect to the height of the acoustic fence, both

3m and 4.5m being stated within this chapter. Paragraph 8.5.21 states 505 car parks are proposed which is inconsistent with other sections of the ES which state that 500 spaces are proposed.

- 4.20 It is unclear how both the monitoring locations and the receptor locations have been selected. There are inconsistencies in relation to the numbering on the plans and the chapter making this assessment difficult to understand, for example no location 3 is shown on the plans.
- 4.21 The significance criteria identified in the methodology are not used in the assessment. Therefore the significance of the impacts reported is not defined.
- 4.22 There is no assessment of construction impacts whatsoever. Such an assessment should include consideration of the scenario that Malinslee Link development is completed and occupied while ASDA is constructed (which would represent the worst-case scenario).
- 4.23 The calculations given for plant, car park activity and loading activity are not provided, which means that they cannot be checked for reasonableness. However, some of the results appear questionable. Further, the methodology for deriving these results is also questionable, as is the applicability of the results obtained from other sites to the assessment for the West Southwater development proposals. Therefore the impact significance identified for these noise sources is questionable.
- 4.24 As with the air quality assessment, the assumptions / scenarios tested are questioned. There is no consideration of any other opening year other than 2014.
- 4.25 It is noted that at paragraph 8.6.2 it is recommended that a condition is placed on Malinslee Link application in respect of noise attenuation. It is unclear how these applications are linked and if this is reasonable.

Ch 9. Ecology

- 4.26 The Phase 1 habitat plan is missing the relevant detail (i.e. the habitats are not shown). Notwithstanding this the chapter provides a reasonable assessment of the impacts. Adverse impacts are predicted at the site level, following mitigation. There is some question whether a breeding bird survey should have been completed given that the site supports suitable habitat for breeding birds; we believe that this should have been the case. Other surveys appear comprehensive.

Ch 10. Ground Conditions

- 4.27 No significance criteria have been provided for this chapter and the significance of impacts are not reported.
- 4.28 The scope of the assessment is insufficiently detailed. No detailed risk assessment has been completed and therefore it is not possible to say whether soils and materials are suitable for reused on the ASDA site. The ES has assumed that 100% of demolition and construction arising will be reused on site and that a cut and fill balance will be achieved (including the use of all of the demolition waste arisings). This assumption has also been applied for the traffic, air and noise assessments. It is noted that the Construction and Waste Statement, which does not form part of the ES, states that there will be a cut and fill balance with 11,000m³ of cut and 11,000m³ plus 6,000m³ of demolition waste to be used as fill. This assumption is unlikely to be reasonable given the risk for contamination and the uncertainty over the suitability of soils for reuse. With the above omissions, it is therefore not possible to determine if the 'worst-case' likely significant impacts arising from encountering contaminated materials has been assessed.
- 4.29 The instability of the Spout Mound is noted in the assessment and risks associated with landslide are reported.
- 4.30 There are numerous inaccuracies and omissions within the chapter, and a number of conflicts with other assessments, for example the increase in impermeable areas is reported as being beneficial, but the waste resources and flood risk chapter states that SuDS are proposed. Whilst both situations could indeed be possible, there is insufficient information in the ES to determine the mechanism for this and therefore associated environmental effects.

Ch 11. Socio-economic

- 4.31 No significance criteria have been set out and therefore it is difficult to see how any of the significance of the impacts were derived. The methodology is woefully lacking. For example, a simple calculation of the economic construction impacts has not been undertaken.
- 4.32 Sections / terminology in this assessment do not appear to relate to the subject site - 'City' is mentioned numerous times in the chapter, as is 'proximity to nearby ports'. Much of the text is overly subjective.
- 4.33 As previously stated, the loss of office accommodation from the site is not addressed. The ES only considers the replacement of office accommodation elsewhere in Telford Town Centre. However, no site has been identified and no planning application submitted for the replacement offices, therefore it is questioned if the relocation within the Town Centre can be relied upon. Effects on the existing ASDA and PFS need to be considered. As with other chapters, there is no consideration of a delayed opening of the new ASDA store and the implications that the existing store could cease to operate in 2014.
- 4.34 There is no assessment of the likely impact the development would have if no new supermarket retailer is prepared to invest in the town centre as a result of the Asda development securing consent.

Non-Technical Summary

- 4.35 This document is insufficient, and does not constitute a non-technical summary of the ES, by the nature of the use of technical language. Indeed it stretches to almost 30 pages, largely it is a direct copy of the conclusions from the main text. There are also examples of complex sentence structure and excessive sentence length (refer to paragraph 5.3 of the NTS).
- 4.36 Additionally the significance of impacts is provided in an annex, rather than within the document itself, and in a tabular form, which appears to be a direct copy of the main text of the ES, without suitable modification for the likely reader of the non technical summary.
- 4.37 In line with the main text, the description of the development is not sufficient to aid the understanding of the proposals.

Presentation

- 4.38 An ES should be a clear and logical document, minimising technical terms and provided with a full reference list, glossary and clear plans and figures. Given the ES attempts to consider two applications, without setting out the inter-relationship of these, or indeed providing a clear rationale and methodology it becomes a rather cumbersome document that is difficult to read.
- 4.39 The plans included are of a poor quality in general, with some significant omissions. Black and white copies provided where the technical information is illegible (such as figure 5.1 and 5.2). The redline boundary is not accurate on many drawings. Some plans are of such poor quality it is impossible to see what they are illustrating.

Objectivity

- 4.40 An ES should: be a balanced document providing an unbiased account of the potential environmental effects; provide a summary of consultee responses; and, be explicit in identifying limitations and difficulties. From the above comments it is clear to see that this ES falls far short of best practice in this respect.

Cumulative Impact

- 4.41 No explanation or justification is provided in relation to the approach to the cumulative assessment. As stated above the ES does consider the both the West Southwater and the Malinslee Link schemes. No other schemes are considered cumulatively, although it is stated that the traffic data does sufficiently cover this for the operational phase. It is considered best practice to include consented schemes as well as other reasonably foreseeable schemes. It is unclear why, in this case the Malinslee Link application was considered in combination with the West Southwater application, but no consideration was given to other planning applications in and around Telford Town Centre.

Malinslee Link

- 4.42 In addition to the above, there are a few key issues which have been identified with respect to some of the Malinslee Link site assessments. These are set out below. It should be noted however, given the absence of scheme information and the rationale for inclusion of this development in the EIA, this review is limited.

Ch 2. Site Description / Description of the Proposals / Alternatives

- 4.43 The description of the Malinslee Link proposals are grossly insufficient, indeed it is not clear what is being applied for and what the assessments have been based on. Further to this Figure 2.2 shows a layout for the residential development, however, it is unclear if this represents what is being applied for, and whether this is what has been tested in the EIA.
- 4.44 The description of the development fails to describe the minimum information required by The Town and Country Planning (General Development Procedure Order) (GDPO) for an outline application, namely:
- *'Use – the use or uses proposed for the development and any distinct development zones within the site identified.*
 - ***Amount of development** – the amount of development proposed for each use.*
 - ***Indicative layout** – an indicative layout with separate development zones proposed within the site boundary where appropriate.*
 - ***Scale parameters** – an indication of the upper and lower limits for height, width and length of each building within the site boundary.*
 - ***Indicative access points** – an area or areas in which the access point or points to the site will be situated.'*
- 4.45 For this reason, the outline application description is considered insufficient to form the basis of a robust environmental assessment.
- 4.46 No form of alternatives assessment has been undertaken for the Malinslee Link site. Given the numerous areas identified for housing in the local planning policy, it is considered reasonable that other sites may have been considered.

Ch 6. Landscape and Visual

- 4.47 It is unclear what parameter the assessment has been based on. It appears the assessment is based on the layout as given in Figure 2.2 of the ES. However, based on the information provided in the ES, the heights of buildings are unknown so it would be difficult to justify the findings of the assessment on this basis.

Ch 7. Air Quality

- 4.48 The potential sensitive receptors identified on the Malinslee Link site only account for the illustrated layout, not any other potential layout possible under an outline consent. We are unable to determine if this is adequate in the absence of information on the outline planning application.

Ch 8. Noise

- 4.49 In this chapter it is stated that the Malinslee Link development will have all bedroom windows facing inwards, not towards Southwater Way. It is unclear how this has been determined for an outline application. Indeed this would present the developers with a significant challenge, and it is not considered wholly reasonable.
- 4.50 As with the air quality assessment, the potential receptors in the Malinslee Link site only seem to cover a specific layout and we are unable to determine if this is adequate given the lack of information on this outline application.
- 4.51 It is unclear if the NEC assessment on the suitability of the Malinslee Link site for residential development considers the scenario that the ASDA is completed and operational. This would be considered the 'worst-case' for the operational phase and should have been tested in the EIA.

Ch 9. Ecology

- 4.52 It is difficult to determine whether sufficient mitigation can be provided on site, and indeed whether off site mitigation is deliverable. Without this mitigation impacts at a county level will be experienced with respect to invertebrate species. Limited biodiversity enhancements seem to be delivered, but this is somewhat contrary to the local planning policy which acknowledges the ecological value of this site and envisages that this area would significant biodiversity enhancements.

Ch 10. Ground Conditions

- 4.53 The scope of the assessment is inadequate. Some significant risks have been identified in this assessment; however no site investigation has been completed on the Malinslee Link site to quantify these risks (it is noted however that a site investigation has been undertaken of the West Southwater site). Whilst this is an outline application, given the known nature of the soils on site, the historical uses and the associated risks, it would have been prudent to complete some form of initial intrusive investigation to demonstrate the site is suitable for residential uses (and the proposed built structures).
- 4.54 The appendices providing the technical information to support this assessment are missing.
- 4.55 The ASDA application was tested only against commercial end use, and there seems to be only limited discussion about any form of residential use in the methodology.
- 4.56 The 'worst-case' scenario of the need to remove contaminated materials from site has not been set out or assessed. This would also have implications for the construction traffic predictions (and therefore the air quality and noise assessments).

Ch 11. Socio-economic

- 4.57 No consideration of the impacts due to the expected increase in population on services or community facilities such as schools, dentists or doctors is provided.