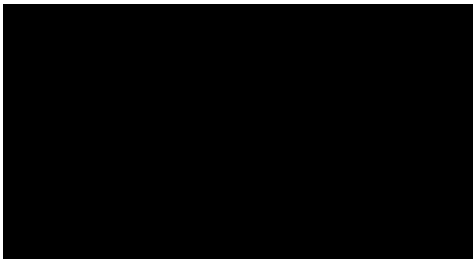


*Railton*

Section 62A Planning Application:  
S62A/22/0006 Berden Hall Farm,  
Ginns Road, Berden:  
Representation on Transport and  
Highways Matters on behalf of  
Local Residents

# Railton TPC Ltd



|                            |                               |
|----------------------------|-------------------------------|
| Railton TPC Ltd ref:       | Berden Hall Farm A            |
| Planning Inspectorate Ref: | S62A/22/0006                  |
| Planning Authority Ref:    | UTT/21/2158/SCO               |
| Date:                      | August 2022                   |
| Author:                    | Bruce Bamber BSc MA MSc MCIHT |

## **Table of Contents**

|  |    |
|--|----|
| 1 Introduction.....  | 1  |
| 2 Errors in EIA Screening Process.....                       | 3  |
| 3 Inaccurate and Inadequate Description of Access Route..... | 5  |
| 4 Failure to Provide Trip Generation Data.....               | 6  |
| 5 Other Omissions from CTMP.....                             | 8  |
| 6 Failure to Consider Cumulative Impact.....                 | 10 |
| 7 Summary and Conclusion.....                                | 11 |

## 1 INTRODUCTION

- 1.1 Railton TPC Ltd has been instructed by local residents to make a representation dealing with transport and highways matters in relation to a planning application for a ground mounted solar farm with a generation capacity of up to 49.99MW, together with associated infrastructure and landscaping at Berden Hall Farm, Ginns Road, Berden.
- 1.2 The author of this report is Bruce Bamber, Director of Railton TPC Ltd. who has over 30 years of experience working within the transport planning industry for both private and public sector clients. He has dealt with the transport and access arrangements for development schemes comprising all land use types and at all scales. He has been involved with numerous local and strategic transport studies and modelling exercises. He has given evidence at many informal hearings and public inquiries, participated in Local Plan Inquiries and at a DCO Hearing. He is a Chartered Member of the Institution of Highways and Transportation and has a Masters Degree in Transport from Imperial College.
- 1.3 Local residents are concerned that the construction of the proposed development may have a significant adverse transport impact and that the applicant has not provided sufficient information to either assess the likelihood of any such impacts arising and, as a result, has not identified suitable or sufficient mitigation.
- 1.4 There have been a number of planning applications<sup>1</sup> made in the local area over recent years for developments that would fall within the Schedule 2 category of '*Industrial installations for the production of electricity, steam and hot water*' as set out in the 2017 Environmental Impact Assessment Regulations. Local residents have not only been concerned about the failure to properly assess the transport and highways impacts of construction traffic associated with each proposed development but also about the potential **cumulative** impact of developments.
- 1.5 Railton TPC Ltd has previously reviewed transport submissions associated with a number of the proposed developments. The author is therefore familiar with the sensitivities of the local transport networks.

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1 Refs. 3/21/0969/FUL, 3/22/0806/FUL, UTT/21/3356/FUL (see also **Section 6** below)

- 1.6 Uttlesford District Council (UDC) Planning Authority is currently in 'Special Measures' and the above planning application is being considered by the Planning Inspectorate under Section 62A of the Town and Country Planning Act (1990).
- 1.7 The information submitted by the Applicant that informs this representation is available on the GOV.UK website. The key transport documents are the Access Technical Note (Miles White Transport (MWT), 17 December 2021) and the Construction Traffic Management Plan (CTMP) (unattributed and undated).
- 1.8 The following sections provide details of the following errors and omissions in the transport supporting information:
  - Section 2: Errors in EIA Screening Process
  - Section 3: Inaccurate and Inadequate Description of Access Route
  - Section 4: Failure to Provide Trip Generation Data
  - Section 5: Other Omissions from CTMP
  - Section 6: Failure to Consider Cumulative Impact
- 1.9 A summary and conclusion is provided in **Section 7**.

## 2 ERRORS IN EIA SCREENING PROCESS

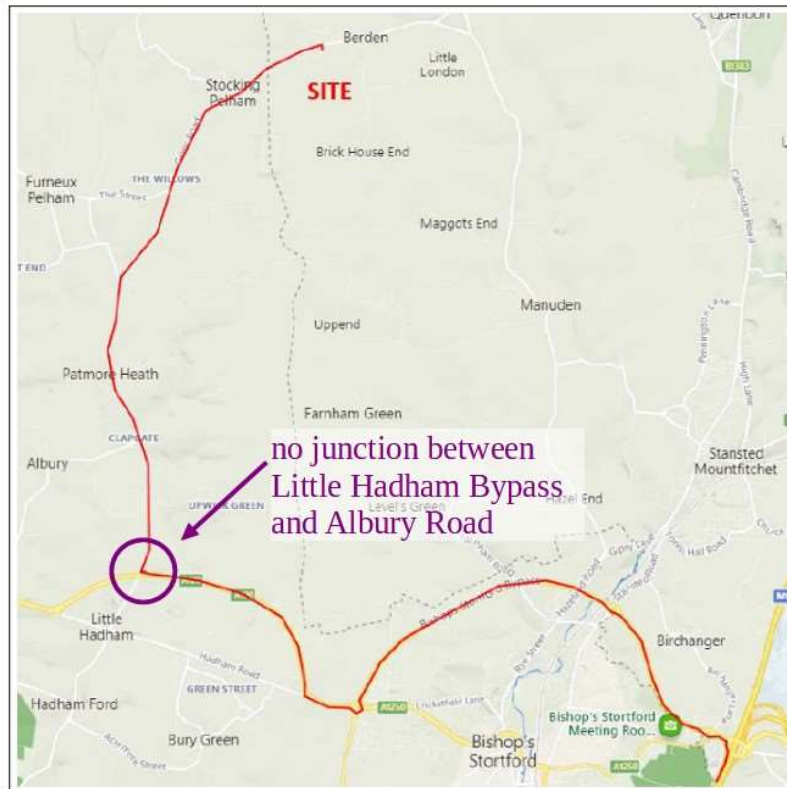
- 2.1 Under the 'Transport and Access' section of the EIA Screening Matrix (Question 9.1) submitted to Uttlesford, the answer 'No' is given to the question, '*Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?*'. Despite this answer, the explanation states, '*There is a substantial network of public footpaths in the area and several pass through the site. The proposed development will not result in the closure of any public rights of way, and they will be kept open during construction.*'
- 2.2 The development will clearly affect those using public rights of way and the answer to the screening question should have been 'Yes'. The screening assessment is therefore deficient.
- 2.3 Despite the explanatory text that does acknowledge impact on rights of way, no information has been provided by the Applicant to either assess the current use of the rights of way or to provide details of how the rights of way could be kept open during construction without endangering the public.
- 2.4 Question 9.2 of the Screening Matrix asks, '*Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?*'. The answer 'No' is given with the explanation, '*The main highways routes surrounding the site are not susceptible to any existing congestion*'. No comment is made with regard to '*or which cause environmental problems...*'. However, it is clear, even from the cursory review of the local highway network set out in the CTMP that the route that is proposed to be used by HGVs passes through a number of villages including Little Hadham, Clapgate, Patmore Heath and Stocking Pelham and that both Albury Road and Ginns Road are generally low standard, county lanes.
- 2.5 Albury Road and Ginns Road are highly sensitive as they are of insufficient width to allow the passing of two HGVs or, in some cases, two light vehicles, settlements are generally not provided with footways so that pedestrians are forced to walk within the carriageway, verges are narrow or absent in places, forward visibility is highly constrained at tight bends with dense roadside vegetation, there is little or no street lighting and in settlements a number of dwellings are located very close to the edge of the carriageway. In addition to pedestrians, the route is used by equestrians and cyclists.

- 2.6 No work has been undertaken to assess the environmental sensitivity of the route to changes in traffic flows, and in particular, increases in HGV movements and no work has been undertaken to assess the magnitude of the change in HGV movements. There has therefore been a failure to respond to the screening question regarding environmental problems and specifically a failure to assess the significance, in transport environmental terms, of the proposals.
- 2.7 The screening response provided by UDC (UDC, 14 October 2021) fails to acknowledge the potential for the proposals to lead to adverse transport environmental impacts and limits the requirements to a Transport Statement (TS) and a CTMP, omitting any need for proper transport environmental impact assessment.
- 2.8 Notwithstanding the failure to properly consider the potential for adverse transport environmental impact during construction, the Applicant has failed to provide the required Transport Statement. This would at least have included an assessment of the ability of the surrounding highway network to safely accommodate construction traffic and an assessment of the potential for conflict between construction vehicles and vulnerable highway users. The matter is glossed over with a single sentence in the Access Technical Note that states, '*Ginns Road and the surrounding local highway network are of a reasonable standard and provide good quality links to the strategic highway network serving the local area*' (Access Technical Note, para. 3.5). As described above, this statement cannot be justified and is indicative of the deficiency of the overall approach adopted by the Applicant in relation to transport and highways matters.

### 3 INACCURATE AND INADEQUATE DESCRIPTION OF ACCESS ROUTE

3.1 The following plan showing the access route is included in the CTMP:

**Figure 3.1: HGV Access Route**



**source:** page 4 of CTMP (unattributed, undated)

- 3.2 The proposed route is shown to include the Little Hadham Bypass. However, there is no junction between the Little Hadham Bypass and Albury Road. All construction vehicles will therefore be forced to travel through the village of Little Hadham and approach the Albury Road junction in the centre of the village either from the east or from the west.
- 3.3 The Applicant has undertaken no assessments of the sensitivity of Little Hadham to increases in HGV movements or the magnitude of increase in HGV movements during the construction.

## 4 FAILURE TO PROVIDE TRIP GENERATION DATA

4.1 The CTMP states, '*The total number of HGVs is estimated to be 350, over the 6-month construction period this averages at 2.2 HGVs per day (over a 6-day week), however this is likely to be higher during the enabling and ground works phases and lower during the commissioning period*' (page 3 of CTMP). No information is provided to support the estimate of 350 HGVs. This is a serious omission since it is impossible to assess transport impact without an accurate and reliable estimate of trip generation.

4.2 The proposals include a number of works, items of infrastructure and components that will generate HGV movements. These will include, but will not be limited to those associated with:

- import and export of all construction equipment;
- removal of 100mm depth of topsoil from all access roads and hardstanding areas;
- Import of geotextile membrane underlaying access roads;
- import of 200mm depth of aggregate to form access roads;
- import of concrete to form hard standing/base slab for substation and connection compound;
- import of components for new substation;
- import of components of new connection compound;
- import and export of elements of construction compound;
- Import of 11 spares containers;
- import of solar panels and associated infrastructure;
- import of fencing (site and substation);
- import of planting and landscaping.

4.3 It is normal practice to set out a calculation of HGV movements based on a schedule similar to that set out above. No such calculation is provided.

4.4 Scrutiny of the proposed site layout reveals at least 2.3km of access roads within the site. It is proposed that 0.1m of topsoil is removed and 0.2m of aggregate imported to form a compacted base. The site plan indicates that the internal tracks have a width of 4.0m. A simple calculation reveals that these works will be associated with the export of 920m<sup>3</sup> of topsoil and the import of 1,840m<sup>3</sup> of aggregate. Assuming topsoil has a density of 1.4 tonnes/m<sup>3</sup>, a total of 1,288 tonnes of topsoil would be removed. Assuming aggregate has a density of 2.4tonnes/m<sup>3</sup>, a total of 4,416 tonnes of aggregate would need to be imported. The overall total weight of material leaving and entering the site would therefore be 5,704 tonnes. The typical capacity of a large tipper truck (8 wheel) is



20 tonnes. The total number of HGVs needed to transport this material would be 285 (5,704 divided by 20). This element alone would therefore account for over 80% of the number of HGVs currently predicted by the Applicant.

- 4.5 Not only does the Applicant fail to provide any calculation of HGV numbers but it appears that the total figure of 350 HGVs is likely to very significantly underestimate the true figure.

## 5 OTHER OMISSIONS FROM CTMP

- 5.1 It has already been noted that no calculation of HGV trip generation is included in the CTMP. Scrutiny of the information that has been submitted reveals a number of further errors and significant omissions, some of which are described below.
- 5.2 No information is provided to show where the construction compound will be located.
- 5.3 The CTMP does not include the plan of the construction compound. A plan is submitted separately but this does not include any minibuses spaces despite the CTMP stating, '*A temporary car parking area (including spaces for minibuses) will be provided on the site within a contractor's compound*' (CTMP, p.3).
- 5.4 The plan showing the construction compound indicates an 'unloading area' although no information is provided to show which areas would be used for the storage of materials and how large vehicles would be able to safely manoeuvre in and out of the compound. The unloading area is shown between staff parking and staff facilities. There appears to have been no attempt to separate operational activities such as loading and unloading from pedestrians movement. Despite this, the CTMP states, '*Site personnel vehicles will be parked in a designated area connected to the Site Welfare Area via a Safe Pedestrian Access/Egress Route*' (CTMP, p.5).
- 5.5 The 'Access Route Images' (CTMP, pp. 5-17) comprise a sequence of screen shots downloaded from Google Maps. No attempt is made to assess the standard of the route or to identify areas where there is a potential for significant adverse impact, such as along Albury Road and Ginns Road. The information is so cursory that the person downloading the images failed to notice that it is not physically possible to turn from the Little Hadham Bypass onto Albury Road (see **Section 3** above).
- 5.6 The section entitled, 'Arrangements for Pedestrians' (CTMP, p.19) describes HGV movements. There is no section that deals with arrangements for pedestrians. Neither the CTMP nor the Access Technical Note assess the potential impact of the proposals on the public rights of way that cross and border the site or describe how the routes will be kept open during construction without putting members of the public at risk.
- 5.7 The Introduction of the CTMP states that, '*the [CTMP] covers some of the detail that would be expected within a Transport Statement*' (CTMP, p.2). Given that the document is unattributed, it is not possible to judge whether the author is qualified or sufficiently experienced to prepare a Transport Statement. The Applicant has not submitted a

Transport Statement despite this being identified as a requirement by UDC in the Screening Response. The Access Technical Note is limited to details of the access junction and the highway safety record. Like the CTMP, the Access Technical Note fails to provide any details of vehicle trip generation.

## 6 FAILURE TO CONSIDER CUMULATIVE IMPACT

- 6.1 The UDC Screening Response requires the development 'to be considered in relation to similar applications that are currently being assessed for solar farms by the Local Planning Authority. These include application UTT/21/0688/FUL- Land At, Cole End Farm Lane, Wimbish and application UTT/21/2846/FUL- Chesterford Park, Little Chesterford, Essex' (Screening Response, p.2). These developments are not referred to by the Applicant in any of the transport supporting information that has been submitted.
- 6.2 There are further planning applications that have been submitted but yet to be determined in the local area that have the potential to generate significant numbers of HGV movements. These include:
- 3/21/0969/FUL: Proposed Battery Energy Storage Site: Land At Greens Farm East End Stocking Pelham Buntingford Hertfordshire SG9 0JU
  - 3/22/0806/FUL: Construction and operation of a Battery Energy Storage System and associated infrastructure: Land off Crabbs Lane and Pelham Substation Stocking Pelham Herts.
- 6.3 Submissions made in relation to the above two planning applications on behalf of local residents in July 2022 (Railton TPC Ltd, 15/05/2022) set out calculations that indicated that, in cumulative terms, the transport impact could be around 32 additional HGV movements on Albury Road and Ginns Road if the developments came forward simultaneously or 16 additional daily HGV movements if the developments came forward sequentially but with the construction period correspondingly doubled.
- 6.4 None of the Applicants of the proposed local developments have undertaken an assessment of the potential for significant adverse transport environmental impacts either individually or cumulatively. There is clearly potential for cumulative impact to be increased further as a result of the current proposals.

## 7 SUMMARY AND CONCLUSION

- 7.1 Railton TPC Ltd has been instructed by local residents to make a representation dealing with transport and highways matters in relation to a planning application for a ground mounted solar farm with a generation capacity of up to 49.99MW, together with associated infrastructure and landscaping at Berden Hall Farm, Ginns Road, Berden.
- 7.2 Local residents are concerned that the construction of the proposed development may have a significant adverse transport impact.
- 7.3 The EIA Screening process failed to acknowledge that Albury Road and Ginns Road are highly sensitive to increases in HGV movements. The EIA screening process itself is therefore flawed, and as a consequence, there has been no assessment of the sensitivity of the proposed access route or the magnitude of transport environmental impact. In the absence of assessment any necessary mitigation has not been forthcoming.
- 7.4 The EIA screening process has also failed to acknowledge the fact that the proposals directly impact on a number of public rights of way. There has therefore been no work undertaken to demonstrate how the construction works can progress without putting members of the public at risk.
- 7.5 Despite UDC's requirement for a Transport Statement, no such document has been prepared. This, and the errors and omissions in the Access Technical Note and CTMP have contributed towards a failure to undertake proper transport and transport environmental impact assessment.
- 7.6 The CTMP wrongly assumes that it is possible to access Albury Road directly from the Little Hadham Bypass. This is a fundamental error that is indicative of the cursory nature of the transport supporting work.
- 7.7 There has been no clear justification of the assumed level of HGV trip generation during construction. It appears that the assumption that has been adopted is likely to significantly underestimate HGV trip generation.
- 7.8 The CTMP is lacking in a number of areas apart from the absence of trip generation calculations. Details of the construction compound are either missing or contradictory, details of provision for pedestrians, both on site and using public rights of way is missing and there is no assessment made of the capability of the access route to accommodate construction traffic without unacceptable transport impacts. The CTMP itself is

unattributed and undated, calling into question the professional qualifications of the author(s).

- 7.9 There has been no attempt to consider the potential cumulative impact of development despite UDC drawing attention to similar developments in the area and a number of other planning applications for energy related development in close proximity to the proposed site.
- 7.10 Overall, it is impossible to judge whether the proposed development is acceptable in transport and highways terms owing to the failure to provide critical information and an absence of necessary assessments of highways impact.