



## UNIVERSAL DESTINATIONS & EXPERIENCES UK PROJECT

Former Kempston Hardwick Brickworks  
and adjoining land, Bedford

### Environmental Statement Volume 3

#### Appendix 3.1 - Legislation, Policy and Guidance for all ES Technical Topics

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# 1. LEGISLATION, POLICY AND GUIDANCE FOR ALL ES TECHNICAL TOPICS

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- 1.1.1. This appendix sets out the legislation, policy and guidance relevant to the Proposed Development and all technical topics within the Environmental Statement (ES). The aim of the appendix is to provide an overview of how the chapters have been prepared with reference to specific legislation, policy and guidance during construction and operation.
- 1.1.2. All technical topics listed within this appendix have been prepared considering relevant policy in the *Bedford Borough Local Plan 2030 (2020)*<sup>1</sup> and the *National Planning Policy Framework (2024)*<sup>2</sup>. The **Planning Statement (Document Reference 6.1.0)** provides a summary of these and other key national and local planning policies relevant to the Proposed Development, together with an analysis of compliance of the Proposed Development against policy. This appendix is not intended to duplicate the Planning Statement or perform the job of the Planning Statement.

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<sup>1</sup> Bedford Borough Council (2020) *Bedford Borough Local Plan 2030*. Available at: <https://www.bedford.gov.uk/media/4011/download?inline> [Accessed: 19 May 2025].

<sup>2</sup> Ministry of Housing, Communities & Local Government (2024) *National Planning Policy Framework*. Available at: [National Planning Policy Framework](#) [Accessed: 19 May 2025].

## 1.2. TRAFFIC AND TRANSPORT

**Table 1 – Relevant Traffic and Transport Legislation, Policy and Guidance**

Legislation	
<i>Highways Act 1980</i> (as amended) <sup>3</sup>	The <i>Highways Act 1980</i> deals with the management and operation of the highway network in England and Wales. This includes legislation on the creation of new highways and footpaths, the improvement of highways, and the maintenance of highways. This also includes legislation regarding Section 278 agreements and the financial obligations of developers in relation to the creation of new highways which applies to the Proposed Development.
<i>New Roads and Street Works Act 1991</i> (as amended) <sup>4</sup>	The <i>New Roads and Street Works Act 1991</i> provides a legislative framework for street works undertaken by undertakers and works for road purposes. This Act relates to the statutory rights of highway authorities and undertakers to carry out works in a safe and efficient manner. The Proposed Development will both temporarily and permanently impact roads and this Act has been considered throughout the process.
<i>Traffic Management Act 2004</i> <sup>5</sup>	The <i>Traffic Management Act 2004</i> sets out how road networks should be managed by authorities and regulates the carrying out of works and other activities in the street among other things and Regulations can be made pursuant to the 2004 Act. This has been taken into account for during the construction and operational phases of the Proposed Development.
<i>Local Transport Act 2008</i> (as amended) <sup>6</sup>	The <i>Local Transport Act 2008</i> made provisions for the establishment of structures such as Integrated Transport Authorities as well as setting out Local Transport Plans and the role of traffic commissioners who have been considered for all phases of the Proposed Development.

<sup>3</sup> The National Archives (1980) *Highways Act 1980*. Available at: <https://www.legislation.gov.uk/ukpga/1980/66> [Accessed: 19 May 2025].

<sup>4</sup> The National Archives (1991) *New Roads and Street Works Act 1991*. Available at: <https://www.legislation.gov.uk/ukpga/1991/22/contents> [Accessed: 19 May 2025].

<sup>5</sup> The National Archives (2004) *Traffic Management Act 2004*. Available at: <https://www.legislation.gov.uk/ukpga/2004/18/contents> [Accessed: 19 May 2025].

<sup>6</sup> The National Archives (2008) *Local Transport Act 2008*. Available at: <https://www.legislation.gov.uk/ukpga/2008/26/contents>

Policy	
<i>Decarbonising Transport, A Better, Greener Britain, 2021<sup>7</sup></i>	This document sets out the path to net zero transport in the UK and the principles that underpin the approach. This document also sets out the commitments and actions needed to decarbonise transport which have been considered against the Proposed Development.
<i>Bedford Borough Council Local Transport Plan, 2011<sup>8</sup></i>	Bedford Borough Council's most recent <i>Local Transport Plan (2011- 2021)</i> sets out the transport aims and ambitions for the Borough and identifies key strategies, schemes and initiatives that could help achieve these. Whilst the <i>Local Transport Plan (LTP3)</i> period passed in 2021, it remains the most up-to-date Local Transport Plan for the Local Authority and has therefore been considered adopted policy for the Proposed Development to work alongside.
<i>England's Economic Heartland's 'Transport Strategy: Connecting People, Transforming Journeys', 2021<sup>9</sup></i>	Bedford is part of the group of authorities contained within England's Economic Heartland (EEH). The EEH has produced a Transport Strategy which provides an overall framework for transport policies and delivery across the region. The purpose of the strategy is to assist planning and highways authorities to develop their own suite of policies and plans to reflect individual local issues.

<sup>7</sup> Department for Transport (2021) *Decarbonising Transport: A Better, Greener Britain*. Available at: <https://assets.publishing.service.gov.uk/media/610d63ffe90e0706d92fa282/decarbonising-transport-a-better-greener-britain.pdf> [Accessed: 19 May 2025].

<sup>8</sup> Bedford Borough Council (2011) *Local Transport Plan 2011 to 2021*. Available at: <https://www.bedford.gov.uk/media/3527/download?inline> [Accessed: 19 May 2025].

<sup>9</sup> England's Economic Heartland (2021) *Transport Strategy: Connecting People, Transforming Journeys*. Available at: [https://eeh-prod-media.s3.amazonaws.com/documents/Connecting\\_People\\_Transforming\\_Journeys\\_av.pdf](https://eeh-prod-media.s3.amazonaws.com/documents/Connecting_People_Transforming_Journeys_av.pdf) [Accessed: 19 May 2025].

Guidance	
Institute of Environmental Management and Assessment (IEMA) Guidelines: <i>Environmental Assessment of Traffic and Movement (2023)</i> <sup>10</sup>	These guidelines provide advice for the assessment of traffic and movement associated with all development projects subject to Environmental Impact Assessment (EIA) and non-statutory environmental assessment. They pay particular attention to impacts resulting from changes to the highway network on all modes of transport and have been considered during the assessment of the Proposed Development.
Department for Transport (DfT) <i>Circular 01/2022</i> <sup>11</sup>	This policy paper, titled 'Strategic road network and the delivery of sustainable development,' explains how National Highways will engage with the planning system and maintain, manage and operate a safe and efficient strategic road network. It also sets out the way in which National Highways will engage with the development industry, public bodies and communities to assist the delivery of sustainable development.
<i>Design Manual for Roads and Bridges</i> <sup>12</sup>	Design Manual for Roads and Bridges (DMRB) - Sustainability & Environment Appraisal provides guidance regarding the aims and objectives of EIA within the context of roads and bridges. It includes scoping, the assessment and management of environmental effects and the reporting of environmental assessments and has been considered during the assessment of the Proposed Development.
Web-based Transport Analysis Guidance (DfT) <sup>13</sup>	<i>Transport Analysis Guidance (TAG) (DfT, 2023)</i> databook, last updated by DfT in November 2023, provides information and values associated with transport modelling and appraisal. The TAG is primarily aimed at the economic appraisal of transport interventions. However, the databook also provides useful information, such as typical accident rates and forecasting methods which has been considered during the assessment for the Proposed Development.

<sup>10</sup> IEMA (2023) *Environmental Assessment of Traffic and Movement*. Available at: <https://s3.eu-west-2.amazonaws.com/iema.net/documents/IEMA-REPORT-Environmental-Assessment-of-Traffic-and-Movement-Rev07.pdf> [Accessed: 19 May 2025].

<sup>11</sup> Department for Transport (2022) *Strategic road network and the delivery of sustainable development*. Available at: <https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development/strategic-road-network-and-the-delivery-of-sustainable-development> [Accessed: 19 May 2025].

<sup>12</sup> Standards for Highways (2024) *Sustainability & Environment Appraisal*. Available at: [https://www.standardsforhighways.co.uk/search?discipline=SUSTAINABILITY\\_AND\\_ENVIRONMENT&suite=DMRB](https://www.standardsforhighways.co.uk/search?discipline=SUSTAINABILITY_AND_ENVIRONMENT&suite=DMRB) [Accessed 19 May 2025].

<sup>13</sup> Department for Transport (2024) *Transport analysis guidance*. Available at: <https://www.gov.uk/guidance/transport-analysis-guidance-tag> [Accessed: 19 May 2025].



### 1.3. ECOLOGY AND NATURE CONSERVATION

**Table 2 – Relevant Ecology and Nature Conservation Legislation, Policy and Guidance**

Legislation	
<i>The Conservation of Habitats and Species Regulations 2017</i> (as amended), known as the ‘ <i>the Habitats Regulations</i> ’ <sup>14</sup>	The <i>Conservation of Habitats and Species Regulations 2017</i> (as amended), known as the ‘ <i>the Habitats Regulations</i> ’, implements the <i>European Directive 92/43/EEC</i> on the Conservation of Natural Habitats and Wild Fauna and Flora (the ‘Habitats Directive’) and <i>European Directive 2009/147/EC</i> on the Conservation of Wild Birds (‘Birds Directive’). The Habitats Regulations protect wildlife sites as well as rare or vulnerable animal, bird and plant species in England with the Proposed Development strictly adhering to this legislation.
<i>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</i> <sup>15</sup>	<i>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</i> are an important mechanism for assessing and managing the water environment in the UK. It originates from the <i>EU Water Framework Directive (2000/60/EC)</i> . Given that there are surface water features within the Water Resources Study Area, these regulations have been strictly adhered to.
<i>The Wildlife and Countryside Act 1981</i> (as amended) <sup>16</sup>	The Wildlife and Countryside Act 1981 (as amended) gives protection to native species, controls the release of non-native species, enhances the protection of Sites of Special Scientific Interest (SSSI) and builds upon the rights of way legislation. SSSIs have been scoped into the Ecology assessment of the Proposed Development and as such, this legislation will be strictly adhered to.

<sup>14</sup> UK Government (2017) *The Conservation of Habitats and Species Regulations 2017 (as amended)*. Available at: <https://www.legislation.gov.uk/ukxi/2017/1012/contents> [Accessed: 19 May 2025].

<sup>15</sup> UK Government (2017) *The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017*. Available at: <https://www.legislation.gov.uk/ukxi/2017/407/contents/made> [Accessed: 19 May 2025].

<sup>16</sup> The National Archives (1981) *Wildlife and Countryside Act 1981 (as amended)*. Available at: <https://www.legislation.gov.uk/ukpga/a/1981/69> [Accessed: 19 May 2025].

<p><i>The Natural Environment and Rural Communities Act 2006 (as amended)</i><sup>17</sup></p>	<p>The <i>Natural Environment and Rural Communities (NERC) Act 2006</i> (as amended) places a general duty upon public bodies or statutory undertakers in England to the purpose of conservation and enhancement of biological diversity in the exercise of their functions. The intention is to help ensure that biodiversity becomes an integral consideration in the development of policies and plans. A list of Habitats of Principal Importance (HPI) and Species of Principal Importance (SPI) is published as a legal duty under Section 41 of the <i>NERC Act</i>. This list is aimed at helping public bodies meet their 'biodiversity duty' to be aware of biodiversity conservation in their policy or decision making. The full lists are published on the Joint Nature Conservation Committee (JNCC) website. It is the intention of the Proposed Development to consider biodiversity at every stage and as such and this legislation will be strictly adhered to.</p>
<p><i>The Protection of Badgers Act 1992</i><sup>18</sup></p>	<p>The <i>Protection of Badgers Act 1992</i> makes it an offence to kill or take a badger, or to interfere with a badger sett unless such action is licenced by Natural England. Sett interference includes damaging or destroying a sett, obstructing access to a sett and disturbing a badger whilst it is occupying a sett. The Act defines a badger sett as 'any structure or place, which displays signs indicating the current use by a badger' and Natural England takes this definition to include seasonally used setts. A 2024 data search returned badger records from within the ecological Study Area as well records from the Site and as such, The Protection of Badgers Act has been considered for the Proposed Development.</p>
<p><i>The Hedgerow Regulations 1997</i><sup>19</sup></p>	<p>The <i>Hedgerow Regulations 1997</i> makes provision for the protection of important hedgerows in England. There are hedgerows present within the Site and these regulations have therefore been considered.</p>

<sup>17</sup> UK Government (2006) *Natural Environment and Rural Communities Act 2006 (as amended)*. Available at: <https://www.legislation.gov.uk/ukpga/2006/16/contents> [Accessed: 19 May 2025].

<sup>18</sup> UK Government (1992) *Protection of Badgers Act 1992*. Available at: <https://www.legislation.gov.uk/ukpga/1992/51/contents> [Accessed: 19 May 2025].

<sup>19</sup> UK Government (1997) *The Hedgerows Regulations 1997*. Available at: <https://www.legislation.gov.uk/uksi/1997/1160/contents> [Accessed: 19 May 2025].

<p><i>Salmon and Freshwater Fisheries Act 1975</i><sup>20</sup></p>	<p>This Act covers regulation of fisheries in England and Wales and includes legislation that covers the introduction of polluting effluents, the obstruction of fish passage, illegal means of fishing, permitted times of legal fishing and fishing licencing (which covers electric fishing).</p> <p>Under this act any person who causes or knowingly permits to flow, or puts or knowingly permits to be put, into any waters containing fish or into any tributaries of waters containing fish, any liquid or solid matter to such an extent as to cause the waters to be poisonous or injurious to fish or the spawning grounds, spawn or food of fish, shall be guilty of an offence. Given that surface water bodies are present within the Site, which have the potential to connect hydrologically to waters that contain fish, this Act has been considered for the Proposed Development.</p>
<p><i>The Eels (England and Wales) Regulations 2009</i><sup>21</sup></p>	<p>The <i>Eels (England and Wales) Regulations 2009</i> implement <i>Council Regulation (EC) No 1100/2007</i> of the Council of the European Union, which required Member States to establish measures for the recovery of the stock of European eel.</p> <p>The aim of the regulations is to achieve 40 per cent escapement of adult eels relative to escapement levels under pristine conditions. The measures, as set out in the legislation, by which this is to be achieved is to reduce fishing pressures, improve access and habitat quality and reduce the impact of impingement and entrainment. Under the Regulations, the regulators can serve notice to companies detailing their legal obligation to screen intakes and outfalls for eel and/or to remove or modify obstructions to eel migration. Given that there are surface water bodies present within the Site, which have the potential to connect hydrologically to waters that contain or support eels, these regulations have been considered for the Proposed Development.</p>

<sup>20</sup> UK Government (1975) *Salmon and Freshwater Fisheries Act 1975*. Available at: <https://www.legislation.gov.uk/ukpga/1975/51> [Accessed: 20 May 2025].

<sup>21</sup> UK Government (2009) *The Eels (England and Wales) Regulations 2009*. Available at: <https://www.legislation.gov.uk/uksi/2009/3344/contents/made> [Accessed: 20 May 2025].

## Policy

### National Policy

#### *National Planning Practice Guidance*<sup>22</sup>

Planning Practice Guidance on the natural environment supports the NPPF by explaining the government's planning policies for England, in regard to (amongst others) the protection and enhancement of biodiversity, ecosystems and green infrastructure, and how these are expected to be applied.

<sup>22</sup> Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government (2024) *Planning practice guidance*. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance> [Accessed: 20 May 2025].

## Guidance

The identification and evaluation of Important Ecological Features (IEFs) for the purposes of an Ecological Impact Assessment (EclA) and the assessment of significant adverse or beneficial effects on IEFs, has been undertaken with reference to the Chartered Institute of Ecology and Environmental Management (CIEEM) ‘*Guidelines for Ecological Impact Assessment in the UK and Ireland*’ (CIEEM, 2018)<sup>23</sup>.

The following information and guidance resources have been considered throughout the ES and will be referred to in regard to any mitigation and compensation measures proposed within the EclA:

- CIEEM: *Guidelines for Preliminary Ecological Appraisal*, 2nd edition (CIEEM, 2017)<sup>24</sup>;
- UK Habitat Classification. Version 2.0 (UKHab Ltd, 2023)<sup>25</sup>;
- British Trust for Ornithology (BTO): *Birds of Conservation Concern (BoCC) 5* (BTO, 2021)<sup>26</sup>;
- *Bird Survey Guidelines for assessing ecological impacts*, v.1.1.0. Bird Survey & Assessment (Steering Group, 2023)<sup>27</sup>;
- *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (4th edition) (BCT, 2023)<sup>28</sup>;
- CIEEM: *UK Bat Mitigation Guidelines: A Guide to Impact Assessment, Mitigation and Compensation for Developments Affecting Bats* (CIEEM, 2023)<sup>29</sup>;

<sup>23</sup> CIEEM (2018) *Guidelines for Ecological Impact Assessment (EclA)*. Available at: <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/> [Accessed: 20 May 2025].

<sup>24</sup> CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal*, second edition. Available at: <https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf> [Accessed: 20 May 2025].

<sup>25</sup> UKHab (2023) *UK Habitat Classification Document*, V2.01. Available at: <https://ukhab.org/ukhab-documentation/> [Accessed: 20 May 2025].

<sup>26</sup> British Trust for Ornithology (2021) *Birds of Conservation Concern 5*. Available at: <https://www.bto.org/sites/default/files/publications/bocc-5-a5-4pp-single-pages.pdf> [Accessed: 20 May 2025].

<sup>27</sup> Bird Survey & Assessment Steering Group (2023) *Bird Survey Guidelines for assessing ecological impacts*, v.1.1.1. Available at: <https://birdsurveyguidelines.org/> [Accessed: 20 May 2025].

<sup>28</sup> Bat Conservation Trust (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines*, 4th edition. Available at: [https://cdn.bats.org.uk/uploads/pdf/Resources/For-professionals/Bat-Survey-Guidelines-23-FINAL-NO-PRINT-10.10.23.pdf?v=1696925348&\\_gl=1\\*1xgpbqm\\*\\_ga\\*ODU0NjM5NzE5LjE3MDkyMTkxNTY.\\*\\_ga\\_G28378TB9V\\*MTcwOTlyODEzOC4yLjEuMTcwOTlyOTcxMS4wLjAuMA..](https://cdn.bats.org.uk/uploads/pdf/Resources/For-professionals/Bat-Survey-Guidelines-23-FINAL-NO-PRINT-10.10.23.pdf?v=1696925348&_gl=1*1xgpbqm*_ga*ODU0NjM5NzE5LjE3MDkyMTkxNTY.*_ga_G28378TB9V*MTcwOTlyODEzOC4yLjEuMTcwOTlyOTcxMS4wLjAuMA..) [Accessed: 20 May 2025].

<sup>29</sup> Reason, P.F. and Wray, S. (2023) *UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats*, Version 1.1. Chartered Institute of Ecology and Environmental Management, Ampfield. Available at: <https://cieem.net/wp-content/uploads/2023/09/Bat-Mitigation-Guidelines-2023-V1.1.pdf> [Accessed: 20 May 2025].

- *The Water Vole Mitigation Handbook (The Mammal Society Mitigation Guidelines Series)*. Eds Fiona Mathews and Paul Chanin. The Mammal Society, London. (The Mammal Society, 2016)<sup>30</sup>;
- *Monitoring the Otter. Conserving Natura 2000 Rivers Monitoring Series No. 10.* (English Nature, 2003)<sup>31</sup>;
- *Surveying Badgers*, Mammal Society, London (The Mammal Society, 1989)<sup>32</sup>;
- *Great Crested Newt Mitigation Guidelines* (English Nature, 2001)<sup>33</sup>;
- *Reptile survey: an introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife Advice Sheet 10*, Froglife, Halesworth. (Froglife, 1999)<sup>34</sup>;
- *Herpetofauna Workers Manual* (JNCC, 1999)<sup>35</sup>;
- *Reptiles: Guidelines for Developers* (English Nature, 2004)<sup>36</sup>;
- *Organising surveys to determine site quality for invertebrates. A framework guide for ecologists. English Nature* (English Nature 2005)<sup>37</sup>; and
- *Surveying terrestrial and freshwater invertebrates for conservation evaluation.* (Natural England, 2007)<sup>38</sup>.

<sup>30</sup>Dean, M., Gow, D., Andrews, R. and Strachan, R (2016) *The Water Vole Mitigation Handbook: The Mammal Society Guidance Series (Mammal Society Series) (Mammal Society Mitigation Guidance Series)*. The Mammal Society. Available at: [https://gat04-live-1517c8a4486c41609369c68f30c8-aa81074.divio-media.org/filer\\_public/1e/30/1e3072bf-0ffe-4df2-8ee2-e1af6f66755e/d93\\_-\\_water\\_vole\\_mitigation\\_handbook81824175\\_1.pdf](https://gat04-live-1517c8a4486c41609369c68f30c8-aa81074.divio-media.org/filer_public/1e/30/1e3072bf-0ffe-4df2-8ee2-e1af6f66755e/d93_-_water_vole_mitigation_handbook81824175_1.pdf) [Accessed: 20 May 2025].

<sup>31</sup> Chanin, P. (2003) *Monitoring the Otter Lutra lutra*. Conserving Natura 2000 Rivers Monitoring Series No. 10, English Nature, Peterborough. Available at: <https://publications.naturalengland.org.uk/file/114036> [Accessed: 20 May 2025].

<sup>32</sup> Harris, S., Cresswell, P. and Jefferies, D. (1989) *Surveying Badgers*. The Mammal Society. Available at: [https://www.mammal.org.uk/wp-content/uploads/2016/04/Surveying\\_Badgers\\_Mammal\\_Society.compressed.pdf](https://www.mammal.org.uk/wp-content/uploads/2016/04/Surveying_Badgers_Mammal_Society.compressed.pdf) [Accessed: 20 May 2025].

<sup>33</sup> English Nature (2001) *Great Crested Newt Mitigation Guidelines*. English Nature, Peterborough. Available at: [https://mokrady.wbs.cz/literatura\\_ke\\_stazeni/great\\_crested\\_newt\\_mitigation\\_guidelines.pdf](https://mokrady.wbs.cz/literatura_ke_stazeni/great_crested_newt_mitigation_guidelines.pdf) [Accessed: 20 May 2025].

<sup>34</sup> Froglife (1999) *Reptile survey: an introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife Advice Sheet 10*. Froglife, Halesworth. Available at: [https://www.wildcare.co.uk/media/wysiwyg/pdfs/froglife\\_advice\\_sheet\\_10\\_-\\_reptile\\_surveys.pdf](https://www.wildcare.co.uk/media/wysiwyg/pdfs/froglife_advice_sheet_10_-_reptile_surveys.pdf) [Accessed: 20 May 2025].

<sup>35</sup> Gent, T. & Gibson, S. 2003. *Herpetofauna Workers' Manual (revised reprint)*. JNCC, Peterborough. Available at: <https://data.jncc.gov.uk/data/9d7da8c4-9d76-4b65-8263-6b925b3433a4/Herpetofauna-Workers-Manual-2003.pdf> [Accessed: 20 May 2025].

<sup>36</sup> English Nature (2004) *Reptiles: guidelines for developers*. English Nature, Peterborough. Available at: <https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/environmentandplanning/countryside/protectedspecies/reptilesguidelinesdevelopers.pdf> [Accessed: 20 May 2025].

<sup>37</sup> English Nature (2005) *Organising surveys to determine site quality for invertebrates*. English Nature, Peterborough. Available at: <https://publications.naturalengland.org.uk/file/116024> [Accessed: 20 May 2025].

<sup>38</sup> Natural England (2007) *Surveying terrestrial and freshwater invertebrates for conservation evaluation*. Natural England, Sheffield. Available at: <https://publications.naturalengland.org.uk/file/63016> [Accessed: 20 May 2025].

## 1.4. LANDSCAPE AND VISUAL

**Table 3 – Relevant Landscape and Visual Legislation, Policy and Guidance**

Legislation	
European Landscape Convention (ELC) <sup>39</sup>	This international treaty recognises the importance of all types of landscape. Its purpose is to promote landscape protection, management and planning in relation to all landscapes regardless of whether their quality and condition is considered outstanding, ordinary or degraded. The UK is recognised as already putting many of the principles of the ELC into practice through national legislation and planning policy. This legislation has been considered when assessing how the Proposed Development will impact the landscape.
<i>The Hedgerows Regulations 1997</i> <sup>40</sup>	Hedgerows are offered protection under <i>The Hedgerows Regulations 1997</i> . The Regulations determine the legal value of hedgerows and the penalties for their loss, where removed or lost to a development. There are hedgerows present within the Site and these regulations have been considered.
<i>The Countryside and Rights of Way Act 2000</i> <sup>41</sup>	The <i>Countryside and Rights of Way Act 2000</i> , contains measures to improve public access to the open countryside and registered common land while recognising the legitimate interests of those who own and manage the land concerned; it amends the law relating to rights of way; it amends the law relating to nature conservation by strengthening protection for Sites of Special Scientific Interest (SSSI) and it provides access (and limitations to access) for the general public and statutory undertakers. SSSIs have been scoped into the Landscape and Visual assessment due to their proximity to the Proposed Development and as such, this legislation will be strictly adhered to.

<sup>39</sup> Council of Europe (n.d.) *The European Landscape Convention*. Available at: [The European Landscape Convention - Council of Europe Landscape Convention \(coe.int\)](https://convention.coe.int/Convention/coe.int) [Accessed: 20 May 2025].

<sup>40</sup> UK Government (1997) *The Hedgerows Regulations 1997*. Available at: [The Hedgerows Regulations 1997 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/1997/1000/contents/made) [Accessed: 20 May 2025].

<sup>41</sup> UK Government(2000) *Countryside and Rights of Way Act 2000*. Available at: [Countryside and Rights of Way Act 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2000/8/contents) [Accessed: 20 May 2025].



## Policy

### National Policy

A Green Future: Our 25 Year Plan to Improve the Environment, Jan 2018<sup>42</sup>

This guidance looks to embed an ‘environmental net gain’ principle in all development and recognises the importance that the natural environment plays in relation to well-being and community prosperity. The Proposed Development has considered integration of the natural environment across all phases and has adhered to this national policy.

### Local Policy

The Central Bedfordshire Landscape Character Assessment<sup>43</sup>

The Central Bedfordshire Landscape Character Assessment identifies important landscape characteristics and elements to be protected, including key views within the Study Area of the Proposed Development (as defined in the relevant technical ES chapter).

Bedfordshire’s Natural Environment – It’s Value to Us All<sup>44</sup>

This high-level document highlights pressure on features within Bedfordshire’s natural environment and identifies areas where work is needed, whilst also recognising successes and opportunities to improve the quality of green spaces in the region.

Forest of Marston Vale ‘Forest Plan’<sup>45</sup>

This is a non-statutory strategic framework document outlining the 40-year vision to create the Forest of Marston Vale across 61 square miles between Bedford and Milton Keynes. The aim is to use extensive tree planting to transform the landscape for environmental, social and economic benefits.

<sup>42</sup> UK Government (2018) *25-year environment plan*. Available at: [25-year-environment-plan.pdf \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/721122/25-year-environment-plan.pdf) [Accessed: 20 May 2025].

<sup>43</sup> Central Bedfordshire Council (2015) *Landscape Character Assessment*. Available at: [Landscape Character Assessment | Central Bedfordshire Council](https://www.centralbedfordshire.gov.uk/media/2015/09/Landscape-Character-Assessment.pdf) [Accessed: 20 May 2025].

<sup>44</sup> Bedfordshire Naturally (2016) *Bedfordshire’s Natural Environment*. Available at: [bedfordshires-natural-environment-single-pages-web-version-winter2016.pdf \(bedfordshirenaturally.com\)](https://www.bedfordshirenaturally.com/wp-content/uploads/2016/11/Bedfordshire-Natural-Environment-Single-Pages-Web-Version-Winter-2016.pdf) [Accessed: 20 May 2025].

<sup>45</sup> Marston Vale Trust (n.d.) *52 Page Brochure*. Available at: [52 page brochure \(marstonvale.org\)](https://www.marstonvale.org/wp-content/uploads/2016/05/52-page-brochure.pdf) [Accessed: 20 May 2025].



## Guidance

The landscape and visual assessment has been undertaken in accordance with the following good practice guidance documents:

- *Guidelines for Landscape and Visual Impact Assessment, Third Edition*<sup>46</sup>;
- *An Approach to Landscape Character Assessment* (Tudor, 2014)<sup>47</sup>;
- *Technical Information Note 05/2017 – Townscape Character Assessment* (Landscape Institute, Revised April 2018)<sup>48</sup>;
- *Technical Guidance Note 06/19 – Visual Representation of Development Proposals* (Landscape Institute, 2019)<sup>49</sup>; and
- *Institution of Lighting Professionals' Guidance Note 01/21*<sup>50</sup>.

<sup>46</sup> Swanick, C. (2013) *Guidelines for Landscape and Visual Impact Assessment*, Third Edition. London: Routledge.

<sup>47</sup> Tudor, C. (2014) *An Approach to Landscape Character Assessment*. Available at: [landscape-character-assessment.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/298422/landscape-character-assessment.pdf) [Accessed: 20 May 2025].

<sup>48</sup> Landscape Institute (2017) *Town and Visual Impact Assessment*. Available at: [tin-05-2017-townscape.pdf \(landscapeinstitute.org\)](https://www.landscapeinstitute.org/publications/tin-05-2017-townscape.pdf) [Accessed: 20 May 2025].

<sup>49</sup> Landscape Institute (2019) *Technical Guidance Note 06/19: Visual Representation of Development Proposals*. Available at: [TGN-06-19-Visual Representation \(landscapeinstitute.org\)](https://www.landscapeinstitute.org/publications/tgn-06-19-visual-representation.pdf) [Accessed: 20 May 2025].

<sup>50</sup> Institution of Lighting Professionals (2021) *Guidance Note 1 for the Reduction of Obtrusive Light*. Available at: [Guidance Note 1 for the reduction of obtrusive light 2021 | Institution of Lighting Professionals \(theilp.org.uk\)](https://www.theilp.org.uk/publications/guidance-note-1-for-the-reduction-of-obtrusive-light-2021) [Accessed: 20 May 2025].

## 1.5. AIR QUALITY

**Table 4 – Relevant Air Quality Legislation, Policy and Guidance**

<b>Legislation</b>	
<i>The Environmental Protection Act 1990</i> <sup>51</sup>	Part III assigns responsibilities on local authorities in the control of statutory nuisance due to emissions to air (including dust generated by construction, and odours from waste-water treatment, waste handling/storage and catering facilities). The defence against statutory nuisance actions is Best Practicable Means.
<i>The Environment Act 1995</i> <sup>52</sup>	Part IV assigns responsibilities for Local Air Quality Management to local authorities. Where a local authority determines that one or more statutory local air quality objective is not met then it is required to declare an Air Quality Management Area and put in place an Air Quality Action Plan to bring about improvement. The Air Quality Action Plan may include measures for new development, such as the Proposed Development. Each year, local authorities are required to report to Defra on air quality within their administrative areas in an Annual Status Report. This has been considered during the air quality assessment of the Proposed Development.
<i>The Environment Act 2021</i> <sup>53</sup>	The <i>Environment Act 2021</i> includes amendments to Part IV of the <i>Environment Act 1995</i> and also requires the setting of new statutory targets for annual mean concentrations of fine particulate matter (PM <sub>2.5</sub> ) [see <i>The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023</i> ]. This has been considered during the Air Quality assessment of the Proposed Development.
<i>The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020</i> <sup>54</sup>	These regulations have changed the annual mean limit value for the average exposure indicator for PM <sub>2.5</sub> from 25µg/m <sup>3</sup> to 20µg/m <sup>3</sup> . As such, the Proposed Development has needed to consider this reduction.

<sup>51</sup> The National Archives (1990) *Environmental Protection Act 1990*. Available at: <https://www.legislation.gov.uk/ukpga/1990/43/contents> [Accessed: 20 May 2025].

<sup>52</sup> The National Archives (1995) *Environment Act 1995*. Available at: <https://www.legislation.gov.uk/ukpga/1995/25/contents> [Accessed: 20 May 2025].

<sup>53</sup> The National Archives (2021) *Environment Act 2021*. Available at: <https://www.legislation.gov.uk/ukpga/2021/30/contents> [Accessed: 20 May 2025].

<sup>54</sup> The National Archives (2020) *The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020*. Available at: <https://www.legislation.gov.uk/uksi/2020/1313/contents/made> [Accessed: 20 May 2025].

Legislation	
The <i>Air Quality (England) Regulations 2000 (as amended in 2002)</i> <sup>55,56</sup>	The <i>Air Quality (England) Regulations 2000</i> (as amended in 2002) sets standards and objectives for local air pollutants including nitrogen dioxide (NO <sub>2</sub> ) and coarse particulate matter (PM <sub>10</sub> ). These are relevant to Local Air Quality Management [see <i>The Environmental Act 1995</i> and <i>The Environmental Act 2021</i> ].
The <i>Air Quality Standards Regulations 2010</i> (as amended in 2016) <sup>57,58</sup>	The <i>Air Quality Standards Regulations 2010</i> (as amended) set out standards as limit values for air pollutants to protect public health. The Government is responsible for ensuring compliance with the limit values. The limit values are similar to the objectives in the <i>Air Quality (England) Regulations</i> referred to above and include objectives for fine particulate matter (PM <sub>2.5</sub> ) to be met by 2020 and thereafter. Critical levels for the protection of vegetation are also set, of which the critical level for annual mean concentrations of oxides of nitrogen (NO <sub>x</sub> ) is relevant to the Proposed Development.
The <i>Environmental Targets (Fine Particulate Matter) (England) Regulations 2023</i> <sup>59</sup>	The <i>Environmental Targets (Fine Particulate Matter) (England) Regulations 2023</i> includes a legally binding target for annual mean PM <sub>2.5</sub> concentrations to be met by 2040. A non-statutory interim target for PM <sub>2.5</sub> has also been set by the Government for 2028. [Note: These targets are in addition to the limit value for annual mean PM <sub>2.5</sub> as set under <i>The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020</i> .]

<sup>55</sup> The National Archives (2000) *The Air Quality (England) Regulations 2000*. Available at: <https://www.legislation.gov.uk/uksi/2000/928/contents/made> [Accessed: 20 May 2025].

<sup>56</sup> The National Archives (2002) *The Air Quality (England) (Amendment) Regulations 2002*. Available at: <https://www.legislation.gov.uk/uksi/2002/3043/contents/made> [Accessed: 20 May 2025].

<sup>57</sup> The National Archives (2010) *The Air Quality Standards Regulations 2010*. Available at: <https://www.legislation.gov.uk/uksi/2010/1001/contents/made> [Accessed: 20 May 2025].

<sup>58</sup> The National Archives (2016) *The Air Quality Standards (Amendment) Regulations 2016*. Available at: <https://www.legislation.gov.uk/uksi/2016/1184/contents/made> [Accessed: 20 May 2025].

<sup>59</sup> The National Archives (2023) *The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023*. Available at: <https://www.legislation.gov.uk/uksi/2023/96/contents/made> [Accessed: 20 May 2025].

## Policy

*The Air Quality Strategy: Framework for local authority delivery*<sup>60</sup>

The Air Quality Strategy: Framework for local authority delivery policy paper provides “Defra’s framework for local authorities to make best use of their powers and make air quality improvements for their communities.”

## Guidance

The air quality assessment will be undertaken in accordance with the following good practice guidance documents:

- *Environmental Protection UK and Institute of Air Quality Management ‘Land-use Planning and Development Control: Planning for Air Quality’*<sup>61</sup>;
- *Institute of Air Quality Management ‘Guidance on the assessment of dust from demolition and construction’*<sup>62</sup>;
- *Department for Environment, Food and Rural Affairs (Defra) Local Air Quality Management Technical Guidance LAQM.TG(22)*<sup>63</sup>;
- *Institute of Air Quality Management ‘Guide to the Assessment of Air Quality Impacts on Designated Nature Conservation Sites’*<sup>64</sup>; and
- *Institute of Air Quality Management ‘Guidance on the Assessment of Odour for Planning’*<sup>65</sup>.

<sup>60</sup> Department for Environment, Food and Rural Affairs (2023) *Air quality strategy: framework for local authority delivery*. Available at: <https://www.gov.uk/government/publications/the-air-quality-strategy-for-england/air-quality-strategy-framework-for-local-authority-delivery> [Accessed: 20 May 2025].

<sup>61</sup> Moorcroft and Barrowcliffe *et al.* (2017) *Land-use Planning & Development Control: Planning for Air Quality*. v1.2. Institute of Air Quality Management, London. Available at: <https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf> [Accessed: 20 May 2025].

<sup>62</sup> Institute of Air Quality Management (2024) *Guidance on the assessment of dust from demolition and construction*. January 2024 (Version 2.2). Available at: <https://iaqm.co.uk/wp-content/uploads/2013/02/Construction-Dust-Guidance-Jan-2024.pdf> [Accessed: 20 May 2025].

<sup>63</sup> Department for Environment, Food and Rural Affairs (2022) *Local Air Quality Management Technical Guidance (TG22)*. Available at: <https://iaqm.defra.gov.uk/wp-content/uploads/2022/08/LAQM-TG22-August-22-v1.0.pdf> [Accessed: 20 May 2025].

<sup>64</sup> Institute of Air Quality Management (2020) *Guide to the Assessment of Air Quality Impacts on Designated Nature Conservation Sites (version 1.1)*. Available at: <http://www.iaqm.co.uk/text/guidance/air-quality-impacts-on-nature-sites-2020.pdf> [Accessed: 20 May 2025].

<sup>65</sup> Institute of Air Quality Management (2018) *IAQM Guidance on the Assessment of Odour for Planning (version 1.1)*. Available at: <https://www.the-ies.org/sites/default/files/reports/odour-guidance-2018.pdf> [Accessed: 20 May 2025].

## 1.6. NOISE AND VIBRATION

**Table 5 – Relevant Noise and Vibration Legislation, Policy and Guidance**

Legislation	
<i>Control of Pollution Act 1974</i> <sup>66</sup>	<p>This Act provides local authorities with powers to control noise and vibration from construction sites. Section 60 enables a local planning authority to serve a notice to persons carrying out construction work of its requirements for the control of site noise. This may specify plant or machinery that is or is not to be used; the hours during which construction work may be carried out; the level of noise or vibration that may be emitted; and provide for changes in circumstances. Appeal procedures are available.</p> <p>Section 61 allows for those carrying out construction work to apply to the local authority in advance for consent to carry out the works. This is not mandatory, but once consent is issued it provides a defence against action by the local authority under Section 60 or Section 80 of the <i>EPA 1990</i>. It does not, however, prevent nuisance action under Section 82 of the <i>EPA 1990</i>. The application includes detail of the works to be carried out, the methods to be used and the measures that will be taken to minimise noise and vibration.</p>
<i>Environmental Protection Act 1990 (EPA 1990)</i> <sup>67</sup>	<p>The <i>Environmental Protection Act</i> makes provision for the improved control of pollution arising from certain industrial and other processes and, amongst many other things, requires local authorities to issue a noise abatement notice where it is satisfied that a noise nuisance exists.</p> <p>It specifies mandatory powers available to local authorities in respect of any noise that either constitutes or is likely to cause a statutory nuisance, which is also defined in <i>EPA 1990</i>. A duty is imposed on local authorities to carry out inspections to identify statutory nuisances, and to serve abatement notices against these. Procedures are also specified with regards to complaints from persons affected by statutory nuisance.</p>

<sup>66</sup> UK Government (1974) *The Control of Pollution Act 1974*, HMSO. Available online at: <https://www.legislation.gov.uk/ukpga/1974/40> [Accessed: 20 May 2025].

<sup>67</sup> UK Government (1990) *Environmental Protection Act 1990*. Available online at: <https://www.legislation.gov.uk/ukpga/1990/43/contents> [Accessed: 20 May 2025].

Policy	
<i>Noise Policy Statement for England (NPSE) 2010</i> <sup>68</sup>	The NPSE was published in March 2010. It sets out the long-term vision for government noise policy, to "promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development" which has been considered during the assessment of the Proposed Development.
Guidance	
<i>Planning Practice Guidance – Noise (PPG-N) (2023)</i> <sup>69</sup>	This guidance is a web-based resource launched in March 2014 and refreshed in July 2023. The guidance complements the NPPF and NPSE and provides advice on how to deliver its policies.
<i>Design Manual for Roads and Bridges (2020), Volume 11, Section 3, Part 7, LA111 Noise and vibration</i> <sup>70</sup>	This Design Manual provides guidance for assessing the noise impacts from changes in road traffic noise. This guidance has been adhered to for the assessment of both construction and operational traffic.
<i>Department for Transport Welsh Office (1988). Calculation of Road Traffic Noise (CRTN)</i> <sup>71</sup>	This technical memorandum describes the procedures for measuring and calculating noise from road traffic and has been considered for the assessment of the Proposed Development.

<sup>68</sup> Defra (2010) *Noise Policy Statement for England*. Available at: <https://www.gov.uk/government/publications/noise-policy-statement-for-england> [Accessed: 20 May 2025].

<sup>69</sup> Ministry of Housing, Communities & Local Government (July 2019) *Planning Practice Guidance, Noise*. Available at: <https://www.gov.uk/guidance/noise--2> [Accessed: 20 May 2025].

<sup>70</sup> Highways England (2019) *Design Manual for Roads and Bridges, Volume 11, Section 3, Part 7, LA111 Noise and vibration*. Available at: [cc8cfcf7-c235-4052-8d32-d5398796b364 \(standardsforhighways.co.uk\)](https://standardsforhighways.co.uk/c235-4052-8d32-d5398796b364) [Accessed: 20 May 2025].

<sup>71</sup> Department for Transport Welsh Office (1988) *Calculation of Road Traffic Noise (CRTN)*. Stationery Office Books.

<p><i>British Standard 5228-1:2009+A1:2014: Code of practice for noise and vibration control on construction and open sites – Part 1: Noise (BS 5228-1)<sup>72</sup></i></p>	<p>This standard sets out a method for measuring, predicting, assessing and mitigating noise from construction works and has been considered for the assessment of the Proposed Development.</p>
<p><i>British Standard 5228-2:2009+A1:2014: Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration (BS 5228-2)<sup>73</sup></i></p>	<p>This standard sets out guidance for assessing vibration from construction works, as well as recommendations for basic methods of vibration control. This guidance has been followed for the assessment of vibration during the construction phase of the Proposed Development.</p>
<p><i>British Standard 4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound (BS 4142)<sup>74</sup></i></p>	<p>An assessment method for noise arising from commercial noise sources, including external plant and on-site vehicle movements and unloading. This guidance has been followed for the assessment of noise during the construction and operational phases of the Proposed Development.</p>
<p>The noise assessment has been undertaken accordance with the following additional good practice guidance documents:</p> <ul style="list-style-type: none"> <li>▪ <i>Noise Council's Code of Practice on Environmental Noise Control at Concerts 1995<sup>75</sup>;</i></li> <li>▪ <i>UK Government advice on fireworks and the law<sup>76</sup>;</i></li> <li>▪ <i>Office for Product Safety &amp; Standards document 'Fireworks: noise levels and impacts on health and the environment'<sup>77</sup>;</i></li> </ul>	

<sup>72</sup> Subcommittee B/564/1 (2009) *BS 5228-1:2009+A1:2014: Code of practice for noise and vibration control on construction and open sites – Part 1: Noise*. BSi. Available at: [BS 5228-1:2009+A1:2014 | 1 Jan 2009 | BSI Knowledge \(bsigroup.com\)](https://www.bsigroup.com/Standards/BS-5228-1-2009+A1-2014) [Accessed: 20 May 2025].

<sup>73</sup> Subcommittee B/564/1 (2009) *BS 5228-2:2009+A1:2014: Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration*. BSi. Available at: [BS 5228-2:2009+A1:2014 | 1 Jan 2009 | BSI Knowledge \(bsigroup.com\)](https://www.bsigroup.com/Standards/BS-5228-2-2009+A1-2014) [Accessed: 20 May 2025].

<sup>74</sup> Technical Committee EH/1 and sub-committee EH/1/3 (2019) *BS 4142:2014+A1:2019: Method for Rating and Assessing Industrial and Commercial Sound*. BSi. Available at: [BS 5228-1:2009+A1:2014 | 1 Jan 2009 | BSI Knowledge \(bsigroup.com\)](https://www.bsigroup.com/Standards/BS-4142-2014+A1-2019) [Accessed: 20 May 2025].

<sup>75</sup> The Noise Council (1995) *Code of Practice on Environmental Noise Control at Concerts*.

<sup>76</sup> UK Government (2004) *Fireworks: the law*. Available at: <https://www.gov.uk/fireworks-the-law> [Accessed: 20 May 2025].

<sup>77</sup> Office for Product Safety & Standards (2020) *Fireworks: noise levels and impacts on health and the environment*. Available at: <https://assets.publishing.service.gov.uk/media/5f92e916e90e077afc99d4a7/fireworks-evidence-submission-opss-noise-levels.pdf> [Accessed: 20 May 2025].



- *BS 8233:2014 Guidance on sound insulation and noise reduction for buildings 2014*<sup>78</sup>;
- *Guidelines for Environmental Noise Impact Assessment. Institute of Environmental Management and Assessment 2014*<sup>79</sup>;
- *The Good Practice Guide on the Control of Noise from Pubs and Clubs. Institute of Acoustics 2003*<sup>80</sup>;
- *Noise from Pubs and Clubs Phase 1. University of Salford and Hepworth Acoustics 2006*<sup>81</sup>;
- *Noise from Pubs and Clubs Phase 2. BRE and Capita Symonds 2006*<sup>82</sup>; and
- *The Good Practice Guide on the Control of Noise from Places of Entertainment 2016 Draft. Institute of Acoustics 2016*<sup>83</sup>.

<sup>78</sup> BSI Group (2014) *Guidance on Sound Insulation and Noise Reduction for Buildings*. Available at: <https://knowledge.bsigroup.com/products/guidance-on-sound-insulation-and-noise-reduction-for-buildings?version=standard> [Accessed: 20 May 2025].

<sup>79</sup> Institute of Environmental Management and Assessment (2014) *Guidelines for Environmental Noise Impact Assessment*. Available at: [Guidelines for Environmental Noise Impact Assessment](#) [Accessed: 20 May 2025].

<sup>80</sup> Institute of Acoustics (2001) *Code of Practice on the Control of Noise from Pubs and Clubs*. Available at: <https://www.ioa.org.uk/catalogue/article/code-practice-control-noise-pubs-and-clubs> [Accessed: 20 May 2025].

<sup>81</sup> UK Government (2006) *Noise from Pubs and Clubs: Phase II Final Report*. Available at: <https://www.gov.uk/government/publications/noise-from-pubs-and-clubs-phase-ii-final-report-may-2006> [Accessed: 20 May 2025].

<sup>82</sup> BRE and Capita Symonds (2006) *Noise from Pubs and Clubs Phase 2*. Available at: [Noise from Pubs and Clubs Phase 2](#) [Accessed: 20 May 2025].

<sup>83</sup> Institute of Acoustics (2016) *The Good Practice Guide on the Control of Noise from Places of Entertainment 2016 Draft*. Available at: [Sound advice \(hse.gov.uk\)](https://www.hse.gov.uk/soundadvice/) [Accessed: 20 May 2025].



## 1.7. CULTURAL HERITAGE AND ARCHAEOLOGY

**Table 6 – Relevant Cultural Heritage and Archaeology Legislation, Policy and Guidance**

Legislation	
<i>Ancient Monuments and Archaeological Areas Act 1979</i> <sup>84</sup>	<p>Nationally important archaeological sites (both above and below-ground remains) may be identified and protected under the <i>Ancient Monuments and Archaeological Areas Act 1979</i>. An application to the Secretary of State is required for any works affecting a scheduled monument. Prior written permission, known as Scheduled Monument Consent (SMC) is required from the Secretary of State for works physically affecting a scheduled monument. SMC is separate from the statutory planning process.</p> <p>Development affecting the setting of a scheduled monument is dealt with wholly under the planning system and does not require SMC.</p> <p>Geophysical prospection (including the use of a metal detector) on a scheduled monument requires consent from Historic England.</p>
<i>Planning (Listed Buildings and Conservation Areas) Act 1990</i> <sup>85</sup>	<p>The <i>Planning (Listed Buildings and Conservation Areas) Act 1990</i> sets out the legal requirements for the control of development and alterations which affect listed buildings or conservation areas (including buildings of heritage interest which lie within a conservation area). Grade I are buildings of exceptional interest. Grade II* are particularly significant buildings of more than special interest. Grade II are buildings of special interest.</p> <p>Arrangements for Handling Heritage Applications: Notification to Historic England and National Amenity Societies and the <i>Secretary of State (England) Direction 2021</i>, directs that in respect of applications for listed building consent, local planning authorities must consult Historic England for works; (i) in respect of any Grade I or II* listed building; and (ii) for relevant works in respect of any Grade II listed building. The National Amenity Societies must be consulted where the partial or complete demolition of a listed building is proposed.</p> <p>Also protected and requiring listed building consent, even if they are not specifically referred to in a statutory listing description, are 'curtilage buildings'. These are any object or structure within the curtilage of a principal building (listed building) which, although not fixed to the principal building, forms part of the land and has done</p>

<sup>84</sup> UK Public General Act (1979) *Ancient Monuments and Archaeological Areas Act 1979*. Available at: <https://www.legislation.gov.uk/ukpga/1979/46/contents> [Accessed: 20 May 2025].

<sup>85</sup> UK Public General Act (1979) *The Planning (Listed Buildings and Conservation Areas) Act 1990*. Available at: <https://www.legislation.gov.uk/ukpga/1990/9/contents> [Accessed: 20 May 2025].

	so before 1st July 1948 and which is treated as part of the principal building by virtue of Section 1(5)(b) of the Act.
<i>Burial Act 1857 as amended by the Church of England (Miscellaneous Provisions) Measure 2014</i> <sup>86</sup>	Exhumations from land which is not subject to the Church of England's jurisdiction will need a licence from the Secretary of State, under Section 25 of the <i>Burial Act 1857</i> as amended by the <i>Church of England (Miscellaneous Provisions) Measure 2014</i> . A Burial Licence is required from the Secretary of State if the remains are not intended for reburial in consecrated ground (or if this is to be delayed - for example where archaeological or scientific analysis takes place first).
<i>Town and Country Planning (Churches, Places of Religious Worship and Burial Grounds) Regulations 1950</i> <sup>87</sup>	<i>Under the Town and Country Planning (Churches, Places of Religious Worship and Burial Grounds) Regulations 1950</i> , the removal and re-interment of human remains should be in accordance with the direction of the local Environmental Health Officer.
<i>The Hedgerow Regulations 1997</i> <sup>88</sup>	<p><i>The Hedgerow Regulations 1997</i> presents the following criteria for determining important hedgerows (archaeology and history):</p> <ul style="list-style-type: none"> <li>▪ The hedgerow has existed for 30 years or more;</li> <li>▪ The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township and for this purpose "historic" means existing before 1850;</li> <li>▪ The hedgerow incorporates an archaeological feature which is: (a) included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the <i>Ancient Monuments and Archaeological Areas Act 1979</i>(7); or (b) recorded at the relevant date in a Sites and Monuments Record (Now Historic Environment Record);</li> <li>▪ The hedgerow is: (a) situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and (b) is associated with any monument or feature on that site;</li> </ul>

<sup>86</sup> Church Measures (2014) *Church of England (Miscellaneous Provisions) Measure 2014*. Available at: <https://www.legislation.gov.uk/ukcm/2014/1/section/2> [Accessed: 20 May 2025].

<sup>87</sup> UK Statutory Instruments (1950) *The Town and Country Planning (Churches, Places of Religious Worship and Burial Grounds) Regulations 1950*. Available at: <https://www.legislation.gov.uk/ukSI/1950/792/contents/made> [Accessed: 20 May 2025].

<sup>88</sup> UK Statutory Instruments (1997) *The Hedgerow Regulations 1997*. Available at: <https://www.legislation.gov.uk/ukSI/1997/1160/contents/made> [Accessed: 20 May 2025].

	<ul style="list-style-type: none"> <li>▪ The hedgerow: (a) marks the boundary of a pre-1600 AD estate or manor recorded at the relevant date in a Sites and Monuments Record or in a document held at that date at a Record Office; or (b) is visibly related to any building or other feature of such an estate or manor; and</li> <li>▪ The hedgerow is: (a) recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Enclosure Acts; or (b) is part of, or visibly related to, any building or other feature associated with such a system, and that system is (i) substantially complete; or (ii) is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act, for the purposes of development control within the authority's area, as a key landscape characteristic.</li> </ul>
<i>Disused Burial Grounds Act 1884</i> <sup>89</sup> as amended by 1981 <sup>90</sup>	Under the <i>Disused Burial Grounds Acts 1884 and 1981</i> , new buildings may not be constructed on disused burial grounds unless specific conditions are met. The 1884 Act prohibits building on land once used for burials, while the 1981 Act provides limited exceptions, such as where no human remains are present or where the development is for certain authorised uses (e.g. reordering of churches or improvements to public open space). Permissions may also be granted via faculty or statutory provisions where applicable.
<b>Policy</b>	
<i>Ministry of Housing, Communities and Local Government (MHCLG) National Planning Policy Framework (NPPF) (2024)</i> <sup>91</sup>	The NPPF revised in December 2024 by the Ministry of Housing, Communities and Local Government (formerly known as the Department for Levelling Up, Housing and Communities), sets out the Government's planning policies for England and provides guidance for planning authorities and developers on the conservation and investigation of heritage assets. The primary objective of the NPPF is to foster the delivery of sustainable development, not to prevent it. The historic environment is specifically dealt with in section 16 of the NPPF. The policies set out in the NPPF should be interpreted and applied locally to meet local objectives. The NPPF is designed to provide a clear framework to make sure that heritage assets are conserved or enhanced in a manner that is proportionate with their significance. The NPPF sets out the importance of assessing the significance of heritage assets that may be affected by the Proposed Development. Paragraph 207 of the NPPF states that local planning authorities, when determining applications, should require the applicant to "describe the significance of any heritage assets affected, including any contribution made by their setting". Paragraph 207

<sup>89</sup> UK Government (1884) *Disused Burial Grounds Act 1884*. Available at: <https://www.legislation.gov.uk/ukpga/Vict/47-48/72> [Accessed: 16 May 2025].

<sup>90</sup> UK Government (1981) *Disused Burial Grounds (Amendment) Act 1981*. Available at: <https://www.legislation.gov.uk/ukpga/1981/18/contents> [Accessed: 16 May 2025].

<sup>91</sup> Department for Levelling Up, Housing & Communities (DLUHC) (2024) *National Planning Policy Framework (NPPF)*. Available at: [https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf) [Accessed: 20 May 2025].

goes on to state that “the level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”.

Heritage assets are defined in Annex 2 of the NPPF as “a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)”. Annex 2 also defines significance as “the value of a heritage asset to this and future generations because of its heritage interest. Setting is defined as “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve”.

Paragraph 210 of the NPPF states that local planning authorities should consider the following when determining planning applications:

- “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness”.

Paragraphs 212 to 216 detail the notion that heritage assets can be harmed or lost through alterations, destruction, or from development within their setting. These paragraphs identify that this harm ranges from less than substantial to substantial or total loss of significance. The emphasis should be on the conservation of designated heritage assets, regardless of whether any potential harm is considered to be substantial or less than substantial (paragraph 212). As a rule, the more important the heritage asset is, the greater the weight should be on its conservation. Assets of the highest significance are scheduled monuments, protected wreck sites, registered battlefields, Grade I and II\* listed buildings, Grade I and II\* registered parks and gardens, and World Heritage Sites (paragraph 213).

Paragraph 214 of the NPPF goes on to state that development consent should be refused where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, unless the application demonstrates that the Proposed Development will result in substantial public benefits that outweigh the harm or loss to the heritage asset. Where less than substantial harm is caused, this should also be weighed against the public benefits of the proposal.

With regard to applications concerning non-designated heritage assets ‘a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’ (paragraph 216).

*Bedford Local Plan 2030 (2020)*<sup>92</sup>

Policy 41S - Historic environment and heritage assets

i. Where a proposal would affect a heritage asset the applicant will be required to describe:

- The significance of the asset including any contribution made by its setting and impacts of the proposal on this significance; and
- The justification for the proposal, how it seeks to preserve or enhance the asset/setting or where this is not possible, how it seeks to minimise the harm.

ii. This description must be in the form of one or a combination of: a des- based assessment; heritage statement; heritage impact assessment; and/or archaeological field evaluation. Further information will be requested where applicants have failed to provide assessment proportionate to the significance of the assets affected and sufficient to inform the decision-making process;

iii. Where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset or non-designated heritage asset of archaeological interest of demonstrably equivalent significance to a scheduled monument, consent will be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site;
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

iv. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use;

v. In considering proposals affecting designated heritage assets or a non-designated heritage asset of archaeological interest of demonstrably equivalent significance to a scheduled monument, involving their alteration, extension, demolition, change of use and/or development in their setting, the Council will include in their consideration as appropriate:

<sup>92</sup> Bedford Borough Council (2020) *Bedford Local Plan 2030*. Available at: <https://www.bedford.gov.uk/media/4011/download?inline> [Accessed: 20 May 2025].

	<ul style="list-style-type: none"> <li>▪ The asset's archaeological, architectural, artistic and historic interest and any contribution to its significance from setting (including the wider historic landscape);</li> <li>▪ scale, form, layout, density, design, quality and type of materials, and architectural detailing;</li> <li>▪ boundary treatments and means of enclosure;</li> <li>▪ implications of associated car parking, services and other environmental factors;</li> </ul> <p>effect on streetscape, roovescape and skyline including important views within, into or out of heritage assets;</p> <ul style="list-style-type: none"> <li>▪ impact on open space which contributes positively to the character and/or appearance of heritage assets; and</li> <li>▪ the positive benefits of the proposal in addressing heritage at risk.</li> </ul> <p>vi. Where heritage assets are included on a Local List and are affected by development proposals the Council will afford weight proportionate to their heritage significance in the decision-making process to protect and conserve the significance which underpins their inclusion. Partial or total loss adversely impacting this significance will require clear and convincing justification;</p> <p>vii. The effect of proposals on the significance of non-designated heritage assets will be taken into account in determining applications for development. Applications which result in harm or loss of significance to non-designated heritage assets will only be supported if clear and convincing justification has been demonstrated. In making a decision, the Council will weigh the significance of the heritage asset affected against the scale of any harm or loss to it;</p> <p>viii. Where applications are permitted which will result in (total or partial) loss to a heritage asset's significance (including where preservation in situ of buried archaeological remains is not necessary or feasible), applicants will be required to arrange for further assessment of and recording of this significance in advance of, and where required, during development/works. This assessment and recording must be undertaken by a suitably qualified specialist in accordance with a design brief set by the Council's Historic Environment Team. The work might include:</p> <ul style="list-style-type: none"> <li>▪ Archaeological and/or historic building fieldwork;</li> <li>▪ Post-excavation/recording assessment, analysis, interpretation;</li> <li>▪ Archiving with the local depository, and</li> <li>▪ Presentation to the public of the results and finds in a form to be agreed with the Council.</li> </ul>
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As a minimum, presentation of the results should be submitted to the Bedford Borough Historic Environment Record and where appropriate, will be required at the asset itself through on-Site interpretation

### Guidance

The cultural heritage and archaeology assessment has been undertaken accordance with the following good practice guidance documents:

- *Chartered Institute for Archaeologists, Standard and guidance for historic environment desk-based assessment (2020)*<sup>93</sup>;
- *Historic England, The setting of heritage assets. Historic Environment Good Practice Advice in Planning Note 3, (2017)*<sup>94</sup>; and
- *Historic England, Statements of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12, (2019)*<sup>95</sup>.
- *Ministry of Housing, Communities and Local Government: Conserving and Enhancing the Historic Environment: Planning Practice Guide (2024)*
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<sup>93</sup> Chartered Institute for Archaeologists (2020) *Standard and guidance for historic environment desk-based assessment*. Available at: [https://www.archaeologists.net/sites/default/files/CIAS%26GDBA\\_4.pdf](https://www.archaeologists.net/sites/default/files/CIAS%26GDBA_4.pdf) [Accessed: 20 May 2025].

<sup>94</sup> Historic England (2017) *Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets*. Available at: <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/> [Accessed: 20 May 2025].

<sup>95</sup> Historic England (2019) *Statements of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12*. Available at: <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/> [Accessed: 20 May 2025].



## 1.8. GROUND CONDITIONS, SOILS AND AGRICULTURAL LAND

**Table 7 – Relevant Ground Conditions and Soils Legislation, Policy and Guidance**

Legislation	
<i>Environment Act 1995</i> <sup>96</sup>	Part IIA of the <i>Environmental Protection Act 1990</i> is introduced by Section 57 of the <i>Environment Act 1995</i> , requires an overall risk-based approach to dealing with contaminated sites, which is consistent with the general good practice approach to managing land contamination. This has been considered for the Proposed Development.
<i>Environmental Protection Act (EPA) 1990</i> <sup>97</sup>	Part IIA of the <i>EPA 1990</i> defines contaminated land as ‘any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of the substances in, on or under the land, that: <ul style="list-style-type: none"> <li>▪ Significant harm is being caused or there is a significant possibility of such harm being caused; or</li> <li>▪ Significant pollution of controlled waters is being or there is a significant possibility of such pollution being caused’.</li> </ul>
Contaminated Land (England) Regulations 2006 <sup>98</sup>	These Regulations make provision for the identification and remediation of contaminated land under Part 2A of the 1990 Act. The Regulations make provision for an additional description of contaminated land that is required to be designated as a special site.
<i>The Contaminated Land (England) (Amendment) Regulations 2012</i> <sup>99</sup>	These Regulations provide a definition of what constitutes ‘contaminated land’ and set out the responsibilities of the Local Authority and the Environment Agency in the identification and management of contaminated land.

<sup>96</sup> The National Archives, (1995) *Environment Act 1995*. Available at: <https://www.legislation.gov.uk/ukpga/1995/25/contents> [Accessed: 20 May 2025].

<sup>97</sup> The National Archives (1990) *Environmental Protection Act 1990*. Available at: <https://www.legislation.gov.uk/ukpga/1990/43/contents> [Accessed: 20 May 2025].

<sup>98</sup> The National Archives (2006) *The Environmental Noise (England) Regulations 2006*. Available at: <https://www.legislation.gov.uk/uksi/2006/1380/contents> [Accessed: 20 May 2025].

<sup>99</sup> The National Archives (2012) *The Control of Asbestos Regulations 2012*. Available at: <https://www.legislation.gov.uk/uksi/2012/263> [Accessed: 20 May 2025].



<i>The Construction (Design and Management) Regulations 2015 (CDM Regulations)</i> <sup>100</sup>	These are the main regulations for managing the health, safety and welfare of construction projects. <i>CDM Regulations</i> apply to all building and construction work, including new build, demolition, refurbishment, extensions, conversions, repair and maintenance and is therefore relevant to the Proposed Development.
<i>Control of Substances Hazardous to Human Health (COSHH) 2002</i> <sup>101</sup>	This legislation requires employers to control substances that are hazardous to health. It outlines a precautionary approach to risk management with control strategies aiming to reduce exposure as much as possible which has been taken into account for the Proposed Development.
<i>Control of Asbestos Regulations 2012</i> <sup>102</sup>	This legislation provides a framework for the management of asbestos/asbestos containing materials (ACMs) in existing non-domestic premises and during any work activity involving asbestos. There are potential asbestos sources within the Proposed Development and as such, these regulations have been strictly adhered to.
<i>The Environmental Permitting (England and Wales) Regulations 2016 (EP Regulations)</i> <sup>103</sup>	The EP Regulations require every regulated facility (as defined) to be operated under the authority of an environmental permit. They provide, among other things, for: the discharge of functions by the regulator in relation to permits, procedures for environmental permitting, enforcement notices and other enforcement measures and powers of the regulator.
<i>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</i> <sup>104</sup>	These regulations provide a framework for managing the water environment. Given that there are surface water features within the Ground Conditions, Soils and Agricultural Land Study Area, these regulations have been strictly adhered to.

<sup>100</sup> Health and Safety Executive (2015) *The Construction (Design and Management) Regulations 2015*. Available at: <https://www.hse.gov.uk/construction/cdm/2015/index.htm> [Accessed: 20 May 2025].

<sup>101</sup> Health and Safety Executive (2002) *Control of substances hazardous to health (COSHH)*. Available at: [https://www.hse.gov.uk/cleaning/topics/coshh.htm#:~:text=you%20must%20do-,Control%20of%20Substances%20Hazardous%20to%20Health%20\(COSHH\)%20Regulations%202002%20,\(those%20resulting%20from%20serious%20spillages](https://www.hse.gov.uk/cleaning/topics/coshh.htm#:~:text=you%20must%20do-,Control%20of%20Substances%20Hazardous%20to%20Health%20(COSHH)%20Regulations%202002%20,(those%20resulting%20from%20serious%20spillages). [Accessed: 20 May 2025].

<sup>102</sup> The National Archives (2012) *The Control of Substances Hazardous to Health Regulations 2012*. Available at: <https://www.legislation.gov.uk/uksi/2012/632/contents> [Accessed: 20 May 2025].

<sup>103</sup> The National Archives (2016) *The Control of Electromagnetic Fields and Work Regulations 2016*. Available at: <https://www.legislation.gov.uk/uksi/2016/1154/contents> [Accessed: 20 May 2025].

<sup>104</sup> The National Archives (2017) *The Town and Country Planning (Environmental Impact Assessment) Regulations*. Available at: <https://www.legislation.gov.uk/uksi/2017/407/contents> [Accessed: 20 May 2025].

<p><i>The Water Industry Act 1991 (as amended)</i><sup>105</sup></p>	<p>The <i>Water Industry Act 1991</i> provides statutory protection for controlled waters and makes it an offence to discharge into controlled waters without the permission or consent of the area's regulator. The broad aims of the Act are to ensure sustainable use of water resources, strengthening the voice of consumers, increasing competition and promoting water conservation.</p> <p>This was amended by the <i>Water Act 2014</i> to enable greater competition for non-household customers and give Ofwat new powers to make rules about charges and charging schemes, as well as make provisions for flood insurance and drainage boards. It is relevant for the Proposed Development due to its legislative power in ensuring the protection of Controlled Waters within the Site.</p>
<p><i>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</i><sup>106</sup></p>	<p>The overall objective of the Water Framework Directive (WFD) is to bring about the effective co-ordination of water environment policy and regulation across Europe. The Proposed Development has taken into consideration the groundwater and surface water bodies located at the Site, so that these environments will not be harmed during the construction and operational phases. Risks to controlled waters are one of the elements scoped into the <b>Chapter 11: Ground Conditions, Soils and Agricultural Land (Volume 1)</b>.</p>
<p><i>Environmental Damage (Prevention and Remediation) Regulations 2015</i><sup>107</sup></p>	<p>These Regulations oblige those who create environmental damage, whether by water pollution, adversely affecting protected species or sites of special scientific interest (SSSIs), or by land pollution that causes risks to human health, to not only cease the damage, but also to implement a wide variety of remedial measures to restore affected areas. The Site is partially located within four SSI Impact Risk Zones and as such, this legislation has been strictly adhered to.</p>
<p><b>Policy</b></p>	
<p><i>A Green Future: Our 25 Year Plan to improve the Environment (2018)</i><sup>108</sup></p>	<p>This policy sets out the Government's 25-year plan to improve the health of the environment by using natural resources more sustainably and efficiently. It plans to: protect the best agricultural land; put a value on soils as part of our natural capital; manage soils in a sustainable way by 2030; and restore and protect peatland.</p>

<sup>105</sup> The National Archives (1991) *Water Resources Act 1991*. Available at: <https://www.legislation.gov.uk/ukpga/1991/56/contents> [Accessed: 20 May 2025].

<sup>106</sup> The National Archives (2017). *The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017*. Available at: [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2017/12/contents) [Accessed: 20 May 2025].

<sup>107</sup> The National Archives (2015) *The Town and Country (Development Management Procedure) (England) Order 2015*. Available at: <https://www.legislation.gov.uk/uksi/2015/810/contents> [Accessed: 20 May 2025].

<sup>108</sup> UK Government (2018) *25-year environment plan*. Available at: <https://www.gov.uk/government/publications/25-year-environment-plan> [Accessed: 20 May 2025].

*Bedford Borough Local Plan 2030  
– Adopted 2020<sup>109</sup>*

*Policy 47S – Pollution, disturbance and contaminated land* vi. states that all development proposals will be required to remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land so that it is suitable for its proposed use. This policy has been considered during the assessment of the Proposed Development.

**Guidance**

The Ground Conditions, Soils and Agricultural Assessment has been undertaken in accordance with the following good practice guidance documents:

- *Department for Environment, Food and Rural Affairs, (2012), Contaminated Land Statutory Guidance<sup>110</sup>;*
- *National Planning Practice Guidance (2023)<sup>111</sup>;*
- *Highways England. (2019). Design Manual for Roads and Bridges (DMRB) Sustainability & Environment Appraisal: LA 109 – Geology and soils<sup>112</sup>;*
- *Highways England. (2020). Design Manual for Roads and Bridges (DMRB) Sustainability & Environment Appraisal: LA 104 – Environmental assessment and monitoring<sup>113</sup>;*
- *C552 Contaminated Land Risk Assessment: A Guide to Good Practice 2001<sup>114</sup>;*
- *C532 Control of Water Pollution from Construction Sites: Guidance for Consultants and Contractors 2001<sup>115</sup>;*
- *C733 Asbestos in Soil and Made Ground: A Guide to Understanding and Managing Risks 2014<sup>116</sup>;*

<sup>109</sup> Central Bedfordshire Council (2020) *Bedford Borough Local Plan 2030*. Available at: [Local Plan 2030](#) [Accessed: 20 May 2025].

<sup>110</sup> UK Government (2012) *Contaminated Land Statutory Guidance*. Available at: <https://www.gov.uk/government/publications/contaminated-land-statutory-guidance> [Accessed: 20 May 2025].

<sup>111</sup> UK Government (2016) *Planning Practice Guidance*. Available at: <https://www.gov.uk/government/collections/planning-practice-guidance> [Accessed: 20 May 2025].

<sup>112</sup> Highways England (2020) *Design Manual for Roads and Bridges*: Volume 1. Available at: <https://www.standardsforhighways.co.uk/tses/attachments/adca4c7d-4037-4907-b633-76eae30b9c0> [Accessed: 20 May 2025].

<sup>113</sup> Highways England (2020) *Design Manual for Roads and Bridges*: Volume 2. Available at: <https://www.standardsforhighways.co.uk/tses/attachments/0f6e0b6a-d08e-4673-8691-cab564d4a60a> [Accessed: 20 May 2025].

<sup>114</sup> CIRIA (2001) *Environmental Good Practice on Site Guide (C552)*. Available at: [https://www.ciria.org/CIRIA/CIRIA/Item\\_Detail.aspx?iProductCode=C552&Category=BOOK](https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C552&Category=BOOK) [Accessed: 20 May 2025].

<sup>115</sup> CIRIA (2001) *Guidance for Consultants and Contractors (C532)*. Available at: [https://www.ciria.org/CIRIA/CIRIA/Item\\_Detail.aspx?iProductCode=C532&Category=BOOK#:~:text=Guidance%20for%20consultants%20and%20contractors%20\(C532\)&text=This%20publication%20provides%20advice%20on,pollution%20arising%20from%20construction%20activities.](https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C532&Category=BOOK#:~:text=Guidance%20for%20consultants%20and%20contractors%20(C532)&text=This%20publication%20provides%20advice%20on,pollution%20arising%20from%20construction%20activities.) [Accessed: 20 May 2025].

<sup>116</sup> CIRIA (2014) *Asbestos in Soil and made Ground: A Guide to Understanding and Managing Risks (C733)*. Available at: [https://www.ciria.org/CIRIA/CIRIA/Item\\_Detail.aspx?iProductCode=C733](https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C733) [Accessed: 20 May 2025].

- *Land Contamination Risk Management (LCRM) 2023*<sup>117</sup>;
- *British Standards (BS) 10175 (2011+A2:2017), Investigation of Potentially Contaminated Sites - Code of Practice*<sup>118</sup>;
- *Guidance on Assessing Risk to Controlled Waters from UK Land Contamination Under Conditions of Future Climate Change 2022*<sup>119</sup>;
- *Guidance for the Safe Development of Housing on Land Affected by Contamination: R&D Publication 66*<sup>120</sup>;
- *Groundwater Protection Technical Guidance 2017*<sup>121</sup>;
- *Development on Potentially Contaminated Land and / or for a Sensitive Land Use, Technical Guide for Planning Applicants and Developers, Hertfordshire and Bedfordshire Contaminated Land Forum, (2008)*<sup>122</sup>;
- *Society of Brownfield Risk Assessment (SoBRA). (2022). Guidance on Assessing Risk to Controlled Waters from UK Land Contamination Under Conditions of Future Climate Change*<sup>123</sup>;
- *IEMA, (February 2022) A New Perspective on Land and Soil in Environmental Impact Assessment*<sup>124</sup>; and
- *Contaminated Land: Applications in Real Environments (CL:AIRE), (2011), The Definition of Waste: Development Industry Code of Practice (DoW: CoP)*<sup>125</sup>.

<sup>117</sup> UK Government (2020) *Land Contamination Risk Management (LCRM)*. Available at: <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm> [Accessed: 20 May 2025].

<sup>118</sup> BSI (2011) *Investigation of Potentially Contaminated Sites – Code of Practice*. Available at: <https://knowledge.bsigroup.com/products/investigation-of-potentially-contaminated-sites-code-of-practice-code-of-practice?version=standard> [Accessed: 20 May 2025].

<sup>119</sup> SoBRA (2022) *Controlled Waters and Climate Change Report*. Available at: [https://sobra.org.uk/?pmpo\\_getfile=1&file=2022/08/SoBRA-controlled-waters-and-climate-change-report- -FINAL\\_published-issue\\_Aug-2022-1&ext=pdf](https://sobra.org.uk/?pmpo_getfile=1&file=2022/08/SoBRA-controlled-waters-and-climate-change-report- -FINAL_published-issue_Aug-2022-1&ext=pdf) [Accessed: 20 May 2025].

<sup>120</sup> The National Archives (2008) *Guidance for the Safe Development of Housing on Land Affected by Contamination*. Available at: <https://webarchive.nationalarchives.gov.uk/ukgwa/20140328084622/http://www.environment-agency.gov.uk/static/documents/Leisure/SR-DPUB66-e-e.pdf> [Accessed: 20 May 2025].

<sup>121</sup> UK Government (2017) *Groundwater Protection Technical Guidance* Available at: <https://www.gov.uk/government/publications/groundwater-protection-technical-guidance> [Accessed: 20 May 2025].

<sup>122</sup> Hertfordshire County Council (2008) *Contaminated Land Strategy*. Available at: [https://www.centralbedfordshire.gov.uk/migrated\\_images/herts-contaminated-land\\_tcm3-3798.pdf](https://www.centralbedfordshire.gov.uk/migrated_images/herts-contaminated-land_tcm3-3798.pdf) [Accessed: 20 May 2025].

<sup>123</sup> SoBRA (2022) *Controlled Waters and Climate Change Report*. Available at: [https://sobra.org.uk/?pmpo\\_getfile=1&file=2022/08/SoBRA-controlled-waters-and-climate-change-report- -FINAL\\_published-issue\\_Aug-2022-1&ext=pdf](https://sobra.org.uk/?pmpo_getfile=1&file=2022/08/SoBRA-controlled-waters-and-climate-change-report- -FINAL_published-issue_Aug-2022-1&ext=pdf) [Accessed: 20 May 2025].

<sup>124</sup> IEMA (2022) *Launch of New EIA Guidance on Land and Soils*. Available at: [IEMA publishes new land and soils guidance](https://www.ima.org.uk/ima-publishes-new-land-and-soils-guidance) [Accessed: 20 May 2025].

<sup>125</sup> CL:AIRE (2023) *Definition of Waste: Code of Practice (DoW CoP)*. Available at: <https://claire.co.uk/projects-and-initiatives/dow-cop> [Accessed: 20 May 2025].

## 1.9. WATER RESOURCES

**Table 8 – Relevant Water Resources Legislation, Policy and Guidance**

<b>Legislation</b>	
<i>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017<sup>126</sup></i>	The <i>Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</i> are an important mechanism for assessing and managing the water environment in the UK. It originates from the <i>EU Water Framework Directive (2000/60/EC)</i> . Given that there are surface water features within the Water Resources Study Area, these regulations have been strictly adhered to.
<i>The Groundwater (Water Framework Directive) (England) Direction 2016<sup>127</sup></i>	This legislation sets out obligations to protect groundwater including the monitoring and setting of thresholds for pollutants in groundwater and the pollutants to be considered. This has been adhered to for the assessment of the Proposed Development.
<i>Planning Policy Guidance (PPG) Flood Risk and Coastal Change 2022<sup>128</sup></i>	This guidance advises on how to take account of and address the risks associated with flooding and coastal change in the planning process which has been considered throughout the planning process for the Proposed Development.
<i>Flood and Water Management Act 2010<sup>129</sup></i>	This legislation sets out instructions on the obligations to manage flood risk for people, homes and businesses. Its aim is to safeguard communities from by managing flood and coastal erosion. Given that there are surface water features within the Water Resources Study Area which have the potential to exacerbate flood risk, these regulations have been strictly to.

<sup>126</sup> UK Government (2017) *The Environmental Permitting (England and Wales) Regulations 2016*. Available at: <https://www.legislation.gov.uk/ukxi/2017/407/contents> [Accessed: 20 May 2025].

<sup>127</sup> UK Government (2018) *Groundwater (England and Wales) Direction 2016*. Available at: <https://assets.publishing.service.gov.uk/media/5a800055ed915d74e622be43/groundwater-ea-direction.pdf> [Accessed: 20 May 2025].

<sup>128</sup> UK Government (1111) *Flood Risk and Coastal Change*. Available at: <https://www.gov.uk/guidance/flood-risk-and-coastal-change> [Accessed: 20 May 2025].

<sup>129</sup> UK Government (2010) *Equality Act 2010*. Available at: <https://www.legislation.gov.uk/ukpga/2010/29/contents> [Accessed: 20 May 2025].

<i>Water Resources Act 1991</i> <sup>130</sup>	The <i>Water Resources Act 1991</i> puts into law that it is an offence to cause or knowingly permit any poisonous, noxious or polluting material, or any solid waste to enter any controlled water. Given that there are surface water features within the Water Resources Study Area and both construction and operational activities have the potential to put pollutants into controlled waters, these regulations have been strictly to.
<i>Water Act 2014</i> <sup>131</sup>	This Act enables greater competition for non-household customers and give Ofwat new powers to make rules about charges and charging schemes, as well as make provisions for flood insurance and drainage boards. It is relevant for the Proposed Development due to its legislative power in ensuring the protection of Controlled Waters within the Site.
<i>Environment Protection Act 1990</i> <sup>132</sup>	The <i>Environmental Protection Act 1990</i> makes provision for the improved control of pollution to the air, water and land by regulating the management of waste and the control of emissions.
<i>Anti-Pollution Works Regulations 1999</i> <sup>133</sup>	The legislation aims to minimise environmental pollution caused by industrial activities which include the construction of the Proposed Development.
<i>Water Supply Regulations 2016</i> <sup>134</sup>	The legislation aims to protect the health of the public by setting out drinking water standards to adhere to. As the Proposed Development will be open to the public and have a workforce, it has to comply with this legislation.
<i>Control of Pollution Regulations 2001</i> <sup>135</sup>	These regulations require certain works to employ precautions and other steps to prevent the pollution of any controlled waters. They are applicable to the Proposed Development due to the presence of controlled waters on the Site.

<sup>130</sup> UK Government (1991) *Water Resources Act 1991*. Available at: <https://www.legislation.gov.uk/ukpga/1991/57/contents> [Accessed: 20 May 2025].

<sup>131</sup> UK Government (2014) *Infrastructure Act 2015*. Available at: <https://www.legislation.gov.uk/ukpga/2014/21/contents> [Accessed: 20 May 2025].

<sup>132</sup> UK Government (1990) *Environmental Pollution Act 1990*. Available at: <https://www.legislation.gov.uk/ukpga/1990/43/contents> [Accessed: 20 May 2025].

<sup>133</sup> UK Government (1999) *The Contaminated Land (England) Regulations 2000*. Available at: <https://www.legislation.gov.uk/uksi/1999/1006/contents/made> [Accessed: 20 May 2025].

<sup>134</sup> UK Government (2016) *The Environmental Permitting (England and Wales) (Amendment) Regulations 2016*. Available at: <https://www.legislation.gov.uk/uksi/2016/614/contents> [Accessed: 20 May 2025].

<sup>135</sup> UK Government (2001) *The Contaminated Land (England) (Amendment) Regulations 2001*. Available at: <https://www.legislation.gov.uk/uksi/2001/2954/contents> [Accessed: 20 May 2025].



<i>Environmental Damage (Prevention and Remediation) Regulations 2015</i> <sup>136</sup>	These Regulations oblige those who create environmental damage, whether by water pollution, adversely affecting protected species or sites of special scientific interest (SSSIs), or by land pollution that causes risks to human health, to not only cease the damage, but also to implement a wide variety of remedial measures to restore affected areas.
<i>The Environmental Permitting (England and Wales) Regulations 2016 (EP Regulations)</i> <sup>137</sup>	The EP Regulations require every regulated facility (as defined) to be operated under the authority of an environmental permit. They provide, among other things, for: the discharge of functions by the regulator in relation to permits, procedures for environmental permitting, enforcement notices and other enforcement measures and powers of the regulator.
Land Drainage Act 1991 <sup>138</sup>	This Act requires that watercourses be maintained to such a condition that free flow water is not impeded. This applied to development activities and therefore the Proposed Development.
<b>Policy</b>	
<i>South Bedfordshire Local Plan – Adopted 2004</i> <sup>139</sup>	<i>Policy BE9</i> – where land to be developed is suspected of being contaminated the district council will require appropriate site investigation and risk assessments to be carried out to determine the extent and nature of any contamination. Appropriate remediation measures will be required to be carried out prior to the redevelopment of the site.
<p>The water resources assessment has been undertaken in accordance with the following policy documents:</p> <ul style="list-style-type: none"> <li>▪ <i>Environment Agency Anglian River Basin Management Plan (2022)</i><sup>140</sup>;</li> </ul>	

<sup>136</sup> UK Government (2015) *The Environmental Permitting (England and Wales) (Amendment) Regulations 2015*. Available at: <https://www.legislation.gov.uk/ukxi/2015/810/contents> [Accessed: 20 May 2025].

<sup>137</sup> UK Government (2016) *The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016*. Available at: <https://www.legislation.gov.uk/ukxi/2016/1154/contents> [Accessed: 20 May 2025].

<sup>138</sup> UK Government (1991) *Land Drainage Act 1991*. Available at: <https://www.legislation.gov.uk/ukpga/1991/59/contents> [Accessed: 20 May 2025].

<sup>139</sup> Central Bedfordshire Council (2004) *South Bedfordshire Local Plan*. Available at: <https://apps.centralbedfordshire.gov.uk/apps/stat/sbdc-localplan/DATA/contentsfr.html> [Accessed: 20 May 2025].

<sup>140</sup> UK Government (2022) *Anglian River Basin District River Basin Management Plan*. Available at: <https://www.gov.uk/guidance/anglian-river-basin-district-river-basin-management-plan-updated-2022> [Accessed: 20 May 2025].

- *Anglian River Basin District Flood Risk Management Plan 2021 to 2027 (2022)*<sup>141</sup>;
- *Great Ouse: Catchment Flood Management Plan (2011)*<sup>142</sup>;
- *Bedford Borough Council Supplementary Planning Document for Sustainable Drainage Systems (2018)*<sup>143</sup>;
- *Bedford Borough Council – Preliminary Flood Risk Assessment (PFRA) (2011)*<sup>144</sup>;
- *Bedford Borough Council Level 1 and 2 Strategic Flood Risk Assessment (SFRA) (2022)*<sup>145</sup>; and
- *Bedford Borough Council Local Flood Risk Management Strategy (2022)*<sup>146</sup>.

## Guidance

The water resources assessment has been undertaken accordance with the following good practice guidance documents:

- *Ciria SUDS Manual C753 2015*<sup>147</sup>;
- *BS EN 752:2017 Drain and sewer systems outside buildings*<sup>148</sup>;
- *BS 8533:2017 Assessing and managing flood risk in development - code of practice*<sup>149</sup>; and

<sup>141</sup> UK Government (2022) *Anglian Flood Risk Management Plan 2021-2027*. Available at: <https://assets.publishing.service.gov.uk/media/6374f46ae90e07285214048f/Anglian-FRMP-2021-2027.pdf> [Accessed: 20 May 2025].

<sup>142</sup> UK Government (2011) *Great Ouse Catchment Flood Management Plan*. Available at: [https://assets.publishing.service.gov.uk/media/5a7c39a4ed915d7d70d1d6c9/Great\\_Ouse\\_Catchment\\_Flood\\_Management\\_Plan.pdf](https://assets.publishing.service.gov.uk/media/5a7c39a4ed915d7d70d1d6c9/Great_Ouse_Catchment_Flood_Management_Plan.pdf) [Accessed: 20 May 2025].

<sup>143</sup> Bedford Borough Council (2018) *Sustainable Drainage Systems (SuDS) Supplementary Planning Document (SPD)*. Available at: <https://edrms.bedford.gov.uk/OpenDocument.aspx?id=SE%2fYvEcHkpieCiSGAkjD9w%3d%3d&name=SuDS%20SPD.pdf> [Accessed: 20 May 2025].

<sup>144</sup> Bedford Borough Council (2011) *Preliminary Flood Risk Assessment (PFRA)*. Available at: <https://www.bedford.gov.uk/files/pfra.pdf/download?inline> [Accessed: 20 May 2025].

<sup>145</sup> Bedford Borough Council (2022) *Level 2 Strategic Flood Risk Assessment (SFRA)*. Available at: <https://www.bedford.gov.uk/files/bedford-borough-council-level-2-sfra.pdf/download?inline> [Accessed: 20 May 2025].

<sup>146</sup> Bedford Borough Council (2022) *Local Flood Risk Management Strategy (LFRMS) 2022*. Available at: <https://www.bedford.gov.uk/files/lfrms-2022/download?inline> [Accessed: 20 May 2025].

<sup>147</sup> CIRIA (2015) *The SuDS Manual (C753)*. Available at: [https://www.ciria.org/CIRIA/CIRIA/Item\\_Detail.aspx?iProductCode=C753](https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C753) [Accessed: 20 May 2025].

<sup>148</sup> BSI (2017) *Code of Practice for the Design of Protective Measures for Methane and Carbon dioxide Ground Gases for New Buildings*. Available at: <https://www.thenbs.com/PublicationIndex/documents/details?Pub=BSI&DocId=335756> [Accessed: 20 May 2025].

<sup>149</sup> BSI (2017) *Code of Practice for Ground Investigations*. Available at: <https://www.thenbs.com/PublicationIndex/documents/details?Pub=BSI&DocId=320362> [Accessed: 20 May 2025].



- *BS 8582:2013 Code of practice for surface water management for development sites*<sup>150</sup>.

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<sup>150</sup> BSI (2013) *Code of Practice for Surface Water Management for Development Sites*. Available at: <https://knowledge.bsigroup.com/products/code-of-practice-for-surface-water-management-for-development-sites?version=standard> [Accessed: 20 May 2025].

## 1.10. SOCIO-ECONOMICS, POPULATION AND HUMAN HEALTH

**Table 9 – Relevant Socio-Economics, Population and Human Health Legislation, Policy and Guidance**

<b>Legislation</b>	
<i>Countryside Rights of Way Act 2000</i> <sup>151</sup>	This Act makes provision for and aims to protect public access to the countryside, whilst preserving environmental conservation. It extends the right of public access to the countryside, including to woodlands, the Green Belt, water and grassland.
<i>The Equality Act 2010</i> <sup>152</sup>	This Act outlines legislation to protect people from discrimination in the workplace and in wider society, addressing the ‘protected characteristics’ of: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
<i>Localism Act 2011</i> <sup>153</sup>	This Act gives rights and powers to both communities and individuals. It is relevant in the context of the Proposed Development due to its proximity to recreational facilities.

<sup>151</sup> UK Government (2000) *Countryside and Rights of Way Act 2000*. Available at: <https://www.legislation.gov.uk/ukpga/2000/37/contents> [Accessed: 20 May 2025].

<sup>152</sup> UK Government (2010) *Flood and Water Management Act 2010*. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents> [Accessed: 20 May 2025].

<sup>153</sup> UK Government (2011) *Localism Act 2011*. Available at: <https://www.legislation.gov.uk/ukpga/2011/20/contents> [Accessed: 20 May 2025].

Guidance	
<i>Homes and Communities Agency (HCA) Employment Density Guide 3<sup>rd</sup> Edition<sup>154</sup> 2015<sup>155</sup></i>	This HCA (now Homes England) guidance provides an employment density matrix for the different use classes, as a guide for future employment assessment.
<i>HCA Additionality Guide 4<sup>th</sup> Edition 2014<sup>156</sup></i>	This guide provides composite multipliers (the combined effect of indirect and induced multiplier effects) for displacement and leakage rates that should be applied as part of the assessment of employment generation.
<i>Institute for Environmental Management and Assessment (IEMA) Determining Significance for Human Health in Environmental Impact Assessment<sup>157</sup></i>	This guide outlines the changes to the way that EIA is undertaken in the UK and Republic of Ireland in relation to human health, including how to assign significant to human health.
<i>The principles of Design Manual for Roads and Bridges (DMRB)<sup>158</sup> Volume 11 Section 3 LA 112 Population and human health</i>	This sets out guidance for assessing and reporting the environmental effects on land use and accessibility, and human health resulting from the construction, operation and maintenance of highways projects.

<sup>154</sup> Whilst this guidance document was withdrawn in 2022 (due to the HCA being replaced by Homes England), no statement on replacement guides published by the UK Government has been made. Guidance documents are still available for reference and are currently used by many local authorities and public bodies in the absence of a replacement. It is considered that in the absence of any further guidance on employment density and additionality, these documents remain relevant and appropriate guidance documents.

<sup>155</sup> UK Government (2010) *Employment Densities Guide*. Available at: <https://www.gov.uk/government/publications/employment-densities-guide> [Accessed: 20 May 2025].

<sup>156</sup> UK Government (2014) *Additionality Guide (4<sup>th</sup> Edition)*. Available at: [https://assets.publishing.service.gov.uk/media/5a7ec4b9e5274a2e87db1c92/additionality\\_guide\\_2014\\_full.pdf](https://assets.publishing.service.gov.uk/media/5a7ec4b9e5274a2e87db1c92/additionality_guide_2014_full.pdf) [Accessed: 20 May 2025].

<sup>157</sup> IEMA (2022) *Launch of the EIA Guidance for Considering Impacts on Human Health*. Available at: <https://www.iema.net/resources/blogs/2022/11/17/iema-launch-of-the-eia-guidance-for-considering-impacts-on-human-health-november-2022/> [Accessed: 20 May 2025].

<sup>158</sup> Highways England (2010) *Standards for Highways*. Available at: <https://www.standardsforhighways.co.uk/tses/attachments/0f6e0b6a-d08e-4673-8691-cab564d4a60a> [Accessed: 20 May 2025].

*The principles of DMRB LA 104  
Environmental assessment and  
monitoring*<sup>159</sup>

This document sets out the requirements for environmental assessment of projects, including reporting and monitoring of significant adverse environmental effects.

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<sup>159</sup> Highways England (2020) *Design Manual for Roads and Bridges*. Available at: <https://www.standardsforhighways.co.uk/dmr> [Accessed: 20 May 2025].

## 1.11. GREENHOUSE GASES

**Table 10 – Relevant Greenhouse Gases Legislation, Policy and Guidance**

Legislation	
<i>Climate Change Act 2008</i> <sup>160</sup>	The <i>Climate Change Act</i> is the UK's approach to reduce greenhouse gas emissions by at least 100% of 1990 levels by 2050. All new developments have to consider this approach at all phases.
<i>United Nations Framework Convention on Climate Change 1992</i> <sup>161</sup>	The UK is a member of the United Nations Framework Convention on Climate Change ('UNFCCC') which drives international action on climate change. The UK has pledged to reduce emissions under the 'Paris Agreement' in 2015, as a part of a joint pledge by members of the EU. This provides an overarching commitment by the UK. In December 2020, the UK communicated its Nationally Determined Contribution (NDC) to the UNFCCC in line with Article 4 of the Paris Agreement. In its NDC, the UK commits to reducing economy-wide greenhouse gas emissions by at least 68% by 2030, compared to 1990 levels which includes ventures such as the Proposed Development.

<sup>160</sup> UK Government (2008) *Climate Change Act*. Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents> [Accessed: 20 May 2025].

<sup>161</sup> United Nations (1992) *United Nations Framework Convention on Climate Change (UNFCCC)*. Available at: <https://unfccc.int/resource/docs/convkp/conveng.pdf> [Accessed: 20 May 2025].

<i>The Carbon Budget Order 2021</i> <sup>162</sup>	The carbon budgets set legally binding targets in the UK to reduce greenhouse gas emissions over 5-year periods.
<i>The Building Regulations 2010 Conservation of fuel and power: Approved Document L (2021 edition incorporating 2023 amendments – for use in England)</i> <sup>163</sup>	All buildings on a site have to comply with the relevant version of Part L of the <i>Building Regulations</i> . Part L2A sets out minimum legal requirements for energy efficiency in non-residential building design under which the Proposed Development falls.
<b>Policy</b>	
<b>National Policy</b>	
<i>The Carbon Plan – Delivering Our Low Carbon Future 2011</i> <sup>164</sup>	The plan sets out how the UK will achieve decarbonisation within the framework of our energy policy to make the transition to a low carbon economy.
<i>UK Net Zero Strategy: Build Back Greener 2021</i> <sup>165</sup>	This strategy sets out policies and proposals for decarbonising all sectors of the UK economy to meet a net zero target by 2050. These sectors include Heat and Buildings, Transport and supporting the transition.

<sup>162</sup> UK Government (2021) *The Greenhouse Gas Emissions Trading Order Scheme Order 2021*. Available at: <https://www.legislation.gov.uk/ukdsi/2021/9780348222616> [Accessed: 20 May 2025].

<sup>163</sup> UK Government (2014) *Conservation of Fuel and Power*. Available at: <https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document-l> [Accessed: 20 May 2025].

<sup>164</sup> UK Government (2011) *The Carbon Plan: Delivering our Low Carbon Future*. Available at: <https://assets.publishing.service.gov.uk/media/5a79744ced915d07d35b5a17/3702-the-carbon-plan-delivering-our-low-carbon-future.pdf> [Accessed: 20 May 2025].

<sup>165</sup> UK Government (2021) *Net Zero Strategy: Build Back Greener*. Available at: <https://assets.publishing.service.gov.uk/media/6194dfa4d3bf7f0555071b1b/net-zero-strategy-beis.pdf> [Accessed: 20 May 2025].

<i>Carbon Budget Delivery Plan 2023</i> <sup>166</sup>	The <i>Carbon Budget Delivery Plan</i> details how the UK Government intends to meet Carbon Budgets 4 to 6 (to 2037), through the proposals and policies set out in the Net Zero Strategy, and sets out projections of the anticipated residual emissions (where quantified) to 2037 with those proposals and policies in place.
<b>Guidance</b>	
<i>Environmental Impact Assessment Guide to Assessing Greenhouse Gas Emissions and Evaluating their Significance (IEMA) 2022</i> <sup>167</sup>	The aim of this Guidance is to assist practitioners with addressing GHG emissions assessment and mitigation in statutory and non-statutory EIA. The guidance sets out how to: Identify the GHG emissions baseline in terms of GHG current and future emissions; Identify key contributing GHG sources and establish the scope and methodology of the assessment; Assess the impact of potential GHG emissions and evaluate their significance; and Consider mitigation in accordance with the hierarchy for managing project related GHG emissions (avoid, reduce, substitute, and compensate).
<i>National Planning Practice Guidance 2019</i> <sup>168</sup>	The guidance highlights the importance of and advises how to identify suitable climate change mitigation and adaptation measures in the planning process. This would require the implementation of appropriate measures by the local planning authorities.
<i>The GHG Protocol</i> <sup>169</sup>	The GHG Protocol establishes comprehensive global standardised frameworks to measure and manage GHG emissions from private and public sector operations, value chains and mitigation actions.

<sup>166</sup> UK Government (2023) *Carbon Budget Delivery Plan*. Available at: <https://www.gov.uk/government/publications/carbon-budget-delivery-plan> [Accessed: 20 May 2025].

<sup>167</sup> IEMA (2022) *Assessing Greenhouse Gas Emissions and Evaluating their Significance*. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010056/TR010056-001649-Climate%20Emergency%20Planning%20and%20Policy%20-%20Appendix%20A%20-%20IEMA%20Guide-%20Assessing%20Greenhouse%20Gas%20Emissions%20and%20Evaluating%20their%20Significance,%20Version%202,%20Feb%202022.pdf> [Accessed: 20 May 2025].

<sup>168</sup> UK Government (2019) *Climate Change Guidance*. Available at: <https://www.gov.uk/guidance/climate-change> [Accessed: 20 May 2025].

<sup>169</sup> Greenhouse Gas Protocol (N.D.) GHG Protocol. Available at: <https://ghgprotocol.org/> [Accessed: 20 May 2025].

<i>PAS 2080: 2023</i> <sup>170</sup>	<i>PAS 2080:2023</i> is a standard for managing carbon in building and infrastructure. It looks at the whole value chain and aims to reduce carbon and cost through intelligent design, construction and use.
<i>Royal Institution of Chartered Surveyors (RICS) Whole Life Carbon Assessment for the Built Environment 2023</i> <sup>171</sup>	This RICS professional statement addresses the need for technical details of numerous aspects influencing whole life carbon calculations for built projects. It is intended to standardise whole life carbon assessment for built projects.
<i>Leadership in Energy and Environmental Design (LEED) certification for Cities and Communities</i> <sup>172</sup>	LEED certification for Cities and Communities provides a framework for assessing the sustainability of planned developments, encompassing social, economic and environmental performance indicators and strategies for defined topics, including Energy and Greenhouse Gases.
<i>Sustainability &amp; Environment Appraisal LA 114 Climate (DMRB Volume 11, Section 3, Part 14 Climate; LA114)</i> <sup>173</sup>	The LA114 Climate guidance from the Design Manual for Roads and Bridges (DMRB) sets out the requirements for assessing and reporting the effects of climate on highways (climate change resilience and adaptation), and the effect on climate of greenhouse gas from construction, operation and maintenance projects.
<i>Transport Analysis Guidance (TAG) data book (2024) from the Department for Transport</i> <sup>174</sup>	The TAG data book provides values to be used in transport modelling and forecasts, including those relating to carbon emissions for vehicle use. The TAG data book features historical information and factual reference information about the appraisal and modelling values.

<sup>170</sup> BSI (2023) *PAS 2080: Carbon Management in infrastructure and Built Environment*. Available at: <https://www.bsigroup.com/en-GB/insights-and-media/insights/brochures/pas-2080-carbon-management-in-infrastructure-and-built-environment/> [Accessed: 20 May 2025].

<sup>171</sup> RICS (2023) *Whole Life Carbon Assessment for the Built Environment*. Available at: [https://www.rics.org/content/dam/ricsglobal/documents/standards/Whole\\_life\\_carbon\\_assessment\\_PS\\_Sept23.pdf](https://www.rics.org/content/dam/ricsglobal/documents/standards/Whole_life_carbon_assessment_PS_Sept23.pdf) [Accessed: 20 May 2025].

<sup>172</sup> U.S. Green Building Council () *LEED for Cities and Communities*. Available at: <https://www.usgbc.org/leed/rating-systems/leed-for-cities-communities> [Accessed: 20 May 2025].

<sup>173</sup> Standard for Highways (2021) *LA 114 Climate*. Available at: <https://standardsforhighways.co.uk/tse/attachments/d1ec82f3-834b-4d5f-89c6-d7d7d299dce0?inline=true> [Accessed: 20 May 2025].

<sup>174</sup> Department for Transport (2024) *Transport Analysis Guidance (TAG)*. Available at: <https://www.gov.uk/guidance/transport-analysis-guidance-tag> [Accessed: 20 May 2025].



*Heat and Buildings Strategy*  
2021<sup>175</sup>

This strategy brings together the government's work on energy efficiency and clean heat, ensuring a consistent and coherent approach across different markets, buildings and occupancy types, and that robust plans are in place to achieve carbon budgets and lay the foundations for Net Zero buildings in the UK by 2050.

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<sup>175</sup> Department for Energy Security and Net Zero and Department for Business, Energy and Industrial Strategy (2023) *Heat and Buildings Strategy*. Available at: <https://www.gov.uk/government/publications/heat-and-buildings-strategy> [Accessed: 20 May 2025].

## 1.12. CLIMATE RESILIENCE

**Table 11 – Relevant Climate Resilience Legislation, Policy and Guidance**

Legislation	
<i>Climate Change Act 2008</i> <sup>176</sup>	The Climate Change Act 2008 sets targets for reducing the UK's impacts on climate change and the need to prepare for managing such impacts. The Act requires a Climate Change Risk Assessment to be used to assess the risks from the impact of climate change to the UK. The first UK Climate Change Risk Assessment (CCRA) was presented to Parliament in an Evidence Report in 2012, with the second presented in 2017 and the third in 2022. The overall aim of the Evidence Report is to assess the urgency of further action to tackle current and future risks, and realise opportunities, arising for the UK from climate change.
<i>The National Adaptation Programme 2023 (NAP3)</i> <sup>177</sup>	The NAP3 sets out the key actions for 2023 to 2028. This report forms part of the 5-yearly cycle of requirements laid down in the <i>Climate Change Act 2008</i> . The NAP3 includes the strategy for the fourth round of climate adaptation reporting under the Adaptation Reporting Power.

<sup>176</sup> HM Government (2008) *Climate Change Act 2008 (UK)*. Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents> [Accessed: 20 May 2025].

<sup>177</sup> HM Government (2023) *Third National Adaptation Programme (NAP3)*. Available at: <https://www.gov.uk/government/publications/third-national-adaptation-programme-nap3> [Accessed: 20 May 2025].

Policy	
<i>Climate Change Adaptation policy information 2021</i> <sup>178</sup>	The policy paper lays emphasis on the role of climate adaptation to reduce negative consequences of climate change in the UK and gives a description of the initiatives by the UK government for building preparedness and improving resilience to climate change impacts. These include the UK Climate Change Risk Assessment, National Adaptation Programme, Adaptation Reporting Power, UK Climate Projections 2018 and the UK Climate Resilience Programme.
<i>Town of Bedford Climate Action Plan 2030</i> <sup>179</sup>	The plan is a part of the Town of Bedford's Comprehensive Plan to address and support action at the municipal and community level over the next ten years to ensure a more sustainable and healthier environment. This plan has been thoroughly considered during all phases of the Proposed Development.
<i>Sustainable Development and Environmental Efficiency Strategy</i> <sup>180</sup>	By delivering this strategy, Bedford Borough Council demonstrates its commitment to ensuring that climate change mitigation and adaptation actions are implemented across the Council's estate, and through the services it provides to the community and businesses of the Borough to ensure that a joined-up approach is achieved.

<sup>178</sup> Department for Environment, Food and Rural Affairs (2021) *Climate change adaptation: policy information*. Available at: <https://www.gov.uk/government/publications/climate-change-adaptation-policy-information/climate-change-adaptation-policy-information> [Accessed: 20 May 2025].

<sup>179</sup> Bedford Town Board (2020) *Town of Bedford Climate Action Plan*. Available at: <https://bedford2030.org/wp-content/uploads/2020/06/CAP2030-r16-int.pdf> [Accessed: 20 May 2025].

<sup>180</sup> Bedford Borough Council (2017) *Sustainable Development and Environmental Efficiency Strategy*. Available at: <https://www.bedford.gov.uk/media/2061/download?inline> [Accessed: 20 May 2025].

Guidance	
<i>IEMA EIA Guide to Climate Change Resilience and Adaptation</i> (2020) <sup>181</sup>	This guide provides a framework for the effective consideration of climate change resilience and adaptation in the EIA process. This guide has been used within the assessment approach. This includes the recommended approach of using a high emission scenario of RCP8.5 at the 50th percentile for the 2080s providing a suitable conservative approach to the climate assessment; identifying climate change vulnerability and sensitivity of receptors at scoping stage; undertaking a significance assessment at Environmental Statement (ES) stage; and developing additional adaptation/EIA mitigation measures at ES.
<i>ISO 14091:2021 Adaptation to climate change - Guidelines on vulnerability, impacts and risk assessment</i> <sup>182</sup>	This international standard provides guidelines on approaches to assess climate change-related risks. It highlights the role of risk assessments in improving climate change adaptation planning and informing climate change adaptation activities from their implementation through to monitoring.
<i>Third UK Climate Change Risk Assessment 2022</i> <sup>183</sup>	The UK's <i>Third Climate Change Risk Assessment (CCRA3)</i> identifies the risks that climate change poses to the UK and includes recognition of the progress that the Government will seek to deliver through the National Adaptation Programme (NAP3), to be laid in Parliament in 2023.
<i>Fairgrounds and amusement parks - Guidance on safe practice</i> <sup>184</sup>	This guidance sets out what the Fairgrounds and Amusement Parks Joint Advisory Committee (FJAC) considers as appropriate measures for those involved in the industry to reduce risks, work safely and comply with the law.

<sup>181</sup> Institute of Environmental Management and Assessment (2020) *IEMA EIA Guide to Climate Change Resilience and Adaptation*. Available at: <https://www.iema.net/resources/reading-room/2020/06/26/iema-eia-guide-to-climate-change-resilience-and-adaptation-2020> [Accessed: 20 May 2025].

<sup>182</sup> ISO (2021) *ISO 14091:2021 Adaptation to climate change — Guidelines on vulnerability, impacts and risk assessment*. Available at: <https://www.iso.org/standard/68508.html> [Accessed: 20 May 2025].

<sup>183</sup> Sari Kovats, Rachel Brisley. (2022) *Third UK Climate Change Risk Assessment Technical Report*. Available at: <https://www.ukclimaterisk.org/wp-content/uploads/2021/06/CCRA3-Chapter-5-FINAL.pdf> [Accessed: 20 May 2025].

<sup>184</sup> Health and Safety Executive. (2017) *Fairgrounds and amusement parks: Guidance on safe practice*. Available at: [hsg175.pdf \(hse.gov.uk\)](https://www.hse.gov.uk/hsg175.pdf) [Accessed: 20 May 2025].

## 1.13. MAJOR ACCIDENTS AND DISASTERS

**Table 12 – Relevant Major Accidents and Disasters Legislation, Policy and Guidance**

<b>Legislation</b>	
<i>Health and Safety at Work etc. Act 1974 (c. 37)</i> <sup>185</sup>	The Act provides the framework for the regulation of workplace health and safety in the UK. It provides a legal framework for the provision of safe plant and equipment and prevention of harm to people from occupational hazards present in a workplace, including emergencies, which may affect those offsite or visiting the Proposed Development. The Proposed Development will strictly adhere to these regulations.
<i>Construction (Design and Management) (CDM) Regulations 2015</i> <sup>186</sup>	<p>These Regulations place legal duties on almost all parties involved in construction work, with specific duties on clients, designers and contractors, so that health and safety is considered throughout the life of a construction project from inception to demolition and removal.</p> <p>The client, designer(s) and contractor(s) must avoid foreseeable risks, so far as is reasonably practicable, by eliminating hazards associated with the design, construction, operation and maintenance of the Proposed Development.</p> <p>The Regulations ensure that mechanisms are in place to continually identify, evaluate and manage safety risks throughout the design, Construction and Operational Phases of the Proposed Development. Many of the risks identified and managed at the detailed design phase also serve to eliminate or reduce the risk of a major accident (and therefore environmental consequence) occurring during the Construction and Operational Phases.</p>
<i>Control of Major Accident Hazards (COMAH) Regulations 2015</i> <sup>187</sup>	The purpose of the COMAH Regulations is to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any accidents which do occur. There is one COMAH site within a 5km radius of the Proposed Development.

<sup>185</sup> UK Government (1974) Health and Safety at Work etc. Act 1974. Available at: <https://www.legislation.gov.uk/ukpga/1974/37> [Accessed: 19 May 2025].

<sup>186</sup> Health and Safety Executive (2015) *The Construction (Design and Management) Regulations 2015*. Available at: <https://www.hse.gov.uk/construction/cdm/2015/index.htm> [Accessed: 20 May 2025].

<sup>187</sup> Health and Safety Executive (2015) *Control of Major Accident Hazard Regulations 2015 (COMAH)*. Available at: <https://www.hse.gov.uk/comah/background/comah15.htm> [Accessed: 20 May 2025].

<i>The Supply of Machinery (Safety) Regulations 2008</i> <sup>188</sup>	The Regulations aim to remove technical barriers to trade, in particular products, by harmonising national health and safety provisions applicable to such products when they are first placed on the market or put into service in the European Economic Area. Many of the risks identified and managed in the design of machinery used in and associated with the Proposed Development will serve to eliminate or reduce the risk of a major accident (and therefore environmental consequence) occurring during the Construction and Operational Phases of the Proposed Development.
<i>Occupier's Liability Act 1984 (c.3)</i> <sup>189</sup>	This Act amends the law of England and Wales as to the liability of persons as occupiers of premises for injury suffered by persons other than their visitors. The Act provides a legal framework for the prevention of harm to people from occupational safety and health hazards present on premises under the control of the occupier, including to those visiting the premises. The Proposed Development will include premises controlled by the Applicant that will attract visitors who could be impacted by MA&D whilst on/crossing those controlled premises.
The Pipelines Safety Regulations 1996 <sup>190</sup>	The purpose of these Regulations is to ensure that pipelines are designed, constructed and operated properly to ensure their integrity and reduce risks. Where appropriate, these have been considered for the Proposed Development.
<b>Policy</b>	
There are no national or local plans which are specifically relevant to the assessment of the vulnerability of the Proposed Development to MA&D. However, Bedford Borough Council Local Plan 2030 does recognise in Policy 88 that any new developments need to consider potential safety impacts in relation to site access arrangements and general road safety.	

<sup>188</sup> The National Archives (2008) *The Supply of Machinery (Safety) Regulations 2008*. Available at: <https://www.legislation.gov.uk/ukxi/2008/1597/contents> [Accessed: 20 May 2025].

<sup>189</sup> The National Archived (1984) *Occupiers Liability Act 1984*. Available at: <https://www.legislation.gov.uk/ukpga/1984/3> [Accessed: 20 May 2025].

<sup>190</sup> The National Archives (1996) *The Pipelines Safety Regulations 1996*. Available at: <https://www.legislation.gov.uk/ukxi/1996/825/contents/made> [Accessed: 20 May 2025].

Guidance	
IEMA: Major Accidents and Disasters in EIA: A Primer 2020 <sup>191</sup>	<p>The purpose of the primer is to increase awareness of the MA&amp;D topic and its application within all stages of EIA. The primer outlines an assessment methodology based on known current practice within the UK and provides definitions of key terminology.</p> <p>The primer is structured around a typical assessment approach and provides a proportionate method for considering major accidents and disasters through the stages of EIA, which the assessment of the Proposed Development has followed.</p>
'Green Leaves III' Guidelines for Environmental Risk Assessment and Management 2011 <sup>192</sup>	<p>These guidelines provide generic guidance for the assessment and management of environmental risks. A cyclical framework for risk management is presented that identifies four main components of risk assessment:</p> <ul style="list-style-type: none"> <li>▪ Formulating the problem;</li> <li>▪ Carrying out an assessment of the risk;</li> <li>▪ Identifying and appraising the management options available; and</li> <li>▪ Addressing the risk with a risk management strategy.</li> </ul> <p>A source-pathway-receptor model is suggested as a tool to assist in risk screening and an example is provided of applying the following filters to prioritise significant hazards for further investigation:</p> <ul style="list-style-type: none"> <li>▪ The plausibility of linkages between the source of a hazard and a receptor;</li> <li>▪ The relative potency of a hazard, availability of a pathway, or vulnerability of a receptor;</li> <li>▪ The likelihood of an event, based on historic occurrence or of changed circumstances; or</li> <li>▪ A view on the performance of current risk management measures that, if they were to fail, may increase the potential for future harm.</li> </ul>
Guideline – Environmental Risk Tolerability for COMAH Establishments 2013 <sup>193</sup>	<p>These guidelines provide generic guidance on how to undertake environmental risk assessments required by the COMAH Regulations. It provides:</p>

<sup>191</sup> Institute of Environmental Management and Assessment (2020) *IEMA Major Accidents and Disasters in EIA Guide*. Available at: <https://www.iema.net/resources/blogs/2020/09/23/iema-iema-major-accidents-and-disasters-in-eia-guide/> [Accessed: 20 May 2025].

<sup>192</sup> DEFRA (2011) *Guidelines for Environmental Risk Assessment and Management: Green Leaves III*. Available at: <https://www.gov.uk/government/publications/guidelines-for-environmental-risk-assessment-and-management-green-leaves-iii> [Accessed: 20 May 2025].

<sup>193</sup> Chemical and Downstream Oil Industries Forum (2016) *Environmental Risk Tolerability for COMAH Establishments*. Available at: [https://www.sepa.org.uk/media/219154/cdoif\\_guideline\\_environmental\\_risk\\_assessment\\_v2.pdf](https://www.sepa.org.uk/media/219154/cdoif_guideline_environmental_risk_assessment_v2.pdf) [Accessed: 20 May 2025].

	<ul style="list-style-type: none"> <li>▪ A definition of the types of harm that should be considered in an environmental risk assessment, and how the harm should be characterised for the assessment. In this context, the level of environmental harm that would be considered serious has been defined for various different receptor types in terms of the combination of the: <ul style="list-style-type: none"> <li>▪ Extent (the area / distance);</li> <li>▪ Severity (the degree of harm within the area of impact); and</li> <li>▪ Duration (the recovery period).</li> </ul> </li> </ul> <p>For environmental harm to be considered serious then all parameters must exceed the receptor thresholds as defined in this guideline. The thresholds reflect expert opinion on levels of harm that would be considered serious, with consideration to various receptor specific areas of legislation (such as the Water Framework, Habitats and Environmental Liability Directives). The guideline also provides:</p> <ul style="list-style-type: none"> <li>▪ A definition of the risk criteria to be used in assessing the tolerability of the environmental risk from an establishment and, where appropriate, individual scenarios; and</li> <li>▪ Guidance on how the risks may be evaluated.</li> </ul>
<p><i>ISO 31000:2018 Risk Management –Guidelines 2018</i><sup>194</sup></p>	<p>This guidance identifies a number of principles that need to be satisfied to make risk management effective. If the standards are adopted and applied the management of any risk should help minimise losses, improve resilience, improve controls and improve the identification of opportunities and threats.</p> <p>The ISO standard states that when defining risk criteria, the following factors should be considered:</p> <ul style="list-style-type: none"> <li>▪ The nature and types of causes and consequences that can occur and how they will be measured;</li> <li>▪ How likelihood will be defined;</li> <li>▪ The timeframe(s) of the likelihood or consequence(s);</li> <li>▪ How the level of risk is to be determined;</li> <li>▪ The views of stakeholders;</li> <li>▪ The level at which risk becomes acceptable or tolerable; and</li> <li>▪ Whether combinations of multiple risks should be considered and, if so how, and which combinations should be considered.</li> </ul>

<sup>194</sup> International Organization for Standardization (2018) *ISO 31000:2018 Risk Management – Guidelines*. Available at: <https://www.iso.org/standard/65694.html> [Accessed: 20 May 2025].



## 1.14. POPULATION AND HUMAN HEALTH

**Table 13 – Population and Human Health Legislation, Policy and Guidance**

<b>Legislation</b>	
<i>Countryside Rights of Way Act 2000</i> <sup>195</sup>	This Act makes provision for and aims to protect public access to the countryside, whilst preserving environmental conservation. It extends the right of public access to the countryside, including to woodlands, the Green Belt, water, and grassland. This has been considered when during every phase of the Proposed Development to ensure the public maintain their access rights.
<i>The Equality Act 2010</i> <sup>196</sup>	This Act outlines legislation to protect people from discrimination in the workplace and in wider society, addressing the ‘protected characteristics’ of: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. This Act has been considered for the Proposed Development, including all people associated with every phase from conception to the operational phase.
<i>Localism Act 2011</i> <sup>197</sup>	This Act gives rights and powers to both communities and individuals. It is relevant in the context of the Proposed Development due to its proximity to recreational facilities.

<sup>195</sup> The National Archives (2000) *Countryside and Rights of Way Act 2000*. Available at: <https://www.legislation.gov.uk/ukpga/2000/37/contents> [Accessed: 20 May 2025].

<sup>196</sup> The National Archives (2010) *Equality Act 2010*. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents> [Accessed: 20 May 2025].

<sup>197</sup> The National Archives (2011) *Localism Act 2011*. Available at: <https://www.legislation.gov.uk/ukpga/2011/20/contents> [Accessed: 20 May 2025].

Guidance	
Institute for Environmental Management and Assessment (IEMA) Determining Significance for Human Health in Environmental Impact Assessment <sup>198</sup>	This guidance outlines the changes to the way that EIA is undertaken in the UK and Republic of Ireland in relation to human health, including how to assign significance to human health has been followed for the Population and Human Health assessment of the Proposed Development.
The principles of <i>Design Manual for Roads and Bridges (DMRB) Volume 11 Section 3 LA 112 Population and human health</i> <sup>199</sup>	This guidance sets out principles for assessing and reporting the environmental effects on land use and accessibility, and human health resulting from the construction, operation and maintenance of highways projects which has been taken into consideration during the Population and Human Health assessment of the Proposed Development.
The principles of DMRB LA 104 Environmental assessment and monitoring <sup>200</sup>	This document sets out the requirements for environmental assessment of projects, including reporting and monitoring of significant adverse environmental effects which has been taken into consideration during the Population and Human health assessment of the Proposed Development.

<sup>198</sup> IEMA (2022) *Launch of the EIA Guidance for Considering Impacts on Human Health*. Available at: <https://www.iema.net/resources/blogs/2022/11/17/iema-launch-of-the-eia-guidance-for-considering-impacts-on-human-health-november-2022/> [Accessed: 20 May 2025].

<sup>199</sup> National Highways (2020) *LA 112 Population and Human Health*. Available at: <https://www.standardsforhighways.co.uk/tses/attachments/1e13d6ac-755e-4d60-9735-f976bf64580a> [Accessed: 20 May 2025].

<sup>200</sup> National Highways (2020) *LA 104 Environmental Assessment and Monitoring*. Available at: <https://www.standardsforhighways.co.uk/tses/attachments/0f6e0b6a-d08e-4673-8691-cab564d4a60a> [Accessed: 20 May 2025].

## 1.15. CUMULATIVE EFFECTS

**Table 14 – Relevant Cumulative Effects Legislation, Policy and Guidance**

Guidance	
There is no widely accepted methodology or best practice for the cumulative effects assessment of intra-project effects. The approach taken is based on professional experience, the types of receptors being assessed, the nature of the Proposed Development and the environmental information available to inform the assessment.	
PINS Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment <sup>201</sup>	The inter-project assessment follows the four stages set out in PINS Advice on Cumulative Effects Assessment to be applied to Nationally Significant Infrastructure Projects. This advice has been followed for the Proposed Development.

<sup>201</sup> Planning Inspectorate (2024) *Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment*. Available at: [Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment - GOV.UK](#) [Accessed: 19 May 2025].



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