M11 Junction 7A

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Appendix A. Local Development Schemes

Executive Summary

This Planning Statement has been prepared to support the planning application for the proposal to construct an additional motorway junction on the M11 (Junction 7A) between the existing junctions 7 and 8, to the north-east of Harlow in Essex. The scheme also includes a new link road and roundabout to join the new junction to Gilden Way and Sheering Lower Road. The scheme also includes significant works to upgrade and improve Gilden Way.

This additional access to the strategic road network (M11) is needed to address existing congestion issues and to support the sustainable growth of Harlow as set out in the adopted and emerging local plans for the area.

The design of the M11 Junction 7A scheme has been developed in conjunction with engagement with local residents and stakeholders. It has been through a rigorous Environmental Impact Assessment process and an Environmental Statement detailing the impacts of the scheme accompanies this planning application.

While the scheme has the potential to result in some negative environmental and social effects, a thorough review of the scheme has been undertaken resulting in a sensitively designed scheme and extensive mitigation proposals. On balance the justification for the additional infrastructure needed to support the current and planned growth in Harlow outweighs these impacts.

1. Introduction

1.1 The Proposed Development

It is proposed to construct an additional motorway junction on the M11 (Junction 7A) between the existing junctions 7 and 8, to the north-east of Harlow in Essex. The scheme would also include a new link road and roundabout to join the new junction to Gilden Way and Sheering Lower Road. The scheme also includes significant works to upgrade and improve Gilden Way.

The new M11 junction would be located approximately 6km north of the existing Junction 7, to the north of the Moor Hall Road / Matching Road crossing and to the south of Sheering Village. The proposed development would be implemented in three phases:

- Phase 1 – to widen and improve Gilden Way;
- Phase 2A – to provide the motorway junction, the southern arm of the link road and the new Sheering Road roundabout; and,
- Phase 2B – to provide the northern arm of the link road and the new Pincey Brook roundabout.

Further detail about each of the phases is provided below.

The precise location of the scheme is shown on the broader **Location Plan** (B3553F05-0100-DR-0519) and the more detailed **Site Location Plan** (B3553F05-0100-DR-0509).

1.2 Site Description

The majority of the proposed site, including the new junction, is located in open, gently undulating countryside on land currently designated as Metropolitan Green Belt to the north-east of Harlow. The land in the area around the proposed new junction is used predominantly for arable cultivation, with some housing. The Pincey Brook watercourse bounds this area to the north with The Mores Woodland to the south.

Gilden Way forms a green corridor into Harlow with mature hedgerows and trees along its length. Open countryside is replaced by an increasingly urban landscape heading along Gilden Way towards Harlow town centre. The introduction of pavements, signal controlled pedestrian crossings and street lighting, signals a change from rural to suburban character. Areas of land that are currently open fields, located to the north of Gilden Way close to the Churchgate Roundabout (known as the Harlowbury development) and to the south of the Gilden Way to the south-east of the London Road Roundabout (known as the Newhall development), have planning permission for residential development, which will increase the urban nature of Gilden Way heading towards the centre of Harlow into the future.

Detailed plans showing the site accompany this application (**Existing Layout** drawings **–** B3553F05-0100-DR-0510 to 0518)).

1.3 Harlow Area Spatial Context and Need for the Scheme

Harlow is situated in the centre of the West Essex area and is the primary economic and growth centre, with relevant local planning authority local plans covering the period to 2033 proposing 16,000 new homes and approximately 15,000 new jobs in and around Harlow. Harlow, Epping Forest district and the M11 are located within the London Stansted Cambridge Corridor (LSCC) Core Area for economic development. The town centre has been identified as an area for regeneration, with Local Enterprise Zones already designated for employment growth.

Harlow is an ideal location for focussed growth, as recognised in the emerging district local plans, being close to the M11 and M25, on the West Anglia mainline railway and close to Stansted Airport. Access to central Harlow is, however, somewhat restricted with only one link to the strategic road network (via Junction 7 of the M11) and two railway stations located on the northern edge of the town. The primary means of road access to the town, the A414, also serves as an important through route from Junction 7 of the M11 to the south-east of Harlow towards the A10 in Hertfordshire to the north-west. With high levels of traffic using this one route, congestion is common with its impacts often felt across the town's wider road network. A significant intervention is required to address the challenges of capacity, alongside road improvements. Furthermore, having largely been constructed in the 1950s and 1960s, much of the town's transport infrastructure is now ageing and was originally designed for a period of lower levels of car ownership and mobility. An initial study under taken by Highways England[1] concludes that *'Capacity problems currently occur at M11 Junction 7 at Harlow. Significant levels of growth are planned around Harlow, including the Enterprise Zone (Enterprise Essex West) and to the north of the town, with sustained calls from local authorities for a new Junction 7A with links to development and to A414 to improve east-west linkages across Hertfordshire'*.

In order to facilitate and support the planned growth highlighted above it is essential to improve access to the M11 and improve the transport flows in and around Harlow. Without an improved link to the M11, the town and surrounding area will not be able to realise their full potential. The proposed scheme, to create an additional junction onto the M11 between Junctions 7 and 8, will not only relieve some of the congestion at Junction 7, it will also improve traffic flows in and around Harlow by providing an alternative route to the north-east of the town. It is important to note that this proposal is part of a wider transport improvement plan for Harlow, the planned improved capacity at Junction 7 remains essential, along with junction improvements and increased capacity along the A414 corridor.

In the absence of the M11 Junction 7A scheme, future traffic congestion on the existing M11 Junction 7 is expected to worsen. Traffic modelling has been carried out to predict traffic levels with and without the scheme. The results are contained within the **Traffic Forecasting Report (TFR)** which can be made available on request.

1.3.1 Traffic Modelling

The traffic flow and speed figures provided for Air Quality and Noise and Vibration assessments were produced from the Harlow Transport Model. **The Local Model Validation Report (LMVR),** which can be made available on request, details the base model specifications and performance against WebTAG[2] criteria. This has been reviewed by Highways England (HE) and the model is considered to be fit for purpose. The TFR for the Harlow Transport Model specifies the future years assessed and the assumptions in creating forecast models. It also discusses key impacts of the M11 Junction 7A scheme upon traffic flow and delay. Details of the anticipated and proposed housing and employment developments and planned infrastructure schemes included in each model are contained within the TFR.

All checking and reporting of this data follows the guidance in the 'IAN 185/15: Updated traffic, air quality and noise advice', serving as a supplementary document to the DMRB[3] Volume 11[4]. This IAN provides updated advice to support Highways Agency (HA) scheme assessments to:

[1] London to Leeds (East) route-based strategy evidence report, Highways Agency, April 2014, Table 4.1
[2] WebTAG provides information on the role of transport modelling and appraisal
[3] DMRB means Design Manual for Roads and Bridges
[4] IAN means Interim Advice Note issued by Highways England

- Analyse the performance of modelled traffic speeds on individual road links compared against observed speeds on the same road links
- Adjust, where required, modelled traffic speeds on individual road links to better reflect observed speeds; this is known as the "Speed Pivoting" approach
- Assign individual road links into a speed-band category and identify the corresponding NOx, PM10 and CO_2 emission rates
- Use of the speed-band categories within air quality and noise modelling and assessment

The core medium scenario figures have been utilised; these represent the most likely growth scenario for the area around the M11 corridor at the time that the modelling was undertaken. This encompasses projected housing and employment developments from the emerging district Local Plans, planned growth at Stansted Airport, planned infrastructure schemes in the modelled area and background growth as predicted by TEMPro[5]. Two future years have been assessed; 2021, representing the opening year of the M11 Junction 7A and 2036, representing the horizon year 15 years after the proposed scheme would be due to open. The model includes a variable demand component, which forecasts likely changes in travel behaviour due to congestion. Such changes include changes in numbers of car trips in the peak hour and changes in destinations of these trips.

The traffic figures for the link roads at scheme opening and in the mid-long term are predicted to be as shown in **Table 1.1** below.

Table 1.1: Predicted traffic flows (AADT24) to and from proposed M11 Junction 7A 2021 and 2036

J7a Link Road					
Visum Link ID	Direction	2021		2036	
		Flow (no. of vehicles per day)	%HDV	Flow (no. of vehicles per day)	%HDV
570412937	EB	11961	2.2%	16668	2.0%
570412936	WB	16704	2.1%	20638	2.0%
	Total	28665	2.1%	37305	2.0%

1.4 The Objectives of the Proposed Scheme

In light of the need identified above, the main objectives of the Junction 7A scheme include:

- to improve accessibility to and from Harlow;
- to reduce congestion, primarily for the A414 corridor;
- to ensure the proposed infrastructure is of the appropriate scale for future traffic demands of the stated growth; and
- to facilitate future housing developments around Harlow and employment growth to the east of Harlow.

It is anticipated that the proposed scheme could achieve a number of other outcomes including maintaining and improving the reliability of journey times along the A414 corridor, improving access between key centres and improving air quality by reducing nitrogen dioxide (NOx) emissions. Without an improved link to the motorway, the town and surrounding districts are not expected to be able to realise their full potential.

[5] TEMPro and NTEM relate to The National Trip End Model (NTEM) forecasts and the TEMPro (Trip End Model Presentation Program) software are used for transport modelling and planning purposes.

1.5 Design Evolution

Several alternatives and options were considered for the scheme as the designs developed. These are detailed in **Section 3 of the Environmental Statement** that accompanies this application.

The development of the design was also informed by a series of events to which the public and/or key stakeholders were invited; these are detailed in the **Public Involvement Programme** that accompanies this application. This includes information about how the scheme design has changed as a result of the feedback received, culminating in the proposals for which planning permission is now sought.

1.6 Detailed Description of the Proposed Scheme

The proposed scheme is shown in detail on the **Proposed Layout Plans** (B3553F05-0100-DR-0500 to 0508) that accompany this application; it is recommended that the description of the scheme that follows be read in conjunction with these plans.

The M11 Junction 7A scheme begins, to the west, at the London Road Roundabout on Gilden Way (B183) and involves widening of the existing two-lane road to three lanes. When completed, two of the lanes would take traffic in a westerly direction into Harlow Town and the third lane would take the outbound traffic towards Sheering and the M11 motorway. Proposed improvements to Gilden Way include the construction of a combined footpath/cycleway on the north side of Gilden Way. Two existing pedestrian crossings would be signalised and upgraded and three new pedestrian crossings are proposed. The Churchgate Roundabout (also known as Gilden Way Roundabout) would be upgraded to a 'hamburger' design roundabout to improve traffic flows along Gilden Way itself. The proposed changes to Gilden Way are shown on **Sheets 1-3 of the Proposed Layout Plan** (B3553F05-0100-DR-0501 to 0503).

Gilden Way becomes Sheering Road as it passes Marsh Lane on the left and Mayfield Farm on the right. At Mayfield Farm, a new carriageway would be constructed which would realign the present route of Sheering Road to the east and link the existing Sheering Road with a new roundabout known as Sheering Road Roundabout. The existing Sheering Road would be converted into a local access road for use by residents of The Campions only, and would connect to the realigned Sheering Road via a new junction to the south west of the new Sheering Road Roundabout, the proposed road would consist of three lanes towards a new Pincey Brook Roundabout; two lanes would be north-eastbound and one south-westbound back towards the Sheering Road Roundabout. A new access would be formed from the realigned Sheering Road to Mayfield Farm. The proposed changes to Sheering Road are shown on **Sheets 4 and 5 of the Proposed Layout Plan** (B3553F05-0100-DR-0504 and 0505).

Traffic exits the Pincey Brook Roundabout on one lane. The road widens out to two lanes as it approaches the Western Dumbbell Roundabout on the western side of the M11. This stretch of road is known as the Eastbound Link. A new two-lane road, known as the Westbound Link, would take traffic in the opposite direction, from the M11 to the new Sheering Road Roundabout. Both the Eastbound Link and Westbound Links have been future-proofed to allow for the construction of a Northern Bypass in the future. The new roundabouts and link roads are shown on **Sheets 5-7 of the Proposed Layout Plan** (B3553F05-0100-DR-0505 to 0507).

The new Eastbound and Westbound Link rises on an embankment (up to 10m high) close to the motorway to allow for the difference in elevation between Sheering Road and the M11 and to accommodate a grade separated junction over the M11. The embankment is shown in the **Landscape Sections** that accompany the ES (**ES Figure 7-4**).

The Eastbound and Westbound Link roads would converge at a roundabout adjacent to the M11; this would be one of two new roundabouts to be constructed on either side of the M11 and connected by a new four-lane bridge over the existing M11 motorway (known as the Western Dumbbell Roundabout, the Eastern Dumbbell Roundabout and the Dumbbell Link respectively, due to their Dumbbell-shaped configuration). Northbound and

southbound slip roads would be constructed connecting the M11 to the two new roundabouts to enable full access between the new link road and the motorway network without restricting traffic travelling in either direction on the M11 motorway. This new infrastructure adjoining the M11 motorway is shown on **Sheets 6-8 of the Proposed Layout Plan** (B3553F05-0100-DR-0506 to 0508).

1.6.1 Road Safety

Road safety has been a paramount concern in the design of the M11 Junction 7A scheme. A **Stage 1 Road Safety Audit** of the proposals has been submitted as part of the planning application.

1.6.2 Lighting

There is existing street lighting on B183 Gilden Way from London Road Roundabout and just beyond Churchgate Roundabout. There is also street lighting present on Sheering Road near Mayfield Farm.

As part of the M11 Junction 7A scheme, the new motorway junction would be illuminated at night, including slip roads and roundabouts, the new link roads and roundabouts would also be illuminated and the lighting on Gilden Way would be upgraded, including providing street lighting for the entire length of the B183 Gilden Way/Sheering Road.

The preliminary **Road Lighting Layout Plan** (drawings B3553F05-1300-DR-001 to 007) has been provided as part of this application for information only. The final lighting scheme will be developed as part of the later detailed design of the scheme.

The lighting scheme has been designed to comply with relevant road safety requirements, to take account of energy efficiency considerations and to address potential light pollution issues. Energy efficient LED lighting technology is proposed for the scheme, which would be controlled via a Central Management System (CMS) in order to remotely monitor, control and dim luminaries, to provide the right amount of light at the right time. The lights are designed to avoid lighting above the horizontal and minimise light spillage into verges, to avoid sky glow except for reflection back from the road, and to minimise light spillage into adjoining properties. Most lighting columns would be 10m high to achieve optimum spacing between lighting columns; however, in sensitive ecological locations, 6m columns with back shields on the luminaries are proposed to direct light away to minimise disturbance to bats. In addition, a dark area would be maintained along Sheering Road (in The Campions area).

1.6.3 Non-Motorised Users

An improved pedestrian/cycleway would be constructed for the length of the Gilden Way works, widened to 2.5m. It would be connected to the proposed Harlowbury development pedestrian/cycleway and link into the National Cycle Network Route 1. In addition, two existing crossing point would be upgraded and two new pedestrian crossings are proposed. A further uncontrolled crossing point would be installed to traverse the Sheering Road at the Sheering Road Roundabout; this would join to a new footpath extending northwards and connecting with the Pincey Brook footpath (Footpath 204_17). Existing bus stops would be maintained and upgraded with real time passenger information.

1.6.4 High Pressure Gas Main

Preliminary works are required to relocate a High Pressure Gas Main which crosses the application site to the north of the Sheering Road roundabout (as shown in **Figure 1.1** below) from the footprint of the proposed scheme. These works will be completed by the Statutory Undertaker prior to the commencement of any work on Phase 2a or 2b of the scheme.

Figure 1.1: Location of the existing High Pressure Gas Main

1.6.5 Stream Relocation

The M11 Junction 7A scheme necessitates the diversion of the small stream that emerges from the north side of The Mores Wood, known as 'unnamed watercourse 1', and that it be placed into two culverts, one under each of the new link roads. The diverted stream would have a varied bank profile across the land between the roads. Emerging from the northern culvert, the realigned stream would continue in a gentle curve to Pincey Brook, in contrast to the continuation of the existing course which is piped under the field. The two proposed culverts will be shorter in length than the existing culverted section and have been designed to accommodate high flows and encourage the passage of mammals such as otter, badgers and bats.

1.6.6 Surface Water Drainage

The drainage scheme proposed for the M11 Junction 7A scheme is designed to mitigate the risk of surface water flooding as a result of the proposed increase in impermeable surfaces following development of the scheme.

The main objectives of the drainage strategy include to:

- remove water from the carriageway;
- mitigate the impact of increased impermeable area on receiving watercourses;
- mitigate any increase in surface water flood risk;
- control road runoff prior to discharge; and to
- mitigate the impact of the scheme on the water quality of receiving watercourses.

It is currently best practice in surface water drainage design to adopt infiltration-based Sustainable Drainage Systems (SuDS) to the maximum extent possible before attenuating flows and discharging to surface waters. Based on geotechnical investigation works carried out to date, there are currently thought to be significant ground condition constraints to using infiltration-based SuDS across the scheme, although this will be reviewed on a location by location basis during subsequent phases of the design. In general, attenuation-based SuDS are proposed throughout the scheme to manage both the quantity and quality of runoff and provide amenity and biodiversity benefits.

Existing watercourses will be used for the ultimate disposal of surface water, as occurs at present; however, ponds and other means of attenuation will be used within the drainage systems to control discharge rates, as further detailed below.

A total of four attenuation ponds are proposed, designed both to reduce flood risk by controlling discharge rates and to reduce the likelihood of pollutants entering the local watercourses (in addition to the provision of trapped highway gullies, silt traps and oil interceptors to reduce the risk of pollution). In the case of Gilden Way, the two smaller of the ponds are designed to act in combination with attenuation storage provided by a new storage tank and new oversized pipework. Attenuation storage requirements within the ponds and tank would be based on the 1 in 100 year return period storm (plus climate change allowance). For the pipework sections, flooding is to be avoided in the 1 in 30 year return period storm (plus climate change allowance) with exceedance flows up to the 1 in 100 year return period storm (plus climate change allowance) managed within the carriageway.

The ponds (and storage tank) are proposed at the following locations (from the west to east of the scheme):

(a) A pond to the south of Gilden Way, west of the Harlowbury Brook, discharging into the proposed Gilden Way highway drainage system and then on into the Harlowbury Brook.

(b) A storage tank to the south of Gilden Way, adjacent to the Churchgate Roundabout (to the south-west of the roundabout), discharging into the proposed Gilden Way highway drainage system and then on into the Harlowbury Brook.

(c) A pond to the south of Gilden Way, adjacent to the Churchgate Roundabout (to the south-east of the roundabout) next to existing playing fields, discharging into the proposed Gilden Way highway drainage system and then on into the Harlowbury Brook.

(d) A pond immediately north of the proposed new Sheering Road Roundabout, discharging into the Pincey Brook to the east of Ealing Bridge.

(e) A pond immediately west of the M11, to the north of the new Junction 7A, discharging into the Pincey Brook to the west of the M11.

The current drainage proposals are shown on the **High Level Drainage Schematic Plans** (drawings **B3553F05-0500-DR-0009** and **B3553F05-0500-DR-0010**), which are contained within the **Drainage System Summary Report**, which forms **Appendix 2-1** of the ES. Further detailed drainage designs will be developed prior to construction.

1.6.7 Landscaping and Trees

Landscape planting will be provided throughout the proposed scheme wherever possible. Along Gilden Way, there is limited space available for landscaping; therefore vertical planting and fencing are proposed to alleviate visual intrusion. Attenuation ponds will have banks and margins of a natural appearance. Wherever possible, mature trees will be maintained throughout the site. The site footprint has been altered during design in order to avoid the most valuable trees. The scheme necessitates the removal of some trees and woodland with Tree Preservation Orders (TPOs); however, proposed planting of individual trees would offset the loss of TPO protected trees. All planting in the rural areas and along most of Gilden Way would be native species, but amenity planting in the Oxleys/Gilden Close area and at the entrance to Mayfield Farm would include non-native decorative species and varieties. The landscape proposals are shown on the **Landscape Mitigation** drawings and **Landscape Section** drawings, which form **Figures 7-3 and 7-4** of the ES.

1.6.8 Noise Attenuation

Noise attenuation is required as part of the scheme. The provision of acoustic barriers, landscaping and low noise road surfacing road is proposed to mitigate noise and vibration impacts. Further details can be found in the **Noise and Vibration chapter** of the ES. The acoustic barriers and landscaping are shown on **Landscape Mitigation** drawings and **Landscape Section** drawings referenced above.

The design of the acoustic barriers is indicative at this stage; consultation with residents and/or developers directly impacted by the barrier proposals and the ECC Planning Department would be undertaken before finalising their extent, layout and design. The indicative barriers range in height from 2m to 3m and are proposed in four types: timber noise reflective barriers, absorptive barriers (materials not yet defined), brick wall barriers and barriers with transparent panels. The latter are proposed in sensitive locations, for example, near bus stops and pedestrian crossings, to reduce the perception of separation, and to prevent overshadowing to nearby properties. Their indicative extent, size and positioning is a result of discussions between the acoustics specialists and specialists for other environmental disciplines. Gaps for public access through the barriers that could be a safety hazard requiring detailed design to address public safety and security are identified on the drawings. Where practicable, without negating their effectiveness for noise mitigation, the barriers are shown set back slightly on the road verge leaving room to plant a hedge in front. Climbing plants have been proposed to soften the appearance of the barriers in places where there is no opportunity to set them back.

1.7 Construction of the Scheme

An indicative construction strategy has been developed for the M11 Junction 7A scheme to ensure the scheme can be successfully constructed and to provide a methodology that can be assessed as part of the EIA process. The final construction strategy cannot be developed until the main contractor for the scheme has been appointed. The detail set out below in relation to each of the phases is therefore indicative at this stage.

1.7.1 Scheme Phases

It is proposed to split the construction of the M11 Junction 7A scheme into three main phases, based on the release of funding from the Department for Transport (DfT). These main phases would be known as ‘Phase 1’, ‘Phase 2A’ and ‘Phase 2B’. These phases are shown on the indicative **Construction Phasing and Programme Overview** drawing (B3553F05-0100-DR-0825).

Phase 1

Phase 1 works would involve new construction as well as improvement works to the existing road on Gilden Way. The overall strategy is to first widen the road to three lanes and then carry out improvement works to the existing road. To conduct the works for this phase, a number of traffic management configurations would be required throughout the construction period. The speed limit would be reduced during the works when and where required. Where lane widths drop below 3.25m a 20mph speed limit would be implemented. Traffic restriction such as a traffic light system, reducing lane widths etc. would be put in place to achieve this. Widening works in Phase 1 for the existing eastbound and westbound lanes would be carried out during normal daytime working. Phase 1 surfacing works would be carried out at night to have minimum impact on traffic using Gilden Way.

The construction of the local access road in Mayfield Farm would be carried out off-line with tie in works to the existing road conducted under the same traffic management as the widening works. Churchgate Roundabout would be modelled in a “hamburger” style to allow traffic to travel through the middle on an east/west trajectory.

Where footpaths cross the road during construction, a temporary diversion or closure order would be put in place for safety reasons. Where this is not possible, the crossing points would be manned at all times. Pedestrian crossing points would be reinstated at the end of Phase 1. The National Cycleway crossing point would be maintained throughout construction in some form with appropriate traffic management and be

reinstated at the end of Phase 1. Two new pedestrian crossings would be installed and a further two upgraded. Noise barriers would be erected towards the beginning of construction to screen out construction noise.

Two attenuation ponds would be constructed during Phase 1: one to the east of the Gilden Way construction site and the other adjoining the playing field east of Churchgate Roundabout. In addition, two retaining walls (at Long Barn Cottage) would be constructed.

Initially strategic access to Phase 1 has been assumed to be on existing highways from M11 Junction 7. This would be the responsibility of the contractor. However, as Phase 1 and Phase 2a would be run in parallel, it is proposed that a significant portion of construction traffic would access the site directly off Junction 7A once the slip roads have been constructed.

Phase 2A

Phase 2A has been notionally split into two sections – A and B:

- Phase 2A Section A would include the construction of a new carriageway between Mayfield Farm and new Sheering Road Roundabout;
- Phase 2A Section B would include the construction of the westbound link, the M11 Eastern and Western Dumbbell Roundabouts along with the installation of an overbridge over the existing M11 spanning between the two roundabouts and the construction of the northbound and southbound merge and diverge to provide direct links to the M11.

As the majority of these works are ‘off-line’, the works would be carried out during normal daytime hours. The tie in of the northern arm, southern arm and link road to the existing Sheering Road and Gilden Way would be conducted at night. Tie in of the southbound and northbound merge and diverge slips would be conducted during the day under a traffic management system. The launch of the overbridge sections above the M11 motorway would be carried out at night under a full road closure; the deck of the bridge would be constructed during normal traffic operations.

Construction of the M11 Junction 7A slips, northbound merge and diverge and the southbound merge and diverge would be carried out early in the programme to allow use of the slips as haul routes for the construction traffic. This would allow a large proportion of construction traffic to access and egress the construction site directly from the M11 motorway thus reducing site traffic travelling through the middle of the congested Harlow Town and along Gilden Way. Some traffic would need to access along Gilden Way initially to construct the site compound and more westerly works. Widening works would be carried out on the M11 to construct a ghost island for the southbound off-slip. Sheet piling on the eastern side of the M11 would be required for the widening works and installed from the underpass as far as the north end of the Proposed Scheme. At the location of Pincey Brook, a reinforced earth embankment using soil nailing is proposed; this would avoid the use of sheet piling above the Pincey Brook.

The tie ins of the on and off slips to the existing M11 motorway would be carried out during normal daytime hours but would be carried out under the influence of traffic management with the use of narrow lanes or similar on M11 motorway. Once the northbound and southbound merge and diverge slips had been built, a manned booth barrier control system would be installed at the site entry points (on-slips) to ensure that a clear line of demarcation was set between the construction traffic and the general traffic flowing on the M11 motorway.

Phase 2A would also include the construction of two drainage attenuation ponds; one to the north of the Sheering Road Roundabout and the second to the North West side of the M11 motorway, north of Sheering Hall Drive. A new uncontrolled crossing point would be located across the northern arm of the Sheering Road Roundabout.

Phase 2B

Phase 2B would include construction of the Pincey Brook Roundabout, Sheering Road Dumbbell Link (between Sheering Road Roundabout and Pincey Brook Roundabout) and the eastbound link between Pincey Brook Roundabout and M11 western roundabout.

The majority of Phase 2B construction would be off-line; therefore, the construction could be carried out during normal day hours and without any traffic management.

1.7.2 Construction Programme

The final construction programme would be the responsibility of the main contractor to finalise; any programme contained within this planning submission is therefore indicative at this stage. It is anticipated that the construction of the M11 Junction 7A scheme would take approximately 40 months, commencing in 2019, with advance work occurring in 2018, and completion of Phase 2B in 2021. Demobilisation would occur in early 2022. It should also be noted that construction programmes are subject to conditions outside the contractors' control, such as weather conditions and the availability of materials. The indicative programme has been, and final programme will be, created with consideration of the timing constraints associated with ecological receptors such as bats, great crested newts and badgers, and landscaping requirements. Further detail is provided within the ES that accompanies this application. The ES contains a construction environmental plan, which has been produced to inform the contractor as to the constraints existing along the proposed scheme; this plan would be updated during detailed design and construction phases as further surveys are carried out and new information is forthcoming.

1.7.3 Construction Site Compounds

Site compounds are required for the scheme for the storage of soil, materials, plant and equipment and to provide temporary parking and welfare facilities for construction workers.

The following locations are proposed for the construction site compounds as part of this application:

- *Phase 1:* One compound – Old Nursery site (Gilden Way south side)
- *Phase 2A:* Two compounds – (1) South-east of Sheering Road Roundabout and to the north west of Mores Woodland, and (2) East of the M11.
- *Phase 2B:* One compound – South of the new Pincey Brook roundabout within the envelope of the Westbound Link and Eastbound Link embankments.

The locations of these compounds are shown on the **Proposed Layout Plan** drawings (B3553F05-0100-DR-0501 to 0508). The final layout of each compound will be determined by the main contractor.

1.7.4 Site Works and Construction Hours

All phases of construction would be carried out with due regard to the environment, following procedures as laid out in the Outline Environmental Management Plan (EMP), which accompanies to the ES. In summary these procedures would include: all works to take place outside the flood risk zone, dust mitigation measures, restricted night working, bunding of all oil and chemical storage areas, regular maintenance of vehicles to reduce air and noise pollution etc.

Normal daytime work would be from 08:00 to 18:00, while night-time work would typically be from 22:00 to 05:00. In total, following the indicative construction methodology, only approximately 5% of construction works would occur at night. Up to three night-time closures of the M11 would be required to install the M11 Bridge.

1.7.5 Construction Traffic

A **Construction Phase Traffic & Transport Impact Assessment** has been developed to identify the transport impacts of the construction of the proposed M11 Junction 7A scheme. It has considered public transport users, non-motorised users and other road users. It has been assumed for the purposes of the assessment that there are the following main impacts:

- Off-site construction vehicle traffic (movement of construction vehicles on the live road network) resulting in additional trips on the network (potentially causing delay, re-assignment of trips and junctions exceeding capacity); and
- Staff vehicular trips, resulting from staff accessing and egressing the construction sites, causing additional trips on the network which may contribute towards delay, trip re-assignment and junctions operating above capacity.

1.8 Site Area and Red Line Boundary

The application site, which is edged by a red line on the **Site Location Plan** (B3553F05-0100-DR-0509), covers an area of some 41000m^2 (41ha).

It includes all the land necessary to carry out the proposed development, including land required for the construction works, access to the site from the public highway, visibility splays, landscaping and environmental mitigation areas, including drainage ponds.

The application site area that directly impacts on the M11 is 13.5 hectares, which falls below the 15ha threshold defined in Section 22 of the Planning Act 2008 for a Nationally Significant Infrastructure Project. The calculation only relates to land area required for the construction of the works directly associated with the motorway. Therefore, planning consent for the proposed development is being sought under the Town and Country Planning Act 1990.

1.9 Key Constraints

The main environmental and planning constraints of relevance to this application are as follows:

- The main elements of the scheme within Epping Forest district are located within the Metropolitan Green Belt;
- Land surrounding Gilden Way is designated as Green Wedge (at the western end of Gilden Way) and as a Special Restraint Area (at the eastern end of Gilden Way) in the adopted Harlow District Council Local Plan;
- Part of the scheme within Epping Forest district will affect trees protected by Tree Preservation Orders (TPOs);
- The scheme is located within the Stansted Aerodrome Safeguarding Area;
- The M11 Junction 7A scheme is not located within any Air Quality Management Areas (AQMAs); however, there are two AQMAs within the air quality study area for the scheme, both within the district of East Hertfordshire – the Sawbridgeworth AQMA and the Bishops Stortford AQMA, both declared for annual mean nitrogen dioxide;
- There are 91 cultural heritage assets within the study area for the M11 Junction 7A scheme or that could potentially have impacts upon them from the scheme, including one Scheduled Monument (Harlow Mound), several Listed Buildings and parts of two Conservation Areas (Old Harlow and Churchgate Street);
- There are six Local Wildlife Sites within 1km of the scheme, but there are no nationally or internationally designated sites within 2km of the scheme;

- There is a Protected Wildlife Verge (a Harlow Town Council designation) on Churchgate Roundabout.
- There are several protected species present within the local area that could be affected by the scheme.
- There are no geological SSSIs or Local Geological Sites (LoGS) nor ECC mineral safeguarded sites in proximity to the scheme.
- No significant concentrations of contamination have been found nor any significant risks of ground instability identified in proximity of the scheme.
- Much of the scheme crosses agricultural land with Grade 2 and Grade 3 soil quality (Agricultural Land Classification), all of which is located within Epping Forest District.
- There are two Water Framework Directive (WFD) water body catchments in proximity to the scheme – the Pincey Brook water body and the Stort and Navigation WFD water body; both are classified as having an overall status of Moderate and achieving a Good chemical status under the WFD, but phosphate levels for both water bodies are shown to be Poor.
- The scheme is located within a Surface Water Nitrate Vulnerable Zone (NVZ) and a Surface Water Safeguard Zone (SgZ). There is one surface water abstraction consent within the study area, located approximately 250m from the proposed route.
- The proposed route overlies several groundwater aquifers, but does not lie within any groundwater Source Protection Zones (SPZ).
- Small parts of the scheme in proximity to the Pincey Brook and the Harlowbury Brook are located within Flood Zones 2 and 3; however, there are no known existing issues with flooding of properties or roads.
- The scheme is partly located within and close to existing residential areas.
- There are several local businesses operating in close proximity to the scheme.
- There are several community facilities in close proximity to the scheme, including schools and playing fields.
- The scheme includes alterations to the local and national road network, which will have implications for traffic and transport (including non-motorised users) in the local and wider area.

Further details are contained within the various detailed chapters of the Environmental Statement and are further discussed in Section 3 of this Planning Statement.

1.10 Purpose of this Planning Statement

The **National Planning Policy Framework** (NPPF) (2012), which is published by the Government and sets out national planning policy, reminds us that:

> *'The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise'* (paragraph 196).

This Planning Statement seeks to demonstrate that this planning application is fully in accordance with the development plan and where this is not the case there are overriding material considerations. It also summarises the land use planning background, history and policy context for the scheme.

1.11 Environmental Assessment

The scale and complexity of the M11 Junction 7A scheme is such that an Environmental Impact Assessment (EIA) has been undertaken to evaluate the associated environmental and social implications. A request for a scoping opinion was submitted to the ECC Planning department in April 2016 and the scoping opinion was

received from ECC in June 2016; this scoping opinion has guided the EIA process. The topics covered as part of the assessment include:

- Air quality
- Cultural heritage
- Landscape and visual impact, which includes photomontages and the tree survey
- Nature conservation
- Geology and soils
- Materials
- Noise and vibration
- People and communities
- Road drainage and the water environment, which includes the Flood Risk Assessment
- Cumulative effects.

The **Environmental Statement (ES)** (Volume A) and its associated figures (Volume B) and appendices (Volume C), which all accompany this application, show the findings of the assessment. A range of mitigation measures are proposed. The residual effects of the scheme after mitigation are highlighted.

The ES is supported by an **Outline Environmental Management Plan** (EMP), which contains all of the mitigation measures proposed and seeks to ensure all environmental commitments identified during the design phase within the ES and legislative guidance are implemented once planning permission has been granted. The outline EMP is designed to be a live document, which would develop during detailed design and construction phases into a full Construction Environmental Management Plan (CEMP).

A **Non-Technical Summary** of the ES has also been provided.

1.12 Other Supporting Information

In addition to the Environmental Statement, this Planning Statement is supported by a range of additional documents and drawings that illustrate compliance with procedural requirements and planning policy. These have been provided in accordance with both national and local (Essex County Council (ECC)) validation requirements, as set out in the validation list provided by the ECC Case Officer and the ECC *Supplementary Guidance for the Requirements of a Valid Planning Application* (2013). Some of the items required on the validation list have been provided by text within the ES or within this Planning Statement, rather than as stand-alone documents; where this is the case, this has been indicated on the annotated validation list. A copy of this annotated validation list has been submitted as part of the planning application package.

1.12.1 Statutory Forms, Plans and Drawings

The application for planning permission includes the following statutory forms, plans and drawings, as follows:

- Planning application form, notices and certificate.
- Location Plan and a more detailed Site Location Plan.
- Existing Layout drawings (eight individual drawings and an overall key plan).
- Proposed Layout Plans (eight individual drawings and an overall key plan).

The following drawings have also been provided for information only:

- Preliminary Road Lighting Layout Plan (seven drawings).
- Indicative Construction Phasing and Programme Overview drawing.

Preliminary landscape and drainage drawings are included within the Figures and Appendices that support the ES.

1.12.2 Supporting Reports

In addition to the ES and its appendices, which are listed above, the following stand-alone reports have been provided in support of this application at the request of ECC as the local planning authority:

- Completed ECC Biodiversity Checklist
- AIES (Assessment of Implications on European Sites) Screening Matrix
- Public Involvement Programme
- Construction Phase Traffic and Transport Impact Assessment
- Stage 1 Road Safety Audit.

2. Planning Context

2.1 Previous Uses and Relevant Planning History

There is no planning history for the land directly affected by the proposed operational M11 Junction 7A scheme itself. However, there are major developments under construction in the area, which will add to existing traffic congestion issues in and around Harlow. All of the schemes are located within Harlow district; there are currently no relevant committed schemes within Epping Forest district. Schemes of particular relevance to the M11 Junction 7A proposals are Harlowbury, Newhall Phase II and the Harlow Enterprise Zone, which are discussed below.

The location of these development schemes in relation to the application site is shown on **drawing B3553F05-0000-DR-0114** in **Appendix A** to this Planning Statement.

2.1.1 Harlowbury

The Harlowbury site is situated to the north of and adjacent to Gilden Way, between the Harlowbury Brook to the west and Marsh Lane to the east. Vehicular access to the site is via two points on Gilden Way, including the Churchgate roundabout.

In November 2012, outline planning permission was granted on appeal for up to 1,100 dwellings, a new primary school, community buildings and commercial/retail/live work accommodation at Harlowbury (ref: **HW/PL/11/00055**). Planning permission was granted subject to two unilateral undertakings and a Section 106 agreement; certain highways works were included within these legal agreements, including junction improvement works along Gilden Way. The legal agreement also included the construction of a new footpath/cycleway on the northern side of Gilden Way between the Harlowbury site access and London Road and a new toucan crossing across Gilden Way close to the London Road roundabout. The principal of the works related to Gilden Way improvements shown in the legal agreements for this scheme are carried forward in the proposed M11 Junction 7A scheme.

The phasing plan for the scheme was approved in July 2013 (ref: **HW/PL/13/00185**), which shows, Phase 1 of the scheme to be located adjacent to Gilden Way, with a second phase to the north of the site to be developed at a later stage. The exception is the area between the eastern access to Harlowbury from the Gilden Way and Marsh Lane, which is also included in Phase 2.

Minor changes were made to the original outline planning permission for the Harlowbury scheme in May 2015, to take account of pre-application discussions with the local planning authority in relation to the subsequent reserved matters application, through the removal and variation of planning conditions (ref: **HW/PL/15/00142**). Planning obligations from the original outline permission were retained. The permission includes planning conditions that are of particular relevance to the M11 Junction 7A scheme:

- Condition 18, related to the Section 106 planning obligation, requires the prior approval of a detailed engineering scheme for a new footway/cycleway along Gilden Way between the application site and the London Road and a new toucan crossing across Gilden Way close to the London Road roundabout; the condition requires that this path be in place prior to the first use or occupation of any aspect of the development. ECC Highways will work with the developers of the Harlowbury site to ensure that the Harlowbury footpath/cycleway proposals align with the proposals for the M11 Junction 7A scheme.
- Condition 21 requires that a 3.5m wide strip of land along the entire Gilden Way frontage of the application site be reserved for future carriageway widening by the Highway Authority (ECC). This land will be utilised as part of the widening of Gilden Way for the M11 Junction 7A scheme.
- Condition 23 requires the prior approval of a landscaping scheme, including hard surfacing and planting before works are undertaken on each phase of the scheme; this will include the scheme for the Gilden Way frontage where it borders the M11 Junction 7A proposals.

Reserved Matters approval was granted for all strategic infrastructure for the Harlowbury scheme and for Phase 1 (approximately 716 homes and an associated community building, commercial units, open space and facilities) in September 2015 (ref: **HW/PL/15/00006**); the new primary school is not included within the approved Phase 1 scheme and would form a separate application at a later date. Phase 1 includes residential development in the area of land between the Churchgate roundabout and the second site entrance from Gilden Way to the east, but not the additional area of land up to Marsh Lane, which is included within Phase 2 of the scheme. Phase 1 includes a linear area of landscaping along the site boundary with Gilden Way, from the Churchgate Roundabout to Marsh Lane; an additional area of landscaping is proposed adjacent to the north-east of the Churchgate Roundabout. The scheme includes indicative drawings (for information only) for cycleway/footpaths and landscaping proposals along the Gilden Way frontage, but separate approval is required for the final detailed versions of these through the discharge of Condition 23 of permission HW/PL/15/00142 noted above. The M11 Junction 7A drawings show an indicative landscaping scheme that reflects the broad principles of the indicative landscape proposals for the frontage at Harlowbury. The approved plans show a pedestrian and cycle route along the Gilden Way frontage; this new path will be linked to the Gilden Way proposals that form part of the M11 Junction 7A scheme, as shown on **Sheet 3 of the Proposed Layout Plan** (B3553F05-0100-DR-0503).

A discharge of conditions application, which covers a range of issues including phasing, highways works, landscaping and drainage, was validated in January 2015 but is awaiting determination (ref: **HW/PL/15/00007**). These plans include proposals for the linear area of landscaping along Gilden Way frontage (known in the proposals as 'GS1').

Reserved Matters approval was granted for Phase 2 (approximately 195 homes and associated open space) in December 2015 (ref: **HW/REM/15/00389**; alternative ref: **HW/PL/15/00389**). When added to the approximately 716 homes permitted through Phase 1, the total number of new homes proposed at Harlowbury is now approximately 911 – about 200 less than the maximum originally envisaged in the outline permission). Reference is made to the phasing plan submitted as part of application HW/PL/15/00007 above, which shows that Phase 2 includes the area alongside Gilden Way up to Marsh Lane that was excluded from the Phase 1 permission; this area is to be residential development, with a landscaped frontage along Gilden Way in line with the frontage proposed for Phase 1 of the scheme.

2.1.2 Newhall

A major development scheme has been permitted in the Newhall area of Harlow, to the south of Gilden Way and to the east of London Road. The site had been allocated in the Harlow Council 2006 Local Plan for housing, with associated employment, retail, community and leisure facilities, including sports and recreational facilities in the area of land that adjoins Gilden Way. The initial scheme, Newhall Phase I, with 440 residential dwellings and located 730m to the south of Gilden Way, was granted outline planning permission in 1998 (ref: **96/00088**) and was followed by several subsequent reserved matters applications. Vehicular access to the site is via London Road. Phase 1 is currently nearing completion.

Spoil from the Phase I scheme was utilised to re-contour an area of former agricultural land on the corner of Gilden Way (to the north) and London Road (to the west) to create playing pitches (application ref: **HW/ST/03/00168**); these pitches were subsequently, and continue to be, utilised by Mark Hall School, which is located on the opposite site of London Road.

Outline planning permission was granted for Phase II of the Newhall development scheme, which directly borders Gilden Way, in June 2012 (ref: **HW/PL/04/00302**); planning committee approval was given in 2008, subject to a Section 106 agreement that was subsequently signed in June 2012, at which point the decision notice was issued. Permission was granted for 2,300 dwellings including parkland and recreation, employment and a neighbourhood centre; the scheme is to be constructed in several phases covering separate land parcels. Reserved Matters Approval for Parcel 1 of Phase II (328 homes via two linked applications) was granted in June 2013 (refs: **HW/PL/13/00098** and **HW/PL/13/00100**). Reserved Matters Approval for Phase II Parcel 2 (239 homes) was granted in March 2014 (ref: **HW/PL/13/00482**). Traffic associated with the scheme again accesses the site via London Road and will utilise the local road network.

The most recent timetable and plan for the phasing of the Newhall development was approved in October 2015 (ref: **HW/S106/15/00265**) and shows new homes being constructed during and beyond the likely construction programme for the M11 Junction 7A scheme; the timetable would, however, appear to be out of date as the development has not advanced in line with the suggested programme.

The element of the Newhall Phase II scheme that borders Gilden Way is a new sports and recreation facility secured via a Section 106 agreement and in line with **HDC Policy L9/3**. This includes new playing pitches, extended to the east from the pitches noted above. The new pitches are to be located on former agricultural land, with spoil from the Phase I scheme utilised in the re-grading. In November 2009 (prior to the signing of the Section 106 agreement), planning permission was granted for the change of use from agricultural land to playing fields and the regrading of the field to enable the creation of level playing fields as part of the open space provision for Phase II of the Newhall development (ref: **HW/PL/09/00202**). The application related solely to the change of use and regrading of the site and did not cover the layout of the pitches nor the associated car park or pavilion, which will be the subject of future applications. An indicative playing pitch layout was submitted as part of the application showing the pavilion in the middle of the site and a car park on the Harlow DC nursery site, but this appears to have been superseded by subsequent applications.

The most recent timetable and plan for the phasing of the Newhall development, dated October 2015 and noted above (ref: **HW/S106/15/00265**), shows a revised scheme for the development of the playing fields adjacent to Gilden Way, with a second of three phases due for completion in March 2017, although this timetable appears to have slipped as the associated housing on the Phase II site has been delayed.

The latest plan also now shows that the Harlow DC nursery site is to be developed as a car park and club house. The schedule shows this development taking place between October 2016 and March 2017, in parallel with the development of second phase of playing fields, as noted above. However, no planning application has been placed on the public register currently for the car park or club house.

Harlow Council own the nursery site and have confirmed that the car park and club house for the Newhall site will not be constructed until after completion of the Gilden Way works for the M11 Junction 7A scheme, the subject of this application, thus enabling use of the site as a compound for the scheme.

Allotments associated with the Newhall Phase II scheme are proposed to the east of the nursery site; the schedule shows that the allotments are currently due to be developed in 2019, but no applications have yet been submitted in relation to the allotments.

2.1.3 Enterprise Zone

Harlow has identified three Opportunity Areas within the Harlow Enterprise Zone with associated Local Development Orders (LDO) to facilitate economic development, these are:

- *London Road South:* 20,000m^2 of 'Grade A' office space as well as a Data Centre development.
- *London Road North:* 14 hectare greenfield site available for design and build opportunities with a focus on the Med Tech, Life Science and ICT sectors.
- *Templefields:* existing industrial estate offering SME manufacturing space and longer term re-development opportunities. A condition of the LDO is that additional employment growth at this particular site cannot be brought forward without the provision of Junction 7A on the M11.

Further growth is proposed in the emerging planning framework documents for Harlow and the surrounding districts; these are discussed in Section 3 in relation to relevant planning policy.

2.1.4 Other Road Improvement Schemes in Harlow

Various road improvement schemes are planned and/or under construction in the immediate Harlow area, which are listed below. Further details of each of these schemes can be found in the Cumulative Effects chapter of the ES that accompanies the M11 Junction 7A application.

M11 Junction 7

This is a Highways England Road Investment Strategy Scheme to improve the capacity at Junction 7 of the M11. This scheme is at the early stages of design development and is unlikely to be implemented until after the M11 Junction 7A scheme is completed and operational.

A414 Edinburgh Way

This scheme proposes to widen Edinburgh Way (A414) to four lanes and realign the Edinburgh Way / Cambridge Road roundabout. This scheme is proposed to commence during 2017.

First Avenue Roundabout

This scheme proposes to improve the roundabout including feeder routes to increase the capacity of the roundabout to help manage traffic congestion at peak times. The scheme is currently under construction.

New Access to Templefields

This scheme is a left-turn in and right-turn out only signal controlled junction on to Cambridge Road from Templefields. This scheme is part of the implementation of the Enterprise Zone Templefields North East Local Development Order. This scheme will be subject to a planning application and is proposed to commence during 2018.

London Road Link

This is a scheme to provide access between London Road and the A414 to the south of Mark Hall Academy, which is located to the south of Harlow, for traffic accessing the Newhall development and the London Road Enterprise Zone (**HW/LDO/15/00474** – granted planning permission in December 2015). This scheme is nearing completion.

The Traffic Model produced to support the design and assessment of the M11 Junction 7A scheme takes into account the various road network improvements in the Harlow area described above, and also anticipates the estimated date each scheme is due to be operational.

2.2 Relevant Plans and Material Considerations

Regulation 3 of the Town and Country Planning General Regulations 1992 gives ECC power to determine planning applications relating to its own service delivery where they intend to develop the land themselves or jointly with others. As highlighted in Section 1.5 above, the English planning system is plan-led; all applications must therefore, by law, be determined in accordance with the development plan, unless material considerations indicate otherwise[6]. The development plan consists of adopted or approved local plans and neighbourhood plans in relation to the area[7].

As indicated on the **Proposed Layout Key Plan** (B3553F05-0100-DR-0500), which shows the district boundaries, the M11 Junction 7A scheme is located within both Epping Forest district and Harlow district; as such, the development plan consists of the adopted or approved planning policy for both these local authorities. No adopted neighbourhood plans have been produced in relation to the scheme area. The development plan (as relevant to the nature and location of the road scheme proposed) consists of:

Epping Forest District Council:

- *Epping Forest Adopted Local Plan (1998) (saved policies)*

[6] National Planning Policy Framework (2012), paragraph 196
[7] Section 38(1) Planning and Compulsory Purchase Act 2004 (as amended)

- *Epping Forest Adopted Local Plan Alterations (2006) (saved policies)*

Harlow Council:

- *Adopted Replacement Harlow Local Plan (2006) (saved policies)*

National planning policy, which is set out in the National Planning Policy Framework (NPPF) (2012) is a material consideration when determining a planning application[8]. Central to national planning policy is a 'presumption in favour of sustainable development'. Paragraph 14 of the NPPF highlights that, for the determination of planning applications, this means:

> *'approving development proposals that accord with the development plan without delay; and*
>
> *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
>
> - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
> - *specific policies in this Framework indicate development should be restricted'.*

It should be noted that both Epping Forest District Council's Local Plan and Local Plan Alterations documents and Harlow Council's Local Plan pre-date the publication of the NPPF; consideration of consistency with the NPPF is therefore of particular importance.

Both Epping Forest and Harlow districts are in the process of developing new local plans:

- Epping Forest DC published their Local Plan Issues and Options consultation document in July 2012, with consultation responses analysed in a report published in June 2013; their latest draft plan was published for consultation on 31st October 2016, with public consultation running until December 2016. Going forward, the pre-submission version of the new local plan is due for publication in June/July 2017, with submission and examination in November 2017 and adoption in October 2018. The new EFDC local plan will cover the period to 2033.
- Harlow Council published their Local Plan Issues and Options consultation document in February 2012 and a subsequent Emerging Strategy and Further Options consultation document in April 2014, with responses from the latter consultation analysed in a report published in December 2014; their draft plan was due for publication in early December 2016, but has yet to be published at the time of writing this Planning Statement. It is expected that the new Harlow Council local plan will cover the period to 2033 in line and to co-ordinate with the plans of surrounding districts.

The emerging planning policy of the districts will be a material consideration in relation to this planning application as an indication of local infrastructure needs, future areas for growth, regeneration and development, and future policy direction. **Paragraph 216 of the NPPF** states that, *'from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)*.

Emerging policies of relevance to the M11 Junction 7A scheme are further discussed in Section 3 of this Statement.

[8] National Planning Policy Framework (2012), paragraph 196

The M11 Junction 7A scheme is located in close proximity to the borders of two additional districts – Uttlesford (to the north-west) and East Hertfordshire (to the north-east). As such, and considering the nature of the proposed junction scheme, the planning policies of Uttlesford and East Hertfordshire Districts will be a material consideration, particularly in relation to their proposals for future local development and related infrastructure requirements. Emerging policies of relevance to the M11 Junction 7A scheme are further discussed below and in Section 3 of this Statement.

Other material considerations include:

- Supplementary Planning Documents (SPDs) published by Epping Forest and Harlow districts, which provide further detail in certain policy areas; and
- the Essex Transport Strategy (Local Transport Plan) (ECC, 2011), which sets out local transport needs and future plans. The plan highlights current transport constraints facing Harlow, noting that *'Harlow is ideally placed, being close to the M11 and M25, on the West Anglia mainline and close to Stansted airport. Access to Harlow is, however, somewhat restricted with only one link to the strategic road network (via Junction 7 of the M11) and two railway stations located on the edge of the town'* (page 42). Page 125 lists priorities for improving transport in West Essex, where Harlow is located; it states that 'priorities include:
    - *Improving access to and from the M11 corridor*;
    - *Tackling congestion and improving the management of traffic in Harlow town centre*;
    - *Providing the transport improvements needed to support housing and employment growth*;
    - *Improving cycling networks and walking routes and encouraging their greater use;*
    - *Improving the attractiveness of public spaces and their ease of use'*.
- London Stansted Cambridge Corridor (LSCC) Core Area Vision (2016), which is highlighted in emerging local plans and includes the M11 Junction 7A as one of the major infrastructure schemes that would be beneficial to economic growth within the Corridor and supports the regeneration of Harlow and development and sustainable growth around Greater Harlow.
- Planning Practice Guidance (PPG), published online by the Government, which supports the NPPF.
- Ministerial Statement on Sustainable Drainage Systems (House of Commons: Written Statement (HCWS161), 2014), which forms part of national planning policy and is of relevance to drainage proposals for the M11 Junction 7A scheme.
- National Planning Policy for Waste (2014), which forms part of national planning policy, in conjunction with the NPPF, and contains policies in relation to non-waste development, such as the M11 Junction 7A scheme.

2.3 Key Policies

The following policies are of particular relevance to the application for M11 Junction 7A, considering the nature of the scheme, its location and the key constraints highlighted in **Section 1.9** above:

Topic	Epping Forest (Development plan)	Harlow (Development plan)	NPPF (Material consideration)	Other relevant policy and guidance (including emerging draft planning policy and national planning policy guidance)
Regeneration	-	SD2, SD3, ER1	18-21, 23	
Green Belt	GB1, GB2A, GB7A, ST7	N/A - NOT IN GB IN HARLOW	79-80, 87-88, 90	EFDC: Draft Policy SP5

Topic	Epping Forest (Development plan)	Harlow (Development plan)	NPPF (Material consideration)	Other relevant policy and guidance (including emerging draft planning policy and national planning policy guidance)
		DISTRICT		
Landscape and visual (including trees and hedgerows)	CP2, DBE9, LL1, LL2, LL7, LL8, LL9, LL10, LL11, LL13, ST7	NE1, NE2 , NE11, NE12, BE5	17, Ch.7, Ch.11 (inc. 118)	EFDC: Draft Policy SP6, DM2, DM5, DM9
Lighting	RP5A	BE16	125	PPG: Light Pollution section
Nature conservation	NC4, NC5, RP5A, ST7	SD3, NE1, NE2, NE15, NE18, NE19, NE20	109, 113, 114, 118	EFDC: Draft Policy DM1
Stansted Aerodrome Safeguarding	ST9	NO RELEVANT POLICY	NO RELEVANT POLICY	Circular 01/03: Safeguarding aerodromes, technical sites and military explosives storage areas EFDC: No relevant draft policy
Daylight / sunlight	DBE9	NO RELEVANT SAVED POLICIES	17, 66	
Air quality	RP5A	NO SAVED POLICIES	109	EFDC: Draft Policy DM21
Noise and vibration	RP5A, DBE9	BE17	109, 123	PPG: Noise section EFDC: Draft Policy DM21
Cultural heritage	HC1, HC12, ST7	NE1, BE6, BE7, BE10, BE12, BE13,	126, 128-129, 131-132, 134-135, 139	EFDC: Draft Policy DM7
Soil quality	CP2	N/A – URBAN LAND ONLY	109, 112	EFDC: No relevant draft policy
Potential contamination and ground instability	RP3, RP4, RP5A	BE15	109, 120, 121	EFDC: Draft Policy DM21
Water quality	RP3, RP5A	NE13	109	PPG: Water Quality section EFDC: Draft Policy DM21
Flood risk and drainage (FRA)	U2A, U2B, U3A, U3B	CP12	94, 99-103 Ministerial Statement - SuDS	PPG: Flood Risk section EFDC:
Climate change, energy and	CP4, CP5	SD8, SD9	93, 95-98, 142 National	EFDC: Draft Policies DM9 & DM20

Topic	Epping Forest (Development plan)	Harlow (Development plan)	NPPF (Material consideration)	Other relevant policy and guidance (including emerging draft planning policy and national planning policy guidance)
sustainability			Planning Policy for Waste – Paragraphs 1 & 8	
Community safety and cohesion	CP9, ST2	BE5	58, 69	EFDC: Draft Policy DM9
Playing fields	*N/A – NO AFFECTED PLAYING FIELDS IN DISTRICT*	L1	74	Sport England planning policy
Traffic and transport	CP9, ST2, ST4, ST7	T6, T8, BE4	29-30, 35	

2.4 Local Plan Land Allocations and Development Vision

Parcels of land are allocated by local planning authorities within their local plan for particular types of development within their district. These allocations therefore indicate likely locations of future development in the area.

2.4.1 Epping Forest District Council

The current EFDC development plan does not contain any land allocations of relevance to the M11 Junction 7A scheme.

The draft EFDC new local plan envisages that significant housing development within the District will be located around Harlow to support the economic regeneration of the town and the wider LSCC. The draft plan highlights the partnership work that has been undertaken between EFDC, Harlow District Council, Uttlesford District Council and East Hertfordshire District Council (the districts together known as the West Essex and East Hertfordshire Housing Market Area (HMA)) to identify housing need within their area. Harlow was identified as the most sustainable location within the HMA at which to concentrate development due to its economic status, regeneration needs, good transport links, its key location within the LSCC and, in particular, the economic growth aspirations for the town. EFDC draft plan highlights that approximately 16,100 homes are proposed in and around Harlow in the period to 2033; **Table 2.1** below, which is based upon Figure 3.4 from the EFDC draft local plan and **EFDC Draft Policy SP3**, highlights the location and timing of those proposed developments as set out within the EFDC plan:

Table 2.1: Proposed housing development in and around Harlow (EFDC Draft Policy SP3)

District	Site	Approximate Housing Numbers	Location	Timing
Epping Forest	Latton Priory	1,000	South of Harlow near J7	2019-2028
	West Sumners	1,000	SW of Harlow	2018-2029
	West Katherines	1,100	SW of Harlow	2019-2029
	East of Harlow *	750 (and potential re-location of Princess Alexandra Hospital)	East of Harlow	2030-2033
	Riddings Lane	50	South of Harlow near J7	2020-2021
	SUBTOTAL	3,900		
East Hertfordshire	Gilston ^	3,050 (and potential re-location of Princess Alexandra Hospital)	North of Harlow, close to Harlow's railway stations	2022-2033
Harlow	East of Harlow *	2,600	East of Harlow	Unknown – awaiting publication of latest draft Harlow local plan
	TOTAL	**9,550**		

Notes:

- Approximately 6,600 homes will also be delivered within Harlow District (above the numbers identified above) on sites either already completed or granted planning permission as well as urban brownfield sites.
- (*) The East of Harlow area is split between Epping Forest and Harlow districts.
- (^) Gilston area information is partly sourced from the draft East Hertfordshire District Local Plan discussed further below.

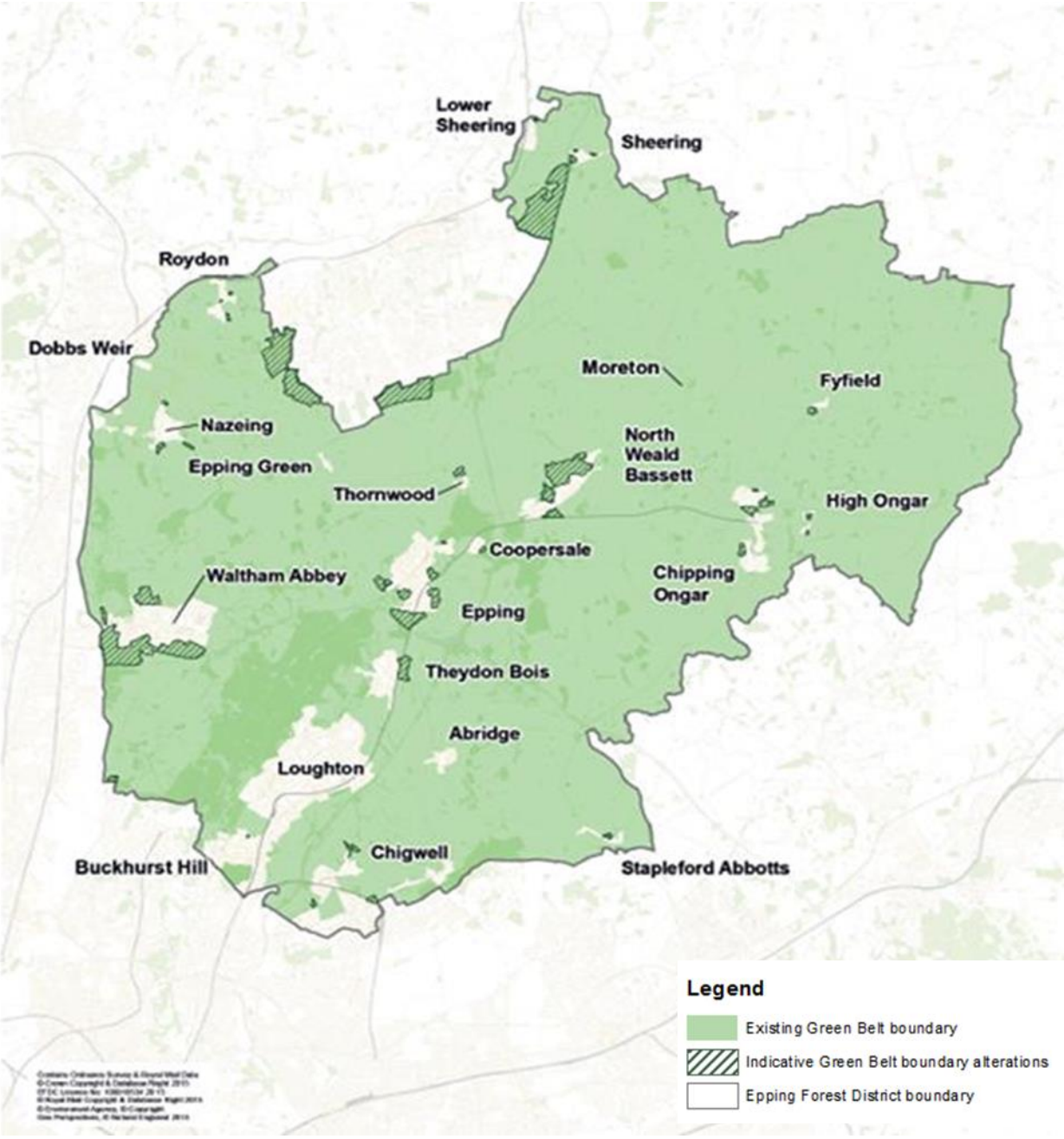
Paragraph 3.50 of the draft local plan highlights that the transport modelling undertaken by the local authorities to date demonstrates the above growth is achievable provided that the transport mitigation measures set out in the Draft Highways and Transportation Infrastructure Memorandum of Understanding (MOU) signed by the districts and ECC as the local highways authority, are delivered during the plan period; these mitigation measures include a new Junction 7A on the M11. **EFDC Draft Policy SP3** requires development identified in the policy to make a contribution to the new infrastructure, including M11 Junction 7A. Further, **Paragraph 3.90** specifically states that *'the delivery of the strategic sites around Harlow is dependent on the construction of key*

infrastructure, including improvements to Junction 7 and a new motorway junction (Junction 7A) to the north of existing junction 7 of the M11'.

In addition to the homes around Harlow identified above, **EFDC Draft Policies SP2 and P12** propose approximately 30 homes in Lower Sheering and 120 homes in Sheering, which are in close proximity to the new Junction 7A. **EFDC Draft Policies SP2, SP3 and E1** seek to allocate employment space within each of the strategic development sites although no detail is given within the plan.

In order to facilitate the new homes and supporting infrastructure identified above, EFDC propose amending the Green Belt boundary through **EFDC Draft Policy SP5** and associated **Figure 3.8** of the draft Local Plan. The amendments to the Green Belt boundary would mean that all the land required for the M11 Junction 7A scheme would then be outside the Green Belt, as shown in **Figure 2.1** below.

Figure 2.1 : Proposed Green Belt Boundary Changes in Epping Forest Consultation Draft Local Plan 2016



EFDC Draft Policy T2 seeks to safeguard land required for proposed transport schemes in Essex County Council's Highways and Transport Investment Programmes, from developments which would prevent their implementation. While Policy T2 does not specify any proposed transport schemes, the supporting text states: '*The Council's preferred approach is to support using sustainable transport choices to manage the impacts of traffic growth. However, there will still be a need to make some improvements to the local and strategic highway network, including the provision of a new Junction 7a to the M11 motorway. In addition land may also be needed for improvements to train, bus, cycling and walking networks, to improve connectivity and/or capacity. It is important the Council ensures that the implementation of such schemes is not prevented as a result of permitting development which would prevent such routes*.'

2.4.2 Harlow Council

The current Harlow Council local plan contains several land allocations, mainly for housing, around Gilden Way. Development has already been granted planning permission on the majority of this land, including Newhall and Harlowbury discussed in Section 2.1 above. The only land without proposed development is the land south of the Harlowbury development, to the south of Gilden Way, which includes playing fields and areas adjacent to the Churchgate Roundabout; these are included within the same Special Restraint Area as the Harlowbury development land (**HC Policies NE5/1 and NE6**) which allocates that land for the meeting of future development needs. The Enterprise Zone Opportunity Areas, discussed above, are the key areas for employment-related development that are of relevance to the M11 Junction 7A scheme.

The latest draft of the Harlow Council new local plan is due for publication and is expected to correspond with that of surrounding districts in relation to its plan period and housing numbers due to the advance co-ordinated working that has been undertaken between the various local planning authorities and ECC, as part of the duty to co-operate, to ensure that the regeneration of Harlow is a key factor in the plans of all the authorities. **Harlow Council's 2014 *'Harlow Local Development Plan: Emerging Strategy and Further Options'* document**, the last published draft of Harlow's emerging Local Plan, highlights a clear need for a new motorway junction on to the M11 (7A) to ease traffic congestion and to facilitate the significant economic and housing growth planned to support the regeneration of Harlow; this is further discussed in **Section 3.2** below,

2.4.3 Other Surrounding Districts

New local plans are currently being developed by other local planning authorities that are of relevance to the M11 Junction 7A scheme due to their indication of future development proposals, particularly housing, and thus the need for the M11 Junction 7A scheme.

East Hertfordshire District Council

The pre-submission draft of the East Hertfordshire DC Local Plan was published in October 2016, with its final period of consultation running from November to mid-December 2016, prior to submission in March 2017 and then examination in Spring/Summer 2017. The plan is aligned with that of Epping Forest DC with regard to housing development around Harlow in the period to 2033. **EHDC Draft Policies DPS3 and GA1** provide for 3,050 new homes to be developed at Gilston in the plan period to 2033, in line with Table 2.1 above; in addition, the policies provide for a further 6,950 homes beyond 2033 (10,000 homes in total). **Draft Policy DPS3 and SAWB1** provide for 500 new homes around Sawbridgeworth, to the north-west of Junction 7A, during the plan period, 300 of which are proposed within the initial period to 2022. No significant employment-related development is proposed that is of relevance to the M11 Junction 7A scheme; the Gilston housing proposals support economic development within Harlow itself, including the Enterprise Zones. **EHDC Draft Policies DPS4 and GA1** specifically highlight a new Junction 7A on to the M11 as key infrastructure required to facilitate development within East Hertfordshire, including at Gilston, and the wider housing market area, in addition to several other major road improvements including upgrades to Junctions 7 and 8 of the M11.

Uttlesford District Council

The Uttlesford DC emerging local plan was published in 2014 but was withdrawn in January 2015 and no replacement document has yet been published. The issue with the 2014 emerging Local Plan was the robustness of the Objectively Assessed Need (OAN) and the proposal for a new settlement at Elsenham. It was

also silent on the need for an additional junction on the M11 south of Uttlesford DC although the Inspector commented that Junction 8 on the M11 was at capacity and likely to require significant investment (Unfunded) (Inspector's letter 3rd December 2014). An updated draft local plan has yet to be published.

3. Evaluation of Development Proposals

3.1 Introduction

The M11 Junction 7A scheme spans two district council administrative areas: Epping Forest to the east and Harlow to the west; as a result, the policies of both districts are of relevance. Some issues, such as the location within the Green Belt, are only relevant to one of the districts; in such cases, only the policy of the relevant district has been considered. National policy and the draft policies contained within the emerging local plans of the districts are also considered where relevant.

This Planning Statement is written at a given point in time based upon information available up to that point. It should be noted that the M11 Junction 7A scheme and the various documents and drawings that support this application have been developed within a dynamic policy environment, with the new local plans of the surrounding districts at varying stages of development, as highlighted in Section 2 above, and with updates due to be published imminently.

3.2 Principle of Development – Supporting the Regeneration of Harlow

Harlow has been identified within the London-Stansted-Cambridge growth corridor as a hub for growth; the existing adopted local plan for Harlow (particularly **HC Policies SD2, SD3 and ER1**) seek to maximise opportunities for regeneration. **HC Policy SD2** states: *'To maximise the opportunities offered by Harlow's status as a Priority Area for Economic Regeneration, development proposals that facilitate regeneration and renewal of the urban fabric and infrastructure in order to improve the local economy will be permitted'*.

The adopted local plans of Harlow and Epping Forest are now over 10 years old and are in the process of being replaced. The emerging local plans of Harlow and the surrounding districts, detailed in Section 2 above, support the delivery of homes and jobs in and around Harlow. These allocations, which are the result of co-operative working between the local planning authorities, will support the regeneration of Harlow town centre and the economic redevelopment of Harlow Enterprise Zone. A significant barrier to the delivery of these plans, as identified in the emerging district local plans and the limit on the implementation of the Harlow Enterprise Zone, is the lack of capacity within the local road network and the connections with the Strategic Road Network highlighted in Highway's England's current cap on the level of growth. (the M11). The provision of an additional junction is an essential element to the resolution of this issue.

In the **Forward to Harlow Council's 2014 'Harlow Local Development Plan: Emerging Strategy and Further Options' document**, it states that *Harlow 'experiences a number of complex socio-economic and environmental issues; the town centre needs to be rejuvenated, the mix of housing needs to be broadened and the town's infrastructure needs upgrading. In particular Harlow needs a new junction on the M11 to alleviate congestion and to accommodate future growth in housing and employment'*. With regard to infrastructure needs, **Paragraph 2.17** further states that *'evidence shows that junction 7 on the M11 is operating close to its planned capacity and that any significant growth (housing and/or employment) in the Harlow area will cause the junction to exceed this capacity. Therefore, a new junction on the M11 (Junction 7a) is required to deliver growth in and around the town'*. **Paragraph 2.25** highlights that *'the Council, in partnership with Essex County Council and the Local Enterprise Partnership, is promoting a new junction on the M11 (J7a). Without this part of the Enterprise Zone development and substantial additional growth (housing and commercial) to meet the needs of the community cannot be delivered'*. The need for a new motorway junction on the M11 is also included in the Council's Vision for Harlow contained within the Emerging Strategy and Further Options document.

The emerging plans of the surrounding districts also support the need for Junction 7A to support the growth and regeneration of Harlow, as detailed in Section 2 above. The EFDC emerging local plan contains several specific references to the need for a new junction, including **Paragraph 3.90**, which specifically states that *'the delivery of the strategic sites around Harlow is dependent on the construction of key infrastructure, including*

improvements to Junction 7 and a new motorway junction (Junction 7A) to the north of existing junction 7 of the M11'. The emerging East Herts local plan policy **DPS4 Infrastructure Requirements** states '*The following strategic infrastructure will be required to support the development identified in East Herts and the wider housing market area:(a) a new Junction 7a on the M11…*' .

The NPPF contains a range of policies specifically designed to encourage and enable the planning process to assist with economic growth and regeneration. **Paragraph 23 of the NPPF** supports the vitality and regeneration of town centres, such as Harlow, highlighting that *'where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity'*. **Paragraphs 18 to 21 of the NPPF** emphasises the Government's focus on ensuring economic growth; **Paragraph 19** states that *'Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system'*.

Paragraph 21 of the NPPF encourages focused investment and proactive measures to address barriers to growth including investment in infrastructure: '*Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:*

- *set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;*
- *set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- *support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;*
- *plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;*
- *identify priority areas for economic regeneration, infrastructure provision and environmental enhancement …'.*

Although Paragraph 21 relates to planning policies it is equally relevant in terms of encouraging necessary infrastructure to come forward through the decision-taking process in line with NPPF; in addition and as discussed above, the emerging district local plans seek to address the barriers to investment caused by poor infrastructure in and around Harlow, including through their support for a new Junction 7A on to the M11, in line with the NPPF.

3.3 Green Belt Location

The proposed motorway junction and the new link road, where they lie within Epping Forest district, are located within the current Metropolitan Green Belt boundary, as identified in **Policy GB1** of the EPDC Local Plan and the accompanying Proposals Map. The elements of the scheme within Harlow district are not in the Green Belt.

The location of the scheme is such that only the Green Belt policies of Epping Forest district are of relevance to the M11 Junction 7A proposals. **EFDC Policy GB2A**, as relevant to the M11 Junction 7A application, states that *'Planning permission will not be granted for the use of land … in the Green Belt unless it is appropriate in that it is: … (iv) for other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in the Green Belt'*. In addition, **EFDC Policy GB7A** states that *'The Council will refuse planning permission for development conspicuous from within or beyond the Green Belt which would have an excessive adverse impact upon the openness, rural character or visual amenities of the Green Belt'*. With regard to the acceptability of road schemes, **EFDC Policy ST7** states that a key criterion is the *'retention of a defensible green boundary and minimal loss of Green Belt land'*.

The Green Belt principles set out in current local policy mirror those long-established in national policy, which clarifies the aim and purpose of the Green Belt. **Paragraph 79 of the NPPF** states that *'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.* **Paragraph 80** reminds us that *'Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land'*.

Paragraph 90 states that certain forms of development are not inappropriate in Green Belt, including 'engineering operations' and 'local transport infrastructure which can demonstrate a requirement for a Green Belt location', provided 'they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt'. The M11 Junction 7A scheme could arguably fit within this definition.

However, should M11 Junction 7A be regarding as 'inappropriate development' in the Green Belt, **Paragraph 87** of the NPPF states that such development should only be approved *'in very special circumstances'*. **Paragraph 88** clarifies that *''Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*.

In evaluating the M11 Junction 7A proposals, it is important to note that only the eastern elements of the scheme, , including the new link road and motorway junction, which are located within Epping Forest district, are within the Green Belt. This section of the scheme can be considered in relation to each of the five purposes of Green Belt in turn:

- *Green Belt serves to check the unrestricted sprawl of large built-up areas:* This M11 Junction 7A scheme utilises the existing transport corridor along Gilden Way to minimise the impact on the Green Belt; however, as a result of the location of the M11 within the Green Belt, there are no other deliverable options to link to the M11 without impact on the Green Belt. The scheme is essential to support the existing allocated growth in jobs and homes in the West Essex area, including the Harlow Enterprise Zones, Newhall and Harlowbury, much of which is already permitted. The objectives of the M11 Junction 7A scheme, highlighted in Section 1 above, include to improve accessibility to and from Harlow, to ease existing congestion and to facilitate these existing areas of now permitted, but yet to be constructed, growth to the East of Harlow. In addition, plans to meet future growth, as agreed by Harlow Council and the surrounding districts, are focussed on the Harlow area to support its regeneration; as highlighted above and in the emerging district local plans, improved access to the strategic motorway network is essential to the delivery of future planned growth. This area of growth envisaged in the draft district local plans to the east of Harlow is limited; the existing M11 motorway already provides a clear boundary to urban sprawl spreading into Epping Forest district from east Harlow and, should the planned growth proceed, the new Junction 7A link road could potentially serve as new northerly urban boundary if required. The planned growth in the urban area around Harlow will therefore be restricted in accordance with the emerging local plan policies as adopted.
- *Green Belt serves to prevent neighbouring towns merging into one another:* The M11 Junction 7A scheme does not link existing urban areas, but rather links Harlow to the existing motorway network. Should the draft district local plans be adopted as the districts currently envisage, the M11 Junction 7A proposals also help to focus development within and around Harlow, rather than new development spreading across Essex and Hertfordshire, thus helping Harlow to become a hub for growth, as set out in the emerging local plans.
- *Green Belt serves to assist in safeguarding the countryside from encroachment:* The M11 Junction 7A scheme has been sensitively designed to take account of its countryside location with Epping Forest district. It does not in itself provide for additional economic or housing growth within the countryside, but rather facilitates that already permitted on sites within Harlow. In addition, the scheme further facilitates Harlow as a hub for growth in emerging local plans, should they be adopted in their current form, allowing

the districts of Epping Forest, Harlow, East Herts and Uttlesford to meet their objectively assessed housing needs in a focused fashion, rather than encroaching on the countryside, and the Green Belt, across the breadth of several districts.

- *Green Belt serves to preserve the setting and special character of historic towns:* Harlow is a new town, although there are some conservation areas; however, as discussed further below, the M11 Junction 7A proposals do not impact adversely upon these.
- *Green Belt serves to assist in urban regeneration, by encouraging the recycling of derelict and other urban land:* Harlow is an area of current and planned regeneration. The M11 Junction 7A scheme encourages and improves access to Harlow, thus releasing the re-development potential of the Enterprise Zone, particularly Templefields, and encourages the regeneration of Harlow town centre by releasing land for focused housing growth. The scheme thereby enables urban Harlow to grow as a sustainable location with jobs and housing facilitated by improved transport infrastructure.

With regard to the impact on the openness of the Green Belt, the design and location of the proposed link road and junction maximises existing transport corridors and uses, where feasible, the natural contours of the landscape to reduce the visual impact. The location of the embankment runs close to Mores Wood, providing a wooded backdrop and further reducing the impact of the scheme on the openness of the Green Belt. The landscaped embankment is kept to a minimum and climbs gently from natural ground level at The Campions to a maximum height of 10 metres to allow for the creation of a grade separated junction with the M11. The use of the Gilden Way road corridor and the design of the landscaped embankment both support the retention of the openness of the Green Belt.

The latest draft of the EFDC local plan is also of relevance. Following a Green Belt review carried out in 2015, EFDC has identified green belt releases, as highlighted in **Section 2** of this Statement and shown in **Figure 2.1** in that Section, in contrast to current policy, EFDC are now proposing to remove from the Green Belt the area within which the M11 Junction 7A scheme is located. EFDC are well-advanced in the plan-making process and, as such, significant weight should be given to its policies, including **EFDC Draft Policy SP5** with regard to the revised Green Belt boundary. To enable the provision of improved road infrastructure to facilitate current planned growth and to support the delivery of future growth in Harlow it is necessary for this application to be submitted in advance of the adoption of the emerging local plans.

To conclude, the M11 Junction 7A scheme is not inappropriate development under the definitions outlined in the NPPF as it is a local transport infrastructure scheme that can demonstrate a requirement for a Green Belt location, the openness of the Green Belt would be preserved and the proposals would not conflict with the purposes of including land in Green Belt. Secondly, should the M11 Junction 7A scheme be regarded as ’inappropriate development’ in the Green Belt, there is a clear justification for the scheme and its location within the Green Belt in respect of the existence of ‘very special circumstances’ due to the need to support allocated growth in jobs and homes in the West Essex area; and finally the emerging local plans indicate that the application site will potentially be removed from the Green Belt by the time that scheme construction commences.

3.4 Landscape and Visual Impact

A Landscape and Visual Impact Assessment (LVIA) has been undertaken as part of the EIA of the M11 Junction 7A development. It is a means of identifying probable changes to landscape and views resulting from the proposed development, and assessing the scale and significance of those changes. The findings are set out within the **Landscape and Visual chapter** of the ES.

3.4.1 Acoustic Barriers

The detailed appearance of acoustic barriers has not been finalised; therefore, the assessments regarding their landscape and visual effects (included within the LVIA) are approximate and assume a predicted worst case. It is proposed that the final details of the noise mitigation measures are agreed with the Local Planning Authority via a planning condition prior to the installation of any physical noise mitigation. This will enable consultation

with the Local Planning Authority and residents and/or developers directly impacted by the barrier proposals to take place. The final impact of the noise mitigation upon the conclusions of the ES, including with regard to landscape and visual impact, will be taken into account in the detailed design of the scheme.

With regard to the indicative acoustic barriers, where practicable, without negating their effectiveness for noise mitigation, the barriers are shown set back slightly on the road verge leaving room to plant a hedge in front. Climbing plants have been proposed to soften the appearance of the barriers in places where there is no opportunity to set them back.

3.4.2 Vegetation Clearance, Root Protection and New Planting

The implementation of the M11 Junction 7A proposal necessitates vegetation clearance; this includes works to and the felling of trees and areas of woodland, some with TPOs. The trees and woodland with TPOs that are affected by the scheme are all located within Epping Forest district. A detailed description of the vegetation clearance required is set out in the **Landscape and Visual chapter of the ES**, together with the landscape drawings, Tree Survey Report and Arboricultural Impact Assessment that accompany that chapter. Table 3.1 below provides an approximate measure of the canopy areas of woodland, scrub and hedge that would be removed to construct the scheme.

Table 3.1: Areas of vegetation to be removed

Existing woody vegetation (canopy area) to be removed	Hectares
Mature woodland protected by Tree Preservation Order	0.43
Semi-mature woodland and scrub vegetation on the M11 cuttings and embankment slopes	1.62
Other woodland and scrub vegetation	1.50
Hedges: 446 linear metres at an estimated average width of 2.5m = 1115m^2	0.11
TOTAL	**3.66**

Root Protection Areas are identified on drawings that accompany the Landscape and Visual chapter to the ES. The outline EMP that accompanies the ES includes a range of measures to ensure the protection of retained trees during construction.

The scheme mitigation includes significant new planting, as set out in Table 3.2 below. To accommodate the extended slips roads onto the motorway a sheet-pile retaining structure up to 1.5m high would be installed, this will limit land take and preserve some of the existing trees and shrubs on the motorway embankment; this new structure would be partially screened by existing vegetation to be retained on the embankment slope below.

Table 3.2: Areas of proposed planting: woodland; hedges; shrubs; amenity planting; scrub and individual trees

Planting types	Hectares
Native woodland planting	16.72
Native hedge planting	1.10
Native shrub planting	1.01
Amenity shrub and groundcover (dense planting)	0.94
TOTAL PLANTATION AREAS	**19.77**
PLUS	
Proposed areas of scattered native scrub planting (clumps of scrub planting in open grassland	0.46
361 Individual trees	N/A

Woodland planting totalling over 16ha is proposed. This cannot not fully mitigate for the loss of the mature trees protected by TPOs, so a residual moderate adverse effect is predicted. However, the additional planting is considered to mitigate the loss of semi-mature woodland and scrub along the M11 to a neutral residual effect. With regard to the loss of other woodland/hedges and scrub (1.50ha), some of which includes mature trees, it is proposed to plant 19.77ha of new planting as mitigation; however, a slight adverse residual effect will remain, mainly due to the loss of mature trees.

The proposed planting is shown on the **Proposed Layout Plans** (B3553F05-0100-DR-0500 to 0508) that accompany this application and is detailed in the **Landscape and Visual chapter** of the ES and its accompanying drawings, particularly the **Landscape Mitigation** drawings and **Landscape Section** drawings (**ES Figures 7-3 and 7-4**).

Local EFDC and HC planning policy seeks to retain valuable trees and hedgerows, particularly trees or woodland protected by TPOs, and encourages beneficial tree and woodland planting.

EFDC Policy LL7 seeks to *'(i) promote tree and woodland planting where it is considered that this will lead to significant amenity benefit; (ii) … protect trees and woodland of amenity value; and (iii) promote good standards of tree care and woodland management'*.

EFDC Policy LL8 states that the Council will give consent for works to a tree or woodland protected by a tree preservation order *'provided it is satisfied that: (i) the health and appearance of the tree will not be impaired; and (ii) the works will not unjustifiably inhibit or prevent the full and natural development of the tree; or (iii) the works are necessary to its continued retention and consistent with good arboricultural practice; or (iv) in the case of a woodland, the proposed works are consistent with the principles of sound woodland management'*.

EFDC Policy LL9 states that *'The Council will not give consent to fell a tree or woodland protected by a tree preservation order unless it is satisfied that this is necessary and justified. Other than for woodland any such consent will be conditional upon appropriate replacement of the tree'*.

Draft EFDC Policy DM5 regarding green infrastructure, which may replace the EFDC policies above, seeks the retention, protection and enhancement of trees, hedgerows and woods and the provision of new trees, landscape features or habitats.

Although there are no TPO protected trees located within Harlow district that are affected by the scheme, **HC Policy NE11** remains of relevance in relation to non-TPO trees and hedgerows within the district. It requires the production of a tree and hedgerow survey, and seeks to *'oppose the loss of trees and hedgerows of amenity value and wildlife importance' and 'the retention or replacement of trees and hedgerows of amenity value or wildlife importance, and their protection during construction'*.

Paragraph 118 of the NPPF seeks to prevent *'the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'*.

Although the M11 Junction 7A development, which is of significant importance to facilitating the regeneration of Harlow, necessitates the removal of some trees and hedgerows of value, including some trees with TPOs, the scheme has been designed to minimise their loss. Relevant surveys are detailed within the **Landscape and Visual chapter** of the ES. Measures are included to protect retained trees during construction. Significant replacement tree and hedgerow planting is also proposed. The scheme is therefore in line with national and local planning policy. The implications for wildlife as a result of both the loss of existing, and the planting of new, trees and hedgerows as part of the M11 Junction 7A scheme is discussed in the Nature Conservation section of this Planning Statement and detailed within the Nature Conservation chapter of the ES.

3.4.3 Landscape, Townscape and Visual Amenity

The impacts of the proposed M11 Junction 7A scheme on the surrounding landscape and townscape and upon visual amenity are evaluated within the **Landscape and Visual chapter** of the ES. Several section drawings and photomontages accompany the chapter to demonstrate the impact of the scheme. The Landscape and

Visual Impact Assessment (LVIA) that accompanies that chapter of the ES includes an evaluation of the effects of the construction of the M11 Junction 7A scheme and the effects of the scheme once in operation, both initially and 15 years after its opening, by when the new planting will be well-established.

The LVIA includes an assessment of the effect on the townscape of the Harlow local character areas as a result of Phase 1 of the M11 Junction 7A scheme, particularly from vegetation losses and the visual severance effect of the road widening and noise barriers. Mitigation is proposed in the form of replacement hedge and tree planting and amenity planting, and the addition of hedges and climbing plants to noise barriers to soften their appearance. The assessment finds a slight adverse residual effect remains after mitigation.

The LVIA also assesses the effect on the landscape character in the rural Pincey Brook valley due to encroachment of urban features, particularly roads, roundabouts, lighting and traffic, into the area during Phase 2 of the scheme. Mitigation is proposed in the form of earth mounding to provide some screening, extensive screen planting with woodland, hedges, scrub, and the planting of many individual trees. However, the assessment finds that a moderate adverse (local) residual effect remains after mitigation.

The realignment of unnamed watercourse 1 (a small stream that emerges from the north side of The Mores Wood) required as part of the M11 Junction 7A scheme would, despite the need to include culverts under the new link roads, result in a net landscape improvement for the stream. The course of the unnamed watercourse 1 would be improved from 204m of open channel to a total of 374m open channel; there would remain 74m of culverted channel spilt into two sections. The landscape setting of the stream would be improved over 134 metres (net).

The effects on landform of the earthworks required for the M11 Junction 7A scheme are included within the LVIA. Although the landscape planting proposed as mitigation would soften and disguise the embankments and cuttings, a moderate adverse residual effect is found to result.

The LVIA finds a slight adverse residual effect on tranquillity results from the M11 Junction 7A scheme following mitigation in the form of extensive screen planting.

Visual effects on assessed receptors – views from residential properties, from commercial properties, for all road users in high wheelbase cars, vans, lorries or buses on a stretch of Sheering Road north of Pincey Brook (the only road categorised as scenic, which currently has attractive views of the Pincey Brook valley over the roadside hedge), users of public rights of way, and users of playing fields – formed a key part of the LVIA. Mitigation is proposed in the form of the reinstatement of roadside hedges and the addition of other screen planting. Visual effects are forecast for Year 1 (at completion of construction) and for Year 15, the latter being the residual effect once the proposed planting has become more established. The visual effects of the proposed M11 Junction 7A scheme on the various receptors is summarised in Table 3.3 below; a detailed assessment is shown in the Schedule of Visual Effects, which is appended to the **Landscape and Visual chapter** of the ES.

Table 3.3: Summary of Visual Effects

Receptor type	Sensitivity	Numbers of receptors with views affected							
		Significance of visual effect Year 1 (winter)				Significance of visual effect Year 15 (summer)			
		Slight Beneficial	Slight Adverse	Moderate Adverse	Large Adverse	Slight Beneficial	Slight Adverse	Moderate Adverse	Large Adverse
Residential	High	1	76	23	9	9	73	9	0
Commercial	Low	0	3	4	0	0	4	0	0
Public Rights of Way	High	0	13	0	1	0	9	0	1
Sheering Road north of Pincey Brook	Moderate	0	0	1	0	0	1	0	0
Playing Fields	Moderate	0	1	1	0	0	1	0	0

In addition, visual effects for many receptors are expected to be more significant during construction, as detailed in the Schedule of Visual Effects; however, construction effects are temporary in nature. Table 3.3 above highlights that, following the completion of the M11 Junction 7A scheme, negative visual effects for the majority of receptors decreases over time as planting becomes more established.

Off-site tree planting (new planting in the gardens of affected properties) could be offered to the owners of several properties where space is lacking for replacement screen planting on highway land. Off-site planting cannot be counted in an LVIA, and so is not included within the results above, but could help to off-set the effect of loss of the trees on the boundaries of appropriate properties.

Local and national planning policy seeks to protect visual amenity and conserve and enhance landscapes and townscapes.

Local **EFDC Policy DBE9** seeks to prevent negative visual impacts, and thus a loss of amenity, to properties neighbouring new development; the essence of this policy is proposed to be retained in the new EFDC local plan through **Draft EFDC Policy DM9** regarding high quality design.

EFDC Policy CP2 seeks to protect the quality of the rural and built environment by: '…*sustaining and enhancing the rural environment, including conserving countryside character, in particular its landscape, wildlife and heritage qualities, and protecting countryside for its own sake …*'.

EFDC Policy LL1, regarding the rural landscape, seeks to *'(i) conserve and enhance the character and appearance of the countryside; and (ii) encourage the considerate use and enjoyment of the countryside by the public'*. It highlights that *'Subject to specific circumstances, particular attention will be paid to: (a) the needs of agriculture, woodland planting and management, and other habitat and wildlife conservation; (b) the provision of facilities for public access and informal recreation and to enable quiet enjoyment; (c) the protection of historic features and their settings; and (d) the achievement and conservation of visually attractive landscapes'*.

EFDC Policy LL2 seeks to prevent inappropriate development in the countryside; it states that planning permission will not be granted for development in the countryside *'unless it is satisfied that the proposal will:*

(i) respect the character of the landscape; and/or

(ii) enhance the appearance of the landscape; and

(iii) where appropriate, involve the management of part or all of the remainder of the site to enhance its contribution to the landscape'.

EFDC Policy LL10 states that *'The Council will refuse to grant planning permission for any development which it considers makes inadequate provision for the retention of: (i) trees; or (ii) natural features, particularly wildlife habitats such as woodlands, hedgerows, ponds and watercourses; or (iii) man-made features of historical, archaeological or landscape significance'*.

EPDC Policy LL11 states that *'The Council will: (i) refuse planning permission for any development which makes inadequate provision for landscaping; (ii) not approve landscaping schemes which: (a) are inappropriate because they fail to take account of the setting or intended use of the development; or (b) are ineffective because they would be unlikely to retain trees and other existing landscape features or to establish new long-term planting'*.

EFDC Policy LL13 is of particular relevance as it relates specifically to highway and motorway schemes. The policy states that *'The Council will oppose any new, improved or altered highway or motorway proposal unless the associated landscaping scheme (including earth-mounding and planting) will:*

(i) use appropriate species;

(ii) make effective visual screens;

(iii) create effective sound barriers; and

(iv) adequately replace trees, hedgerows and woodlands which will be lost to the development.

The Council will seek to ensure that, where feasible, appropriate landscaping will be undertaken prior to the commencement of construction works'.

EFDC Policy ST7 regarding road schemes highlights that the Council such schemes to satisfy a range of criteria including: *'minimal environmental impact on sensitive areas (including open countryside and its management, sites of wildlife and built heritage interest, and residential areas) with adequate compensatory measures in those cases where environmental losses are unavoidable'* and *'retention of a defensible green boundary and minimal loss of Green Belt land'*.

Several draft EFDC policies are of relevance, which are designed to replace current policy above.

Draft EFDC Policy SP6, a strategic policy regarding the natural environment, landscape character and green infrastructure, seeks to conserve and enhance the character of the countryside, with landscape character assessments utilised to assess the suitability of development. All development proposals are expected, where appropriate and in proportion to the scale and rural or urban context, to contribute towards the delivery of new green infrastructure.

Draft EFDC Policy DM2 seeks to prevent development that will cause significant harm to landscape character, either directly or indirectly. Development proposals *'should be sensitive to their setting in the landscape, and its local distinctiveness and characteristics'* and *'minimise impact on, or enhance the appearance of, the landscape'*.

Draft EFDC Policy DM5, regarding green infrastructure, requires development proposals to *'retain and, where possible, enhance existing green infrastructure, including trees, hedgerows, woods and meadows, green lanes, ponds and watercourses'*; the provision of new green infrastructure is also encouraged.

Draft EFDC Policy DM9, regarding high quality design, requires development proposals to *'demonstrate how the landscaping and planting are integrated into the development as a whole. The Council will expect development proposals to respond to:*

i) landform;

ii) levels, slopes and the fall from the ground;

iii) trees on and close to the site;

iv) natural boundary features;

v) the biodiversity of the site and its context; and

vi) maximise the use of permeable surfaces.

Within Harlow district, the scheme is located in more urban surroundings, particularly as Gilden Way approaches the London Road roundabout and taking into account proposed development on currently open land at Harlowbury. Several Harlow district planning policies regarding landscape and townscape are of relevance to the M11 Junction 7A scheme.

HC Policies NE1 and NE2 designate particular areas of Harlow as Green Wedges, which will be protected from inappropriate development; this includes an area (referred to as NE2/1) between Church Langley and Old Harlow that crosses Gilden Way at the western end of the M11 Junction 7A scheme, to the east of the London Road roundabout. **Policy NE1** states that *'Permission will not be granted, except for small scale development proposals and the replacement of existing buildings which do not have an adverse effect on the roles of the Green Wedges which are identified below:*

1. Providing a landscape design feature which is fundamental to the character of the town;

2. Protecting and enhancing the inherent qualities of the landscape and keeping areas as natural as possible;

3. Retaining the open character of existing uses and safeguarding the land from inappropriate development;

4. Preserving sites of ecological value and maximising potential for biodiversity in Harlow;

5. Separating neighbourhoods, housing areas and industrial areas;

6. Preserving the setting and special character of a number of historic sites and areas;

7. Contributing towards the amenities of local residents'.

HC Policy NE12 states that *'Major development proposals shall be accompanied by details of landscape features and wildlife habitats. Planning applications must include a landscaping scheme that indicates:*

1. Measures to protect landscape features and wildlife habitats;

2. Measures to enhance landscape features and habitats;

3. Measures to mitigate against potentially adverse effects;

4. Measures to compensate where damage is unavoidable;

5. Measures for monitoring and a management scheme including funding to ensure the landscape is successfully established and maintained;

6. New landscape proposals;

7. Measures that address personal safety in the proposed landscape'.

National planning policy contains several sections of relevance to the M11 Junction 7A proposals. **Paragraph 17 of the NPPF** highlights the importance of *'recognising the intrinsic character and beauty of the countryside'*. **Chapter 7 of the NPPF** promotes good design, including high quality landscape proposals. **Chapter 11** seeks to protect and enhance the natural environment, including valued landscapes.

In compliance with relevant local and national planning policy and in recognition of the surroundings, substantial carefully designed landscape mitigation is proposed, which is summarised above, as part of the M11 Junction 7A scheme to minimise negative impacts of the scheme on visual amenity and landscape character. The nature of the scheme and the rural location of elements closest to the M11 motorway mean that more notable impacts on the landscape are unfortunately unavoidable, as acknowledged above, although the proposed mitigation will lessen the impact over time.

Landscape and visual implications associated with nature conservation and lighting are considered separately below respectively.

3.5 Lighting

There are both local and national policies in relation to external lighting for new developments. Local **EFDC Policy RP5A** states that *'The Council will not grant planning permission for development where it could cause excessive … light pollution for neighbouring land uses, protected wildlife species and habitats, … except where it is possible to mitigate the adverse effects by the imposition of appropriate conditions'*. **HC Policy BE16** states that *'External lighting proposed for any development will not be granted planning permission if any of the following apply;*

1. It is unacceptably visually intrusive;

2. Its use would cause an unacceptable disturbance to the surrounding area;

3. It causes danger to road safety;

4. It is proven to have an adverse effect on sites of wildlife importance.

Where permission is granted, development will be required to minimise light spillage through the use of good design, screening and deflecting of the source; and the nature and intensity of the lighting and its hours of use will be carefully controlled'.

In addition, **Paragraph 125 of the NPPF** states that *'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'*. The NPPF is supplemented by the PPG regarding Light Pollution, which highlights that *'the best use of artificial light is about getting the right light, in the right place and providing light at the right time'* (Paragraph 001).

The lighting proposed for the M11 Junction 7A scheme, set out in **Section 1** of this Planning Statement, is required to ensure compliance with relevant road safety design standards and provide a safe environment for community safety purposes. The proposals have been specifically designed to minimise and mitigate the impacts of light pollution for human and ecological receptors, taking account of the PPG. The rural nature of the land between north-east Harlow and the M11 makes the lighting of a currently dark sky unavoidable; the assessment detailed in **Landscape and Visual chapter** of the ES finds that, although the residual effect of the carefully-designed lighting scheme in the urban setting closer to Harlow is neutral, it is deemed to be moderate adverse in the rural setting nearer to the M11. The **Nature Conservation chapter** of the ES includes an assessment of the effects of the proposed night-time street lighting on protected habitats and species. The chapter concludes that a slight negative effect is likely in the currently unlit rural areas closer to the M11, particularly in relation to commuting bats, despite the sensitively designed lighting scheme; future monitoring is recommended once the scheme becomes operation to evaluate the effect on bat activity. It is necessary to balance the need for improved access to the M11 to accommodate planned growth and the requirements for a

safe design with some residual impacts on the environment; the scheme has sought to minimise these impacts. The street lighting scheme proposed for the M11 Junction 7A development is therefore in line with relevant national and local planning policy.

3.6 Nature Conservation

An ecological appraisal, based upon a range of surveys, has been undertaken for the M11 Junction 7A scheme and can be found within the **Nature Conservation chapter** of the ES. An **ECC Biodiversity Checklist** has also been completed for the project and has been submitted as part of the planning application. The Essex Local Biodiversity Action Plan (BAP) 2010-2020, which provides useful information on species and habitats considered to be a priority for conservation at the county level, was considered as part of the development of the ES.

There are no Special Areas of Conservation (SACs) designated for bats within 30km of the M11 Junction 7A scheme, and there are no European protected sites (SACs, Special Protection Areas (SPAs) or RAMSAR sites), National Nature Reserves (NNRs), Local Nature Reserves (LNRs) or Sites of Special Scientific Interest (SSSIs) within 2km of the scheme.

Natural England (through comments contained within the EIA Scoping Opinion) requested that a Habitats Regulation Assessment (HRA) be undertaken to assess the potential for increased traffic leading to increase NO_X deposition and acidification on the Epping Forest SAC. The **Screening Exercise** has been submitted as part of the planning application. The **Air Quality chapter** of the ES concludes that there are unlikely to be any significant effects upon the Epping Forest SAC and that it was not considered necessary to undertake an Appropriate Assessment. This site is therefore not considered further within the ES.

There are six Local Wildlife Sites (LWSs) within 1km of the Proposed Scheme; of particular relevance are Gilden Way Meadow LWS and Gilden Way Roundabout Protected Wildlife Verge (PWV), both located within Harlow district and are discussed further below. The remaining four are not considered further within the ES due to a lack of pathways for impacts or sensitive receptors.

3.6.1 Protected Habitats

Gilden Way Roundabout PWV (Local BAP Habitat – Lowland Meadow (semi-improved grassland))

Churchgate Roundabout in Harlow district is designated at a Local level as Gilden Way Roundabout PWV, listed in **HC Policy NE19** as **NE19/6**. The **Nature Conservation chapter** of the ES highlights that the reason for the designation of the PWV is unclear. The botanical survey of the Gilden Way Roundabout PWV undertaken for the M11 Junction 7A scheme, which is appended to the ES, recorded the presence of betony, a locally rare (Essex Red List) plant, in an otherwise unremarkable grassland/scrub mosaic. The report assessed the habitat against the LWS criteria (in the absence of any criteria for PWVs) and determined that it was not worthy of designation, although it was noted that to reverse the decline of betony at the local level, all populations should be protected.

It is proposed that the entire Gilden Way PWV will be removed permanently during the construction phase of the M11 Junction 7A scheme as it is unavoidable to achieve the part of the works to upgrade the Churchgate roundabout; a targeted botanical survey was therefore undertaken of the site, which is appended to the Nature Conservation chapter of the ES. As mitigation, when complete, the south-facing embankments of the new link roads, located close to the M11 and within Epping Forest district, would be seeded/planted using the material collected from Gilden Way Roundabout PWV and specialist seed-mixes, to create approximately 3.5ha of species-rich grassland. As a result of the timing lag between the loss of the PWV and establishment of the new species-rich grassland, there would likely be a short term reduction in the area of semi-improved grassland and flowering betony. However, in the mid-long term, there would be a net gain for biodiversity as a larger area of more diverse grassland habitat became established and the local population and distribution of betony would increase. The Gilden Way Roundabout PWV has been assessed as having Local value and would be permanently lost and, therefore, there would be a Slight Negative effect. However, on balance, the M11

Junction 7A scheme would deliver an increase in the area of species-rich grassland, the benefits of which are considered to outweigh the loss of the small area of semi-improved grassland habitat within the PWV.

The Harlow Adopted Local Plan contains several policies of relevance. **HC Policy SC3** seeks to prevent the loss of protected habitats. **HC Policy NE15** seeks to prevent development *'that would harm habitats or other features of the landscape identified as priorities in the UK, or the Local Biodiversity Action Plan, or are of significant importance for wildlife, unless it can be demonstrated that the reason for the proposal outweighs the need to protect the habitat or feature'*. **HC Policy NE19** regarding PWVs is of particular relevance; it seeks to prevent development *'that would have an adverse effect, either directly or indirectly, on the ecology of a Protected Wildlife Verge unless it can be demonstrated that the reason for the proposal outweighs the ecological value of the verge'* and requires the provision of appropriate mitigation and/or compensatory measures if permission is granted. The significant need for the proposed M11 Junction 7A scheme as the reason for the proposal and the changes required to the Churchgate roundabout to enable the successful implementation of the scheme could be argued to outweigh the loss of the limited ecological value of the verge, as highlighted above. In addition, the mitigation proposed would, in the mid-long term, provide greater ecological benefits than the current PWV. The proposals for the Churchgate roundabout are therefore in line with Harlow district policy.

As the proposed mitigation site is located within Epping Forest district, **EFDC Policy NC5** is also of relevance. The policy encourages the creation of new habitat, which is a key part of the mitigation for the M11 Junction 7A scheme; the proposals are therefore in line with this policy.

Gilden Way Meadow LWS (Local BAP Habitat – Ponds)

Gilden Way Meadow LWS is located 100m to the south of Gilden Way and within Harlow district. **HC Policy NE18** refers to the site as **NE18/21**. An assessment of the LWS is included within the **Nature Conservation chapter** of the ES. The LWS contains a pond supporting a medium sized population of great crested newts and breeding grass snakes, and contains habitats with potential to support other protected species. Mitigation is proposed during construction, including ensuring the prevention of potential associated pollution risks. The main mitigation during the operation of the scheme is associated with the great crested newt population and is discussed in relation to protected species below. With mitigation, a neutral residual effect on the LWS and its great crested newt population is predicted. The proposals are therefore in line with **HC Policies SD3, NE15 and NE18**, which seek to protect locally designated habitats from harm associated with new development.

Other Local BAP Habitat – Hedgerows and New Ponds

In addition to the locally designated sites discussed above, the **Nature Conservation chapter** of the ES highlights that there are other BAP habitats of relevance to the scheme.

New drainage ponds are proposed as part of the M11 Junction 7A scheme. The Nature Conservation chapter of the ES highlights that the construction and planting of the attenuation ponds has the potential to enhance ecological value and would provide a net increase in pond habitat across the proposed scheme.

The hedgerows within the scheme area are considered likely to fall within the Essex BAP habitat description for Hedgerows. The removal of some existing hedgerow is required to enable the implementation of the M11 Junction 7A scheme; although, as highlighted in the **Landscape and Visual chapter** of the ES, this has been kept to a minimum. The removal would be timed to avoid impacts upon nesting birds, reptiles and amphibians as appropriate. The 446m of hedgerow lost would be replaced by 4411m of new hedgerow. All new planting would use native species and aim to create species-rich hedgerow.

The features discussed above are located within both Epping Forest and Harlow districts, so the local planning policies of both are of relevance. **HC Policies SD3 and NE15** seek to protect habitats identified as priorities in the Local BAP from harm, *'unless it can be demonstrated that the reason for the proposal outweighs the need to protect the habitat or feature'* (**NE15**). **EFDC Policy ST7** seeks to ensure that new roads schemes have minimal environmental impact on sites of wildlife interest, with adequate compensatory measures where losses are unavoidable. **EFDC Policy NC4** seeks to protect and enhance established habitats of local significance for

wildlife and **EFDC Policy NC5** encourages habitat creation. In addition, **Paragraphs 109, 113, 114 and 118 of the NPPF** and **EFDC Draft Policy DM1** seek to encourage connectivity between green spaces.

The proposed scheme is in line with relevant local and national planning policy. It seeks to minimise habitat loss to that absolutely necessary to enable the successful implementation of the M11 Junction 7A scheme; on balance the inevitable degree of habitat loss is considered acceptable when taking account of the considerable economic development and regeneration benefits of the Junction 7A proposals. The scheme also provides enhanced mitigation to more than offset the habitat loss. In addition, the significant additional hedgerow proposed should help to enhance connectivity between green spaces.

The Green Wedge

Within Harlow district, some areas of land are designated through **HC Policies NE1 and NE2** as Green Wedge, partly for habitat preservation and biodiversity purposes; this includes an area of land which borders and includes Gilden Way from the London Road roundabout to the rear of residential gardens bordering Mulberry Green. The proposed works to Gilden Way as part of the M11 Junction 7A scheme are to be undertaken within the highway boundary and so will not impact upon vegetation within surrounding land within the Green Wedge. The road widening required for the M11 Junction 7A scheme will, however, necessitate the installation of acoustic barriers in some areas and the removal of some trees and hedgerows on highway land within the Green Wedge. Replacement planting is proposed, where space allows. Vegetation removal, fencing and new planting are shown on the **Landscape Mitigation** and **Landscape Section** drawings that accompany the ES (**ES Figures 7-3 and 7-4**).

The aims of the Green Wedge designation (**HC Policy NE1**) with regard to nature conservation are *'preserving sites of ecological value and maximising potential for biodiversity in Harlow'*. The **Nature Conservation chapter** of the ES finds no significant effects on these aims as a result of the scheme as a whole, including the element located within the Green Wedge. The existing Gilden Way already forms a barrier to north-south movement for some wildlife.

3.6.2 Protected Species

Impacts upon relevant species are evaluated within the **Nature Conservation chapter** of the ES, supported by a range of species-specific surveys. Potential impacts were noted upon breeding birds, bats, otters, great crested newts, badgers and reptiles; these result from a range of issues including construction activities, habitat loss or fragmentation (including in relation to foraging and commuting), increased night-time light levels, increased noise and increased traffic collision risk. A range of mitigation measures are proposed within the ES chapter for both the construction and operational phases to minimise such impacts upon these species, including careful timing and implementation of construction activities including vegetation removal, high quality landscaping, multi-species underpasses / culverts, hop-over fencing, acoustic fencing, a reduced speed limit and sensitively designed street lighting. Considering the mitigation proposed, the scheme is found to have a neutral to slight adverse residual effect upon the various species considered. Further detail is provided within the **Nature Conservation chapter** of the ES.

Local and national policy seeks to protect and enhance habitats utilised by protected species. **EFDC Policy NC4** seeks to protect and enhance established habitats of local significance for wildlife, particularly when protected species are likely to be affected. **EFDC Policy RP5A** seeks to prevent development *'where it could cause excessive noise, vibration, or air, ground water or light pollution for … protected wildlife species and habitats'*. **HC Policy SD3** seeks to prevent the loss of protected species. **HC Policy NE20** requires applications that are likely to affect protected or other rare species to be accompanied by surveys assessing the impact and seeks to prevent development that will have an adverse effect on protected species *'unless it can be demonstrated that the reason for the proposal outweighs the need to safeguard the specie(s)'*. In addition, **Paragraphs 109, 113, 114 and 118 of the NPPF** and **EFDC Draft Policy DM1** seek to encourage connectivity between green spaces.

The proposed M11 Junction 7A scheme is in line with relevant local and national planning policy. Potential impacts upon protected species have been thoroughly evaluated in developing the scheme. The proposals seek to minimise habitat loss and thus effects on associated species to those absolutely necessary to enable the

implementation of the scheme; on balance the inevitable but limited impact upon protected species is considered acceptable when taking account of the considerable regeneration benefits of the Junction 7A proposals. The proposals also integrate significant mitigation designed to minimise negative effects on protected species and to provide enhancements wherever possible, including measures to improve connectivity between green spaces.

The nature conservation implications associated with lighting are included within the overall evaluation above, but considered against specific light pollution planning policies in the Lighting section.

3.7 Stansted Aerodrome Safeguarding Zone

The proposed location for the M11 Junction 7A scheme is within the Stansted Aerodrome Safeguarding Zone. **EFDC Policy ST9** seeks to prevent development within the zone that *'will adversely affect the operational integrity or safety of the airport, or interfere with the operation of aeronautical navigation aids will not be permitted'*; this policy is not retained within the new EFDC draft local plan, but Circular 01/03 regarding aviation safeguarding zones remains in force.

The nature and location of the M11 Junction 7A scheme is such that it will not negatively impact upon the safety or operation of the airport. No part of the design or mitigation that is proposed would attract large numbers of birds and thus pose a risk of bird strike to aircraft. The improved capacity and access to and from the M11 for local traffic will also aid the flow of traffic to Junction 8 and thereby reducing delays currently incurred at traffic passes Harlow.

3.8 Daylight / Sunlight

Local **EFDC Policy DBE9** seeks to prevent a loss of daylight or sunlight, and thus amenity, to properties neighbouring new development. Harlow Council do not have any saved policies on the issue of loss of light. The NPPF does not contain any specific policies on daylight/sunlight; however, the fourth core planning principle, listed in **Paragraph 17**, states that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*. **Paragraph 66** highlights that *'applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community'* and that *'proposals that can demonstrate this in developing the design of the new development should be looked on more favourably'*.

The design of the scheme within Epping Forest district does not impact adversely on daylight or sunlight to any properties adjoining the development. It is therefore in line with relevant local and national planning policy.

Within Harlow, the impact of the road scheme and the proposed mitigation measures (both noise attenuation and landscaping) are carefully located and designed to ensure that properties are not adversely impacted. For example, properties in The Oxleys are set at a lower level compared to the existing Gilden Way. The scheme in this location has been designed to mitigate the potential for additional noise without adding the loss of daylight to the adjacent properties. The applicant wishes to discuss noise mitigation options with residents who are directly impacted by the barrier proposals prior to confirming the final design. The proposals for Harlow therefore accord with relevant national planning policy.

3.9 Air Quality

A detailed assessment has been undertaken to establish the potential effects of the M11 Junction 7A scheme on local air quality and regional emissions; both human and ecological receptors were considered, including the effects within the two AQMAs in East Hertfordshire that are within the study area. The results of the assessment

are contained in the **Air Quality chapter** of the ES, which accompanies this application. It concludes that there will be no significant effects on air quality as a result of the scheme.

During construction of the scheme, 71 receptors within 20m of the construction boundary could be susceptible to dust impacts. However, with appropriate mitigation measures implemented, which are included within the outline EMP that accompanies the ES and will be included within the final CEMP, it has been assessed that the construction impact of the scheme would not be significant and no residual effects are predicted.

The M11 Junction 7A scheme therefore complies with both national and local planning policy with regard to air quality. **EFDC Policy RP5A** seeks to prevent development only *'where it could cause excessive … air … pollution for neighbouring land uses, protected wildlife species and habitats'*. The Harlow Local Plan does not contain any saved policies with regard to air quality. **Paragraph 109 of the NPPF** seeks to prevent both new and existing development from *'contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of … air … pollution'*. **EFDC Draft Policy DM21** echoes the NPPF – focusing upon unacceptable local environmental impacts and impacts upon health, wellbeing and amenity.

3.10 Noise and Vibration

The noise and vibration implications of the M11 Junction 7A scheme, both of a temporary nature, associated with construction, and of a permanent nature, associated with the road traffic, have been assessed; the results are detailed in the **Noise and Vibration chapter** of the ES.

There are several local planning policies of relevance with regard to noise and vibration. **HC Policy BE17** states that *'planning permission will be granted if … adequate provision has been made to mitigate the adverse effects of noise likely to be generated or experienced by others'*. **EFDC Policy RP5A** states that *'the Council will not grant planning permission for development where it could cause excessive noise [or] vibration … for neighbouring land uses, protected wildlife species and habitats … except where it is possible to mitigate the adverse effects by the imposition of appropriate conditions'*. In addition, **EFDC Policy DBE9** seeks to prevent loss of amenity through noise to properties neighbouring new development.

The NPPF adds to local policy in highlighting that the focus should be upon *'unacceptable'* noise levels and *'adverse impacts on health and quality of life'* associated with noise, in line with the Noise Policy Statement for England (Defra, 2010); replacement draft local policy seeks to replicate this emphasis (**EFDC Draft Policy DM21**).

Paragraph 109 of the NPPF highlights that *'the planning system should contribute to and enhance the natural and local environment by … preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of … noise … pollution'*. **Paragraph 123 of the NPPF** states that planning decisions *'should aim to:*

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions…'*.

The **Planning Practice Guidance (PPG)**, which accompanies the NPPF, contains additional detail about the evaluation of noise impacts as part of planning decisions. In Paragraph 005, the PPG highlights that of particular relevance is whether the overall effect of the noise exposure (including during the construction phase) is, or would be, for the given situation, above or below:

- the 'lowest observed adverse effect level' (LOAEL) – defined in the PPG as *'the level of noise exposure above which adverse effects on health and quality of life can be detected'* (a *'noticeable and intrusive'* level of noise) and for which *'consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise)'*; or

- the 'significant observed adverse effect level' (SOAEL) – defined in the PPG as *'the level of noise exposure above which significant adverse effects on health and quality of life occur'* (a '*noticeable and disruptive'* level of noise). The PPG states that *'If the exposure is above this level the planning process should be used to avoid this effect occurring, by use of appropriate mitigation such as by altering the design and layout. Such decisions must be made taking account of the economic and social benefit of the activity causing the noise, but it is undesirable for such exposure to be caused'*.

In addition, the PPG highlights that above this (a *'noticeable and very disruptive'* level of noise), at the highest extreme, *'noise exposure would cause extensive and sustained changes in behaviour without an ability to mitigate the effect of noise. The impacts on health and quality of life are such that regardless of the benefits of the activity causing the noise, this situation should be prevented from occurring'*.

The PPG also recognises that *'the subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected'* (Paragraph 006). Examples of potential factors that could influence the impact are provided; these include the time of day at which the noise occurs and the frequency and pattern of noise.

3.10.1 Noise and Vibration Impacts

The **Noise and Vibration chapter** of the ES includes an evaluation of impacts associated with the construction of the M11 Junction 7A scheme. Daytime noise impacts associated with construction are inevitable; however, as a result of their temporary nature, the resultant effect is found to be adverse but not significant. Limited night-time working is required for the construction of the M11 Junction 7A scheme to minimise disruption to traffic; this applies to both the Phase 1 and Phase 2 construction works. Although the night-time works would be relatively short (the predicted worst-case noise levels are only expected to last for a limited number of hours) and very transient in nature, there is a risk of sleep disturbance at night. In this respect, a more detailed assessment would therefore be necessary at the detailed design stage to demonstrate the potential noise impact. Such an assessment is also expected to inform the need for implementing a mitigation strategy to minimise construction noise impacts and will form part of the CEMP, which would be developed in consultation with the district Environmental Health teams and the Local Planning Authority (i.e. ECC). The noise barriers required for the operational scheme, as set out below; will be erected at the start of the construction process to also assist with mitigating construction noise. Although adverse, no significant impacts are expected in relation to the vibration associated with the construction of the scheme due to their temporary nature, which is only anticipated to be perceptible for a matter of hours. A range of noise and vibration mitigation measures for the construction phase are set out in the Noise and Vibration chapter of the ES and in the outline EMP that accompanies the ES. Ongoing communication between the construction team and the local community is also proposed to ensure the community is forewarned of potential noise and vibration implications throughout the construction of the scheme.

Impacts from operational noise are also evaluated within the **Noise and Vibration chapter** of the ES, including potential noise from increased traffic volumes, changes in traffic speeds and from revised road layouts. Without mitigation, adverse noise effects were found to be likely at numerous receptors located in the vicinity of Gilden Way and/or Sheering Road during operation of the scheme. As a result, noise mitigation measures in the form of acoustic barriers have been specified to eliminate or reduce, as far as practicable, the adverse impacts; the acoustic fencing is detailed in the Noise and Vibration chapter of the ES and shown on the landscape drawings that accompany the ES. Some landscaping features would also contribute to noise reduction in places. Low noise road surfacing would be included as part of the scheme; however, its benefit has not been included in the assessment due to methodological restrictions with regard to application of noise emission corrections associated with such surfacing at low traffic speeds, such as that proposed for Gilden Way.

With mitigation (without consideration of the low noise road surfacing benefit, which in itself is likely to mitigate the noise to some extent in reality, although not assessed as part of the methodology), the majority of receptors in the study area would experience negligible changes in their noise environment in the long term. Such changes in noise level over the longer term, i.e. less than 3dB, would be imperceptible. Minor to moderate, but significant, negative effects are, however, predicted for a few properties in the short-term, when the initial change in noise levels occurs, due to their proximity to the scheme and/or their height (above two storeys) and thus reduced protection from the acoustic barriers. These impacts are predicted to reduce to negligible to minor

in the long-term as residents become accustomed to the new noise level. The acoustic barriers are predicted to result in short-term beneficial reductions in noise levels for a few properties. With regard to the predicted impact upon the wider area, the scheme is predicted to result in an overall beneficial effect in the short term due to reductions in traffic levels in many places on the local surrounding network, with a neutral to slightly adverse effect in the long term. When looking across the wider road network, the minor to moderate noise effect on some receptors adjoining Gilden Way is off set by the benefits to receptors created by the diversion of traffic from unsuitable roads on the network, the reduction of congestion across the wider Harlow area, and the increase in capacity on the road network to accommodate the committed and planned growth in housing and employment.

3.10.2 Acoustic Barrier Proposals

Paragraph 66 of the NPPF requires '*applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably'*. The applicant wishes to discuss the design and location of the acoustic barriers with the Local Planning Authority and those residents and/or developers who will be directly impacted by the barrier proposals before confirming the final design solution. The ES shows that the noise impacts can be mitigated appropriately, and the applicant is committed to providing appropriate noise mitigation for the M11 Junction 7A scheme.

It is important that local residents and/or developers are consulted on and understand the impact of decisions about noise mitigation measures that affect their property; it is therefore proposed that the final details of the noise mitigation measures are agreed with the Local Planning Authority via planning condition prior to the installation of any physical noise mitigation to enable this process to take place. The impact of the noise barriers upon the conclusions of the ES will be taken into account in the design of the final scheme.

3.11 Cultural Heritage

A detailed heritage assessment has been undertaken to evaluate the potential impact of the proposed M11 Junction 7A scheme on cultural heritage assets, including archaeological remains, historic buildings and historic landscapes. The assessment can be found in the **Cultural Heritage chapter** of the ES and its associated appendices. A total of 91 heritage assets were considered, including one Scheduled Monument (Harlow Mound – located within Harlow District), several Listed Buildings and parts of two Conservation Areas (Old Harlow and Churchgate Street, both within Harlow District).

The assessment concludes that there will be no significant effects upon cultural heritage assets as a result of the scheme after mitigation, including the Scheduled Monument, Listed Buildings, locally listed buildings, Conservation Areas and the historic landscape. The mitigation measures proposed in relation to a range of heritage assets are set out in the ES. The mitigation is mainly in the form of photographic surveys to record the current setting, but also includes protective fencing during construction for the historic building at Mayfield Farm. Woodland, tree and hedgerow planting proposed in the Landscape and Visual chapter of the ES would also serve to integrate the M11 Junction 7A scheme into its surroundings and reduce its visual impact on the setting of historic buildings, particularly 163 Sheering Road, Aylmers (Grade II* Listed) and Durrington Hall (Grade II* Listed). The assessment notes that sensitive design and the use of materials similar to those of the asset would go some way to reduce the magnitude of impact from the proposed acoustic barrier on the setting of locally listed building 49 Mulberry Green (a former police station). The assessment also highlights that geophysical anomalies are present to the west and east of the M11 and would be removed during the construction of the scheme where they are within the footprint of the highway earthworks or other permanent infrastructure; mitigation is proposed here in the form of archaeological excavation informed by archaeological trial trenching to enable preservation by record. The Harlow Mound Scheduled Monument is screened by its location within a block of dense woodland plantation, so the proposed use of the neighbouring former plant nursery as a temporary site compound will have no physical impact on the site and is unlikely to have any impact on its setting; the installation of protective fencing during construction is proposed as a precaution. With mitigation, the assessment states that there will be slight adverse residual effects on archaeological remains and a neutral to

slight adverse residual effect on the setting of historic buildings. No mitigation in relation to the historic environment is deemed necessary due to the small magnitude of impact projected, with a neutral residual effect.

It is proposed that a Written Scheme of Investigation be prepared and approved by the Local Planning Authority in advance of commencement of development. The approved measures will also be included within the CEMP for the scheme.

The Cultural Heritage chapter of the ES concludes that the M11 Junction 7A scheme will not result in any significant effects, after mitigation, upon cultural heritage assets or their setting; this is in line with **EFDC Policies HC1**, **HC12** and **ST7**, **HC Policies NE1**, **BE6**, **BE7**, **BE10**, **BE12** and **BE13**, and **NPPF Paragraphs 126 to 139** and the latest draft local policies. Heritage assets considered include Scheduled Monuments, Listed Buildings, Conservation Areas and locally listed assets. The heritage assessment undertaken and mitigation proposed are in line with relevant local and national planning policy.

It should be noted that the acoustic barriers are currently indicative, so the implications for cultural heritage associated with the final designs cannot be fully assessed. It is proposed that the final detailed design of the noise mitigation measures are agreed with the Local Planning Authority via planning condition prior to the installation of any physical noise mitigation. This will enable consultation with the Local Planning Authority and residents and/or developers directly impacted to take place. The impact of the noise mitigation upon the conclusions of the ES, including with regard to cultural heritage, will be taken into account in the design of the final scheme.

3.12 Soil Quality

The total M11 Junction 7A scheme occupies approximately 41ha. The eastern section of the M11 Junction 7A scheme is located on land currently used for agricultural purposes; the remainder of the scheme to the west, is located in an urban area. The Agricultural Land Classification (ALC) assessment included within the **People and Communities chapter** of the ES concludes that, of the land utilised for agriculture and lost to the permanent aspects of the scheme:

- approximately 14ha (34% of Proposed Scheme area) is classified as Grade 2;
- approximately 6ha (14% of Proposed Scheme area) as Grade 3 (assumed to be 3a); and
- remaining land not in agricultural use is 21ha (51% of Proposed Scheme area).

Soils with ALC Grades 1 to Subgrade 3a are classified as Best and Most Versatile (BMV) agricultural land; no land with Grade 1 soil is affected by the scheme. The **Geology and Soils chapter** of the ES highlights the potential loss of high grade soils as a result of the M11 Junction 7A scheme, without mitigation.

Figure 9-5 of the ES shows the location of the different grades of soil in relation to the M11 Junction 7A scheme. It highlights that the M11 itself is within the area containing the highest value soils (Grade 2), with a band of Grade 3 soils between the M11 and Harlow; it is therefore unavoidable for any road scheme that seeks to link Harlow to the M11 in this area has to utilise BMV agricultural land.

The assessment contained in the ES highlights that the loss of agricultural soils resulting from the construction of the scheme cannot be fully mitigated within the M11 Junction 7A scheme. Mitigation measures are proposed within the chapter and included within the outline EMP to preserve soil removed from beneath the scheme footprint, to re-use as much of it as possible within the landscaping for the scheme and to protect surrounding soil. With mitigation, a slight to moderate negative residual impact results.

Figure 9-5 of the ES also highlights that all of the BMV soils directly impacted by the M11 J7A scheme are located within the EFDC boundary; the land within the HC boundary is classified as ‘urban land’. The policies of EFDC are therefore of relevance here; **EFDC Policy CP2** states that ‘*The quality of the rural and built*

environment will be maintained, conserved and improved by … retaining the best and most versatile land for agriculture …'.

Paragraph 109 of the NPPF seeks to protect and enhance valued soils. **Paragraph 112 of the NPPF** states that *'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'*.

There is a slight to moderate but unavoidable loss of higher grade agricultural land due to the location of the M11 which runs through Grade 2 agricultural land. The proposed scheme has been designed to minimise this impact, by locating only the main motorway junction with a simple dumbbell layout, minimising the site area. In addition, the link road will be constructed over Grade 2 soils, the local road network link road and junctions are located on the lower grade Grade 3a land. Furthermore, during construction the highest quality soils (Grade 2) will be stored and re-used in the reinstatement and landscaping of the site. On this basis the proposals are, therefore, in compliance with relevant local and national planning policy seeking to protect the highest grade agricultural land.

3.13 Potential Contamination and Ground Instability

The **Geology and Soils chapter** of the ES highlights that no significant concentrations of contamination or significant risks of ground instability were found during the assessment that supports the ES. However, the chapter identifies the potential, without mitigation, for contamination of underlying aquifers, the Pincey Brook and the Harlowbury Brook from various sources during the construction of the M11 Junction 7A scheme and from the operation of the completed road. It also notes risks, without mitigation, to construction works and the general public from exposure to potential contamination, although no significant existing contamination has been identified. Risks of gas accumulation in voids, encountering UXO and encountering unstable ground conditions, without mitigation, were also highlighted in the chapter.

A range of measures are proposed to control and mitigate potential impacts. Those measures associated with construction are set out in the **Outline Environmental Management Plan** and in the **Geology and Soils chapter** of the ES and will be incorporated into a **Construction Environmental Management Plan** and **Soil Management Plan**. The operational impacts would be mitigated by incorporating standard highway design measures, in relation to monitoring, maintenance, drainage, road surfacing and landscaping. Mitigation measures for the protection of surface waters are provided within the **Road Drainage and the Water Environment chapter** of the ES. Post-mitigation impacts with regard to contamination are assessed as slight negative to neutral.

Additional post-planning ground investigation studies are also recommended in the **Geology and Soils chapter** of the ES.

The M11 Junction 7A proposals are therefore in line with **HC Policy BE15**, **EFDC Policies RP3, RP4 and RP5A** and **Paragraphs 120-121 of the NPPF**, which seek the identification of contamination and, in the NPPF, land instability, together with suitable mitigation. The scheme is also in line with **Paragraph 109 of the NPPF**, which highlights that the planning system seeks to prevent both new and existing development from *'contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil … [or] … water … pollution or land instability'* and to remediate and mitigate contaminated and unstable land where appropriate.

3.14 Water Quality

The **Road Drainage and the Water Environment chapter** of the ES evaluates that potential impact of the M11 Junction 7A scheme on water quality, including the results of a **Water Framework Directive (WFD) Compliance Assessment** that was undertaken for the scheme and is appended to the ES (**Appendix 13-1**).

This assessment was required because there are two WFD water body catchments in proximity to the scheme – the Pincey Brook water body and the 'Stort and Navigation' WFD water body; both are classified as having an overall status of Moderate and achieving a Good chemical status under the WFD. Potential negative effects, without mitigation, on both groundwater and surface water quality from both the construction and operation of the scheme are identified in the chapter. Mitigation measures for the construction phase are set out in the chapter and within the accompanying the **Outline EMP** that accompanies the ES.

In terms of operation of the M11 Junction 7A scheme, the proposed drainage design would incorporate measures to attenuate and treat carriageway runoff prior to discharging into a water body. This is considered part of the proposed scheme, but could also be considered as mitigation. The drainage scheme would reduce (or eliminate) potential effects to an acceptable level for surface water quality. The two ponds discharging into Harlowbury Brook would have oil interceptors and sediment traps as well to minimise potential adverse effects on water quality.

Surface water drainage systems, such as SuDS (sustainable drainage systems) and swales, would be lined unless further detailed quantitative assessment and/or alternative agreement with the EA is reached during the detailed design phase. This is due to the proposed SuDS ponds expected to intercept an EA designated Secondary Undifferentiated superficial aquifer. Groundwater level monitoring data is not available in close proximity of the SuDS locations and a degree of uncertainty remains on the thickness of an unsaturated zone present (if any) below these SuDS locations. The majority of road runoff would pass through attenuation ponds prior to discharge, trapping sediment. Other potential mitigation measures for surface water runoff would include treatment put in place, if required, to minimise the effects of pollution e.g. fine sediment discharge.

Overall, the ES chapter concludes that a neutral to slight negative effect on water quality is expected as a result of the scheme.

The proposals are therefore in line with **Paragraph 109 of the NPPF**, which seeks to prevent both new and existing development from contributing to unacceptable levels of water pollution. The **Planning Practice Guidance (PPG)**, which supports the NPPF, contains additional detail regarding water quality issues and their assessment; this aligns with the approach taken within the Road Drainage and the Water Environment chapter of the ES.

Local planning policies with regard to water quality mirror the protection of water quality sought in the NPPF. **HC Policy NE13** states that the Council will *'oppose any adverse effect on watercourses and their corridors, or on groundwater quality or levels'.* **EFDC Policy RP3** seeks to prevent development which would 'present an undue risk to the quality and quantity of: (i) groundwater; or (ii) water in rivers, canals, lakes, ponds or other water courses'. **EFDC Policy RP5A** states that planning permission will not be granted for development 'where it could cause excessive … ground water … pollution for neighbouring land uses, protected wildlife species and habitats … except where it is possible to mitigate the adverse effects by the imposition of appropriate conditions'. **EFDC Draft Policy DM21** continues to seek to resist development which would lead to unacceptable local water pollution impacts.

The assessment of the potential for adverse impacts on water quality and the mitigation measures proposed comply with the requirements set out in national and local planning policy. The assessment of the water quality in the two WFD water body catchments affected demonstrates that the requirements set out in the WFD are met.

3.15 Flood Risk and Drainage

A drainage scheme has been developed for the M11 Junction 7A scheme to address potential flood risks to the development and potential risks of the development affecting flood risk elsewhere. The drainage proposals are outlined in **Section 1** of this Planning Statement and are detailed in the **Drainage System Summary Report** and its accompanying drawings (**ES Appendix 2-1**).

3.15.1 Drainage

Paragraph 103 of the NPPF requires drainage schemes designed for new developments to give priority to the use of SuDS. This is echoed in local policy through supporting text to **HC Policy CP12** and **EFDC Policy U3B**. The strength of the requirement to include SuDS has increased via national planning policy since the adoption of the corresponding local policies. Essex County Council, in its role as Lead Local Flood Authority (LLFA), should be consulted with regard to proposed drainage systems for new developments; this is also confirmed in **Ministerial Statement HCWS161 (2014)** made by the Secretary of State. **EFDC Draft Policy DM16**, which specifically relates to SuDS, is reflective of this new emphasis upon the inclusion of suitable SuDS. The draft policy states that *'All proposals for new development must seek to manage surface water as close to its source as possible in line with the following drainage hierarchy:*

i) store rainwater for later use;

ii) use infiltration techniques, such as porous surfaces in non-clay areas …;

iii) attenuate rainwater in ponds or open water features for controlled release;

iv) attenuate rainwater by storing in tanks or sealed water features for controlled release'.

As highlighted in Section 1 of this Planning Statement and in line with the draft EFDC policy above, it is currently best practice in surface water drainage design to adopt infiltration-based SuDS to the maximum extent possible before attenuating flows and discharging to surface waters. Based on geotechnical investigation works carried out to date, there are currently thought to be significant ground condition constraints to using infiltration-based SuDS across the scheme, although this will be reviewed on a location by location basis during subsequent phases of the design.

With regard to run-off rates, **EFDC Draft Policy DM16**, which reflects the LLFA's local standards, states that *'all major development proposals will be required to reduce surface water flows to the 1 in 1 greenfield run-off rate and provide storage for all events up to and including the 1 in 100 year critical storm event including an allowance for climate change'*. It further requires that *'all brownfield development proposals should aim to achieve the 1 in 1 greenfield run-off rate and, at a minimum, achieve a 50 per cent reduction in existing site run-off rates for all events, including an allowance for climate change'*. The policy also states that *'for all development where the greenfield runoff rate cannot be achieved justification must be provided to demonstrate that the run-off rate has been reduced as much as possible'*.

The proposed development would introduce a substantial amount of impermeable road surface to the rural area which could increase flood risk. A Drainage Strategy for the scheme proposes to manage runoff by providing attenuation for events up to and including the 100 year storm plus a 30% allowance for climate change to restrict discharges to 1 in 1 year greenfield equivalents and/or existing developed discharge rates reduced as much as practical. Options have been developed and will be refined to demonstrate that the drainage proposed provides the greatest practicable discharge rate betterment.

SuDS are included within the scheme in line with national and local planning policy. In compliance with the most recent planning policy, the drainage proposals correspond with the latest SuDS hierarchy and seek to reduce the run-off rates as much as possible.

Implications in relation to water quality, landscape and biodiversity associated with the drainage scheme are discussed separately in relevant sections of this Planning Statement.

3.15.2 Flood Risk

With regard to flooding, local and national planning policy requires consideration of both the implications for the M11 Junction 7A scheme and the potential effect the scheme could have upon flooding elsewhere. A **Flood Risk Assessment (FRA)** for the M11 Junction 7A scheme accompanies this application and forms **Appendix 13-2** to the ES. The FRA considers flood risk to the scheme from all sources – including fluvial (main rivers and ordinary watercourses), surface water, groundwater, and artificial drainage systems and infrastructure failure (reservoirs, canals and sewerage).

The Environment Agency (EA) Flood Map has been consulted in the development of the FRA for the M11 Junction 7A scheme. The majority of the scheme is located within Flood Zone 1 (low probability of flooding). However, small areas in proximity to the Pincey Brook and the Harlowbury Brook are in Flood Zones 2 and 3. Where the B183 crosses the Harlowbury Brook, the road at Gilden Way Bridge, is shown to be within the floodplain. The schemes location in relation to the flood zones is shown on the Environment Agency Flood Map included within **Appendix A of the FRA** (the FRA forms Appendix 13-2 of the ES).

It should be noted that modelling work indicates that the actual flood risk is likely to be lower than that indicated by the flood extents shown on the EA Flood Map. Modelling work undertaken by Jacobs and detailed in the FRA indicates that the proposed new junction and the proposed link roads leading up to it are located outside of the modelled 0.1% AEP flood extent. As highlighted in Section 1 of the Planning Statement, where the proposed link roads intersect the unnamed watercourse between The Mores woodland and the Pincey Brook, culverts are proposed to convey water flow. Publically available modelling of the Harlowbury Brook, prepared by WSP, found that the floodplain extent both immediately upstream and downstream of Gilden Way Bridge is also reported as being significantly less than that indicated by the EA Flood Map.

The most up-to-date planning policy with regard to flood risk and drainage is contained within the NPPF, which is supported by the **Flood Risk section of the PPG**. Adopted local planning policy, including **HC Policy CP12** and **EFDC Policies U2A, U2B and U3A**, broadly align with the NPPF but are less detailed in their requirements. **EFDC Draft Policy DM15** appears to mirror the requirements set out in the NPPF.

Paragraph 103 of the NPPF is particularly key to the evaluation of flood risk; it states that *'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:*

- *within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location*
- *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems'*.

Sequential Test

Paragraphs 100 and 101 of the NPPF encourage development to take place within areas of lowest flood risk (Flood Zone 1) and seek the avoidance of development within areas at higher risk of flooding. Where development is necessary in areas at highest risk of flooding, it should be made safe without increasing the risk of flooding elsewhere. Application of the Sequential Test is required for all new development proposals and seeks to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development proposed, thus steering new development to areas with the lowest probability of flooding. **Section 3.3 of the FRA** states applies the Sequential Test to the M11 Junction 7A scheme as follows:

> *'Several variations have been considered for the proposed route. Numerous factors, including flood risk have been taken into account in reaching a preferred location for the various elements of the scheme. The development of this linear road infrastructure is almost entirely located within areas of low flood risk and could not be achieved without crossing the watercourses in the area. Therefore the Sequential Test is deemed to be passed'*.

Exception Test

The PPG, which supports the NPPF, contains detailed guidance regarding the assessment of the flood risk vulnerability of new development.

The FRA highlights that the M11 Junction 7A road scheme would be classed as 'essential transport infrastructure' under the PPG Flood Risk Vulnerability Classification, which falls within the 'Essential Infrastructure' category. Essential Infrastructure is deemed appropriate within Flood Zones 1 and 2; however, an Exception Test is required in relation to such development within Flood Zone 3.

Paragraph 102 of the NPPF states that for the Exception Test to be passed:

- *'it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared'*; and
- *'a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'*.

The FRA highlights that the scheme has significant wider sustainability benefits to the community, such as, improved access to the M11 to facilitate economic development and regeneration in Harlow, to accommodate the predicted growth in traffic resulting from the existing permitted development schemes and allocated growth in the adopted and emerging local plans.

The site-specific FRA considers flood risk to the scheme from all sources – including the sea, fluvial (main rivers and ordinary watercourses), surface water, groundwater, and artificial drainage systems and infrastructure failure (reservoirs, canals and sewerage). The FRA also evaluates the impact of the scheme on flooding elsewhere. A number of mitigation measures are proposed including:

- a carefully designed road drainage system that restricts run-off from the scheme;
- ensuring that the new culverts through the link roads for the unnamed watercourse from The Mores will be of a sufficiently large cross-sectional area to accommodate high flows and minimise the likelihood of blockage; and
- the provision and careful design of attenuation ponds and tanks to prevent contamination of the underlying aquifers and ground water emergence and to control the level of discharge entering the watercourses.

In relation to ensuring that the development will be 'safe for its lifetime' and in line with **Paragraph 93 of the NPPF**, which highlights the key role of planning in *'minimising vulnerability and providing resilience to the impacts of climate change'* and **Paragraph 99 of the NPPF**, which requires that *'New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change'*, the surface water drainage design proposed for the M11 Junction 7A scheme accounts for a 30% climate change allowance to minimise long-term flood risk.

The FRA concludes that, with the inclusion of the mitigation measures proposed, the M11 Junction 7A scheme will not be at risk from flooding from any source and will not impact on flood risk elsewhere throughout the lifetime of the scheme. Overall the impact from surface water runoff will be low with the final level of 'betterment' subject to further consultation regarding constructability/practicality aspects of the works. Reductions in flood risk have also been sought through the scheme design.

The proposals therefore address all elements of the requirements set out in **Paragraph 102 of the NPPF** and the scheme passes the Exception Test.

Compliance with Flood Policy

In addition to passing the Sequential Test and Exception Test, **Paragraph 103 of the NPPF** also requires demonstration of the following:

- *'Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location'*

- *'Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems'*.

The nature and location of the scheme is such that these elements are of limited applicability to the scheme and the inclusion of SuDS is detailed above. Should flooding occur despite the mitigation measures proposed, this would be addressed by the applicant, statutory highways authority in line with standard procedures for dealing with flooding on the local highway network and by Highways England in line with standard procedures for dealing with flooding on the motorway network.

The proposed development is, therefore, in accord with national planning policy; it is also compliant with local planning policy, which either corresponds with or is superseded by the more up-to-date national policy.

3.16 Climate Change, Energy and Sustainability

The provision of a climate change, energy and sustainability statement is an ECC validation requirement. The statement below has been completed in line with the Section 3.5 of the ECC *Supplementary Guidance for the Requirements of a Valid Planning Application* (2013) (here referred to as the ECC Validation Guidance). Climate change and energy have been addressed directly below. This Planning Statement considers a variety of topics of relevance to the environmental, social and economic elements of sustainability, which need to be carefully balanced to ensure the sustainability of a development proposal, as highlighted throughout this Statement and summarised in the Conclusion in Section 4. Further detail is, however, considered below in relation to sustainable design and construction methods and materials, in line with the ECC Validation Guidance.

CEEQUAL

CEEQUAL is an evidence-based sustainability assessment, rating and awards scheme for civil engineering, infrastructure, landscaping and public realm projects. The assessment covers project strategy, project management, people and communities, land use and landscape, the historic environment, ecology and biodiversity, the water environment, the use and management of physical resources, and transport. It therefore provides a holistic overview of sustainability of the project, taking into account the environmental, social and economic impacts over both the short- and long-term.

Although not a planning policy requirement, a CEEQUAL assessment is being undertaken for the design and construction of the proposed M11 Junction 7A scheme. The project is currently targeting a CEEQUAL 'Excellent' rating.

Energy Use and Generation

Paragraphs 95-98 of the NPPF and **EFDC Policy CP4**, the latter potentially updated through **EFDC Draft Policies DM9 and DM20**, although all primarily focused on buildings, seek to encourage the incorporation of energy efficiency into the design of new development and the use of renewable energy technology where appropriate. Although the adopted Harlow Local Plan has no equivalent policy, **supporting text to HC Policy SD7**, regarding renewable energy facilities, seeks to encourage the minimisation of energy use and the installation of appropriate renewable technologies.

The only energy required for the operational M11 Junction 7A scheme is for street and signage lighting. The lighting will utilise LEDs to maximise energy efficiency and thereby minimise associated carbon use. No renewable energy generation is proposed for the high-level scheme; however, opportunities for the inclusion of micro renewable energy generation to contribute towards the small amount of power required for the scheme will be considered at the detailed design stage. Therefore the proposed development will comply with the principles set out in local and national policy.

Climate Change Resilience and Adaptation

Paragraph 93 of the NPPF states that '*Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change*'.

The creation of an additional junction on the M11 will reduce current congestion and the associated adverse environmental impacts for all road users in the Harlow Area. It will also facilitate the sustainable growth and regeneration of Harlow as a hub for business and housing growth, allowing residents to live and work in the area with easy travel not only by car, but also by public transport, walking and cycling. The release of brownfield sites for redevelopment provides opportunities to increase the resilience of the local community to the impacts of climate change and is essential to the reduction of greenhouse gases by providing sustainable development.

The landscape design for the scheme includes the creation of attenuation ponds and planting measures. These will provide additional biodiversity sites along the route, will increase carbon capture, and reduce air pollution.

The drainage design for the scheme provides a 30% allowance for climate change has been included within the Flood Risk Assessment and drainage design for the scheme. Attenuation ponds and pipework are designed to accommodate the increased surface water runoff created by the impermeable road surface and improve the management of run off providing an overall betterment. Further consideration of climate change resilience and adaptation measures will be given to the detailed design and final materials selection when they occur later in the scheme design process. For more details please refer to the **Flood Risk and Drainage** section of this Planning Statement and the **FRA** submitted with this planning application.

Materials and Waste

With regard to the use of minerals in development schemes, **Paragraph 142 of the NPPF** highlights that *'since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation'*.

The **Materials chapter of the ES** highlights that the principal raw materials used in road construction are aggregates, including sand and gravel. It is expected that some aggregates would be available locally, although materials sourcing cannot be prescribed due to EU competition rules. Other materials needed for the Proposed Scheme would have to be transported from areas further afield; for example, steel, plastic and pre-cast concrete elements.

Paragraph 8 of the National Planning Policy for Waste (2014) states that *'when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that … the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal'*. Paragraph 1 additionally highlights the importance of *'driving waste management up the waste hierarchy'*. **HC Policies SD8 and SD9** seek the minimisation and re-use of construction waste, particularly soils. **EFDC Policy CP5** encourages the re-use of construction materials.

The **Materials chapter of the ES states** that measures will be incorporated to reuse materials on site where possible, such as excavated soil and/or rock; materials that cannot be reused on site will be treated according to the waste hierarchy and recycled where possible. A Site Waste Management Plan will be produced for the scheme, in line with best practice. A major adverse impact in terms of the embodied carbon contained within the main material resources to be used in the scheme is unavoidable, despite mitigation.

3.17 Community Safety and Cohesion

The M11 Junction 7A scheme has been designed to balance the need to provide a main artery to the Strategic Road Network (M11) and to mitigate the impact of the scheme with the need to minimise the potential severance and community safety issues created by the scheme as a result of the road widening and the necessary addition of noise barriers, particularly along Gilden Way.

Paragraph 58 of the NPPF states that planning decisions should *'aim to ensure that developments … create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion',* and **Paragraph 69 of the NPPF** states that planning decisions should *'aim to achieve places which promote:*

- *opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;*
- *safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas'*.

In addition, the **EFDC Policy CP9** seeks to ensure that the local transportation network is both safe and accessible for local communities and **EFDC Policy ST2** seeks public and non-motorised transport facilities with a *'design and layout which will reduce the potential for crime and fear of crime'*. Community safety, connectivity and permeability continue to be key themes in **EFDC Draft Policy DM9** regarding high quality design.

Harlow Council in the adopted local plan **Policy BE5** also states that *'Development proposals should demonstrate how the potential for preventing crime has been satisfactorily addressed through the design, layout and landscaping. These measures should be an integral part of the design and not compromise the creation of an area with distinct character, high quality landscaping and a successful public realm'*.

Noise attenuation measures such as fences and screens have the potential to increase feelings of separation either side of Gilden Way. However, the design of the noise fences has been carefully considered and transparent screens are proposed in sensitive locations, for example, near bus stops and pedestrian crossings. This ensures that screens do not separate the public realm from the rest of the street scene, that pedestrians and users of public transport have higher levels of surveillance and therefore feel safe.

In other areas, the noise attenuation measures form robust walls and fences with landscaping to soften the visual impact but also provide additional security to rear gardens, meeting the principles of 'Secured by Design' standards.

The M11 Junction 7A scheme will be sensitively lit with LED street lighting along its length; this provides a clear light with little light spill, allowing the road, cycleway and footpath to be safely lit without nuisance to others, as discussed in the Lighting section of this Statement.

Additional signal controlled pedestrian crossing points and the upgrading of existing crossing point will enable pedestrian and cyclist to cross Gilden Way safely. This encourages people to walk, cycle and use public transport along and across this route, reducing any separation and aiding sustainable transport routes to schools, shops, recreational facilities and local employment.

The overall effect of the scheme on community safety and cohesion will not be significant and therefore the M11 Junction 7A scheme is in compliance with relevant national and local planning policy.

3.18 Development on a Playing Field

The M11 Junction 7A scheme includes a proposal to enlarge an existing drainage pond on the western edge of a Harlow Council playing field located to the south-east of the Churchgate Roundabout. Currently, there are two football pitches marked out within the boundary of the site; the enlarged drainage pond would lead to the loss of a small area of the playing field but will not encroach on the layout or function of existing pitches. The locations of the pond and pitches are shown on **Sheet 3 of the Proposed Layout Plan** (B3553F05-0100-DR-0503).

Paragraph 74 of the NPPF seeks to protect existing open space and sports and recreational land, including playing fields, from being built upon.

In light of the location of the affected playing pitches within Harlow district, Harlow Council playing field planning policy is of relevance. **HC Policy L1** states that *'Planning permission will not be granted for development which will result in the loss of all, or any part of a playing fields, unless:*

1. It can be demonstrated that there is an excess of playing fields in the locality; or

2. A replacement playing field or fields of equivalent or better quantity and quality is to be provided in a suitable location; or

3. Any proposed development for an indoor or outdoor sports facility is of sufficient benefit to the development of sport to outweigh the loss of the playing field(s); or

4. The development only affects land that is incapable of forming a playing field or part of a playing field; or

5. The proposed development is ancillary to the use of the playing field'.

The HC Proposals Map identifies the playing field as part of the 'Special Restraint Area' (HC Policy NE5), which has been set aside to meet future development needs. Should the site come forward for development in the future, any scheme would need to satisfy the criteria set out above.

The Sport England (SE) document 'Planning Policy Statement: A Sporting Future for the Playing Fields of England – Policy on planning applications for development on playing fields' is also of relevance as the playing field contains one or more marked pitches. **SE Policy P1** states that *'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies'*. The specific circumstance of relevance to the drainage pond proposals is **E3**: *'The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site'*.

The enlarged drainage pond would lead to the loss of a small area of the playing field surrounding the existing pond, which is not capable of forming part of a playing pitch. The scheme will not encroach on the existing pitches. The design will ensure that the ponds are fenced and secure to prevent access; maintenance of the ponds necessitates sloping margins to allow for safe access. The proposed drainage pond will therefore not prevent the continued use of the site as playing fields nor hinder use of the marked playing pitches. The benefit accrued by the improvement to the road network, improved local surface water drainage, the potential to release land for housing growth and the regeneration of Harlow town centre outweigh the minimal impact of this drainage pond on the playing field. The proposals are therefore in compliance with relevant local, national and Sport England planning policy.

3.19 Traffic and Transport

The majority of planning policy in relation to traffic and travel is designed with traffic-generating development in mind, such as housing or employment sites, rather than for road schemes themselves that are specifically designed to address congestion and access issues. This needs to be considered when evaluating applications for road schemes, such as the M11 Junction 7A proposals, against such policies.

Policies requiring a Transport Assessment[9], which are generally required for major development schemes, are one such example. Schemes for new roads, by their nature, will attract significant additional motorised traffic movements; they are designed to do this, in order to provide essential infrastructure to facilitate new development or to alleviate traffic congestion elsewhere. For road schemes, the planning application, considered as a whole, forms a type of 'transport assessment' in itself. As such, specific Transport Assessments are not required for applications for nationally significant linear infrastructure, such as motorways[10], although traffic modelling is required. It has been agreed with ECC Planners that a Transport Assessment is not appropriate for the operation of this scheme, but traffic modelling has been undertaken to assess the implications for the local and wider road network; a Transport Assessment is, however, provided to assess the implication of construction of the scheme on the wider road network and is discussed in more detail below.

Aspects of a Transport Assessment are still of relevance to a new road scheme including:

- public transport implications;
- implications for non-motorised users of the scheme, such as pedestrians and cyclists;
- road safety; and
- implications for and improvements to the existing road network from the operational scheme; and
- short-term impacts associated with construction traffic related to the scheme.

These issues are discussed further below.

Environmental impacts associated with the scheme, including air quality and noise, are discussed in the sections that follow and are detailed within the Environmental Statement that accompanies this application.

Local **EFDC Policy ST7** is of relevance to the M11 Junction 7A scheme as it specifically covers new roads and extensions and improvements to existing roads. It sets out the following criteria, which must be satisfied for a scheme to be acceptable:

(i) *minimal environmental impact on sensitive areas (including open countryside and its management, sites of wildlife and built heritage interest, and residential areas) with adequate compensatory measures in those cases where environmental losses are unavoidable;*

(ii) *minimal adverse impact on road safety and traffic congestion;*

(iii) *minimal disruption to, or realignment of, the rights of way network;*

(iv) *retention of a defensible green boundary and minimal loss of Green Belt land.*

Implications for road safety and traffic congestion are discussed further below. Other issues are further discussed in relevant sections of the Planning Statement.

In addition, **EFDC Policy CP9** regarding sustainable transport highlights that, *'where appropriate, development schemes will be required to:*

[9] Transport Assessment is defined in the NPPF Glossary as : 'A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.'

[10] National Policy Statement for National Networks (Department for Transport, 2014).

(i) provide for a sustainable and integrated transportation system;

(ii) include investment in transport infrastructure to facilitate and support economic success;

(iii) promote and provide for sustainable means of transport, especially to key community facilities, particularly by public transport, cycling and walking;

(iv) improve and make the best use of existing infrastructure, including demand management and reducing the need to travel;

(v) ensure access by all sectors of the community, including the mobility impaired and the economically disadvantaged;

(vi) improve passenger transport services;

(vii) provide for a safe and efficient transportation network that improves the accessibility of local communities'.

Local policies are in line with national policy contained in the NPPF on promoting sustainable transport (**NPPF Paragraphs 29, 30 and 35**), which:

- highlights a preference for sustainable modes of transport (cycling, walking and public transport), where they are possible taking into account the location of the scheme;
- requires that consideration be given to the needs of people with disabilities in relation to all modes of transport; and
- supports measures which seek to reduce traffic-related greenhouse gas emissions and traffic congestion.

The proposed M11 Junction 7A scheme improves pedestrian and cycle access along Gilden Way by providing segregated routes along its length and increasing and improving the safe crossing points. The existing bus routes are retained and bus stops are to be improved allowing for better access to public transport for all users. A plan showing these crossing points and main community assets can be found in **Figure 12.2 of the ES** in drawing B3553F05-0000-DR-002.

3.19.1 Public Transport

Paragraph 29 of the NPPF encourages the development of sustainable modes of transport including accessible public transport.

HC Policy T8 seeks to '*secure the provision of adequate public transport access and facilities at major developments by means of negotiations with developers and/or the imposition of conditions on planning permissions. These negotiations and/or conditions will ensure that access improvements and facilities are provided at an early stage of the development process, or as otherwise identified through a Transport Impact Assessment.'*

EFDC Policy CP9 sets out the sustainable transport principles development proposals should provide including: '*provide for a sustainable and integrated transportation system; include investment in transport infrastructure to facilitate and support economic success; and, promote and provide for sustainable means of transport, especially to key community facilities, particularly by public transport*'**. Policy ST2** also requires major development to *'be well served by public transport and, if necessary, make provision for enhanced services and infrastructure'.*

All existing bus stops along Gilden Way will be retained and refurbished as part the M11 Junction 7A scheme, additional crossing points will give users safe access to and from the bus stops on either side. The design and location of the noise attenuation barriers will be carefully assessed to maximise the effectiveness of the noise attenuation while providing secure and sae access to bus stops.

The addition of a bus priority right turn into Mulberry Green and the improvement to the flow of traffic along Gilden Way will support the efficient and timely operation of the existing bus routes while also reducing

congestion related delays. As such the principles of local and national planning policies are accommodated by the proposed M11 Junction 7A scheme.

3.19.2 Non-Motorised Users

Paragraph 35 of the NPPF promotes the accommodation of improved cycle and pedestrian facilities in development proposals.

EFDC Policy ST2 seeks to secure '*safe, pleasant and convenient access for pedestrians and cyclists, including where appropriate, integrated transport choices and practical links with adjoining public rights of way and cycleway networks.'*

HC Policy T6 also requires '*Appropriate safe, direct cycleways within the development…links to the existing cycleway network…*'

A new 2.5m wide combined use footway/cycleway would be provided along the northern side of Gilden Way except for the length alongside Harlowbury Phase 1, where a suitable facility is already being provided by the developer along the southern boundary of that development improving existing connectivity. Pedestrian and cycle friendly signal controlled crossing points will facilitate the safe crossing from Old Harlow to the Churchgate Street and New Hall areas, including improved safe access to local schools.

Access to all footpaths except Footpath 204_30 would be maintained. Discussions with the Essex PRoW officer are ongoing to divert Footpath 204_30 along the access of Mayfield Farm, terminating where the access meets Sheering Road, which would ultimately need a separate public process to legally alter the route of the path.

3.19.3 Road Safety

A **Road Safety Audit** is submitted with this planning application; safety for all road users is a fundamental objective for the M11 Junction 7A scheme. The **Paragraph 35 of the NPPF** also requires development to '*create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter'.*

EFDC Policy CP9 requires developments '*to provide for a safe and efficient transportation network that improves the accessibility of local communities*' **EFDC Policy ST4** seeks to improve road safety by requiring new development to be *'well related to the road hierarchy; unlikely to lead to an excessive degree of traffic congestion; will not be detrimental to highway safety*.' Harlow Council does not have a corresponding policy relating to road safety.

Safety features are incorporated into the design of the M11 junction 7A scheme for example, the improved signal controlled crossing points, as cycleway and pedestrian footpath along the length of Gilden Way, street lighting and signage is design to ensure all users are safe and secure; the 40 MPH speed limit is in force to reduce vehicle speed and improve safety; the road layout and junction designs are in accordance with the adopted standards and any departures from those standards are agreed with Highways England and the Local Highway Authority. This proposal therefore complies with local and national planning policies.

3.19.4 Traffic Modelling

The model was constructed following the latest DfT Highway Assignment Modelling Guidance. The demand data used in the model is a mixture of observed and synthetic data. Observed mobile phone data was collected in an area stretching from Epping in the south to Bishop's Stortford and Stansted Airport in the north. Synthetic demand was generated from established sources including National Trip End Model, Census, National Travel Survey, and Bluesheep employment survey data. The network was created from the ITN network, a reliable data source provided by Ordnance Survey. The network was coded with reference to online aerial photography and specific data provided by Essex County Council and Hertfordshire County Council.

The model is a private vehicle only model. It models three peak hour time periods (AM, Inter peak and PM) with vehicles being classified into cars, light goods vehicles and heavy goods vehicles. Cars were further divided

into three separate trip purposes (commute, business and other) in keeping with guidance and allowing the model outputs to be used for Value for Money and Economic Assessments.

The model performs well against the modelling assessment criteria thus providing reassurance that the model is representative of current conditions. It is recognised that the link flow and screenline validation fall slightly below WebTAG guideline threshold criteria, however for journey time validation the criteria is exceeded.

Traffic Model Scenarios

Each of the four districts (namely Harlow, Epping Forest, Uttlesford and East Hertfordshire) modelled in the Harlow Transport Model are currently in the process of developing their Local Plans. This process is necessarily occurring alongside the development of the M11 Junction 7a scheme, so a finalised development plan for the model area is not yet available. So some informed development planning assumptions have had to be made in order to assess the likely impact of the scheme. It is also important to note that M11 J7a forms an integral and key part of the overall infrastructure provision that will be required to deliver the local plans, although dependent development verification has not yet taken place.

At the time that the traffic modelling assumptions were being finalised (July 2016) Essex County Council, the scheme promoters, provided an Uncertainty Log containing the following three scenarios, which their officers had derived from the latest housing and employment planning information they had obtained from each of the key Districts:

- a core scenario, considered at the time by the scheme promoters to be the most likely growth scenario taking into account discussions with District officers and likely achievable build out rates;
- a low growth scenario, based on NTEM 6.2 growth; and
- a high growth scenario.

The Districts' Plan periods end in 2033, while the model forecast years are 2021 (scheme opening year) and 2036 (design year), from a base year of 2014, so NTEM was used to apply 2033-2036 growth for all three 2036 scenarios.

The core scenario is based on growth of 31,428 dwellings and 23,397 jobs across the four key districts 2014-2033. The NTEM 6.2 growth consists of 17,092 dwellings and 12,717 jobs across the four Districts 2014-2036 and the High growth is based on 40,905 dwellings and 33,475 jobs for 2014-2033 across the four Districts.

Trip growth from NTEM of 1.5-2.3% for 2033-36 (varying by time period) has been assumed. All development outside of the key districts has been based on NTEM forecasts.

As the Local Plans develop, their transport impacts are being analysed as part of a separate workstream. The Plan development evaluation process will undoubtedly result in differences from the core scenario modelled for the J7a scheme, not least as further infrastructure requirements are identified and development quanta change. It is recognised that when there is more certainty about the emerging Local Plans this information will need to be incorporated into later Stages of this scheme.

Impacts on the Wider Road Network

Our forecast traffic modelling suggests that, by 2021 and 2036, with M11 Junction 7A in place:

- To the north of Junction 7A, traffic on the M11 would be expected to increase significantly as Harlow-bound vehicles are attracted to the new Junction 7A. For trips to and from north Harlow Junction 7A provides a much shorter route than via Junction 7 and so this traffic would no longer need to use Junction 7 and traffic on the M11 south of Junction 7A would decrease. Traffic using less suitable local roads to and from both Bishop's Stortford and Stansted Airport would also be likely to reduce.
- In the afternoon traffic on the M11 south of Junction 7 is predicted to increase. This is likely to result from freeing up capacity at M11 Junction 7, which is currently very congested in the afternoon peak.

- A consequence of traffic using Junction 7A to access Harlow is that traffic levels would be expected to significantly increase along Gilden Way to the west of the new link, over and above the expected increase resulting from already committed and planned growth.
- The location of the new Junction improves access by road to the north and east of the town. This is expected to result in reductions in traffic on the A414 between Gilden Way and M11 Junction 7. This reduction in traffic, which would likely be greatest immediately to the north of Junction 7, is due to traffic using the new motorway junction instead.
- Within Harlow there are likely to be traffic increases along the key links in northern Harlow, including the A414 Edinburgh Way, First Avenue and A414 London Road. This results from traffic to and from the northern part of Harlow using the more northerly M11 access point. Key links in the southern section of Harlow are shown to experience a complementary reduction in flows.

Re-routing of traffic as a result of the proposed scheme will help to relieve these locations:

- A414 (north-west of Junction 7), which is the only principal road linking Harlow to the M11, would be likely to have a significant decrease in traffic as a result of traffic re-routing to use the new M11 Junction 7A;
- A1184 Cambridge Road – this road is near to capacity and heavily congested in peak periods, the M11 Junction 7A scheme removes some traffic from this link; and
- M11 (south of junction 7A) – the M11 between Junction 7 and Junction 7a is likely to have a reduction in flow as a result of the scheme enabling traffic to access the motorway at a more northerly location.

The scheme encourages some traffic to make greater use of the motorway, which results in increases in the level of traffic on major roads in the local area, such as:

- A significant increase in traffic on the M11 between Junction 7a and Junction 8 would be expected, as the scheme provides better access to Harlow from the north; this encourages changes in routing to the motorway for trips between Harlow and Bishop's Stortford or Stansted Airport;
- A small increase on the A120; and
- A small increase on the A414 (north of Gilden Way); and
- A slight increase in the A414 (east of M11 junction 7).

Within the Model Area, the model suggests the most significant traffic growth for any element of the proposed scheme may be on Gilden Way near the M11 Junction 7a scheme itself. This road would improve access between the northern area of Harlow and the M11. Local traffic will divert from the A414 and the existing Junction 7 on the M11 to use the new junction. The proposed scheme design accommodates this change in traffic flow with proposed widening of Gilden Way and the proposed speed management measure to reduce the speed to 40mph.

Impacts on the Local Road Network

The junction forecast traffic model[11]s suggests that in 2021 and 2036, with the M11 Junction 7A scheme in place:

At the A414 London Road / B183 First Avenue junction in 2021 traffic should flow through the junction without any issues. However, in 2036, traffic may experience long queues on the A414 London Road northbound approach to the junction, as well as on the First Avenue eastbound approach to the junction. This could be resolved by maintaining the roundabout layout and putting in place further interventions before 2036.

At the London Road (south) / B183 Gilden Way junction in both forecast years traffic is likely to flow through the junction without any major issues.

[11] The local junction model is called VISUM is a comprehensive, flexible software system for transportation planning

At the B183 Gilden Way / Sheering Road (Churchgate) roundabout in 2021 traffic should flow through the junction without any issues. However, in 2036 traffic may experience some queueing on the Sheering Road (Churchgate) and Harlowbury arms of this junction; therefore, the scheme proposes a 'hamburger' design with traffic controlled access to facilitate access.

The M11 Junction 7A scheme is designed to accommodate growth in the Harlow area of 10,000 homes. While the consultation draft Local Plan for Epping Forest and East Hertfordshire proposed growth up to 16,000 homes for the Harlow area in the plan period up to 2033.

This additional phased release of growth identified in the emerging local plans, will trigger the need for additional improvements to the road network in Harlow. The proposed housing allocations are distributed across the Harlow area, while a significant growth area is located to the east of Harlow (3350 homes), other major allocations are to the north west of Harlow (3050 homes) and to the south west of Harlow (3100 homes), a further 6,600 are allocated for Harlow district, the location of these homes is not yet known. This distribution of growth will not solely impact on traffic levels for the M11 at Junction 7A. The implementation of improve sustainable transport to between the housing areas and new employment development within Harlow will further impact on the demand for road capacity across the local network.

The issue of housing growth, the deliverability of that growth and the capacity of the local infrastructure, including the road network, will be resolved through the Local Plan Examination process due to take place during 2017.

3.19.5 Construction Traffic

A **Construction Phase Traffic & Transport Impact Assessment** has been developed to identify the transport impacts of the construction of the proposed M11 Junction 7A scheme. It has considered public transport users, non-motorised users and other road users. It is planned to construct the scheme in three phases: Phase 1; Phase 2A and Phase 2B. It has been assumed for the purposes of the assessment that the main impacts are as follows:

- Increase in off-site construction vehicle traffic (movement of construction vehicles on the live road network) resulting in additional trips on the network (potentially causing delay, re-assignment of trips and junctions exceeding capacity); and
- Additional staff vehicular trips, resulting from staff accessing and egressing the construction sites, causing additional trips on the network which may contribute towards delay, trip re-assignment and junctions operating above capacity.

The assessment has found that the scheme's construction is unlikely to have a major effect on public transport service provision in the local area, with the exception of the 59 bus service, which may suffer from some delay to running times and disruption to the existing bus stops during the Phase 1 works. The impact of the construction of the proposed M11 Junction 7A scheme on public transport users is likely to be negligible overall.

4. Conclusion

The presumption in favour of sustainable development is at the heart of the planning system (NPPF Paragraph 14). Paragraphs 7 and 8 of the NPPF highlight the mutually dependent economic, social and environmental roles of the planning system in ensuring sustainable development.

The M11 Junction 7A scheme is a key element of a wider transport improvement plan for Harlow and the surrounding area. It is vital to the regeneration and sustainable growth of Harlow and is highlighted as such in the emerging district local plans. The scheme therefore has significant economic and social benefits. Engagement with the community and stakeholders throughout the development of the scheme has influenced the design as it has developed. Although the scheme has the potential to result in some negative environmental and social effects, a thorough review of the scheme has been undertaken through the EIA process, resulting in a sensitively designed scheme and extensive mitigation, which has been adopted to avoid and minimise negative impacts and provide wider enhancements where possible.

Based on the information set out in this Statement, the ES and the various supporting documents that support this application, it is considered that the M11 Junction 7A scheme is in accordance with the adopted Development Plan and other material considerations, including the NPPF and emerging local policy; it is therefore respectfully requested that planning permission is granted for the proposal.