

A12 Chelmsford to A120 widening scheme TR010060

6.3 ENVIRONMENTAL STATEMENT APPENDIX 13.5 LEGISLATIVE AND POLICY FRAMEWORK FOR POPULATION AND HUMAN HEALTH

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ENVIRONMENTAL STATEMENT

APPENDIX 13.5 LEGISLATIVE AND POLICY FRAMEWORK FOR POPULATION AND HUMAN HEALTH

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1 Legislative and policy framework

1.1 Legislation

- 1.1.1 The Commons Registration Act 1965 (as amended), provides for the registration of common land and of town or village greens. The presence of common land and town or village greens has been a consideration of this assessment in terms of community assets (in the land use and accessibility assessment) and access to green space (a wider determinant of human health).
- 1.1.2 The Countryside and Rights of Way Act 2000 regulates all public rights of way. Part II of the Act contains provisions designed to reform and improve rights of way in England and Wales. It requires local highway authorities to publish a Rights of Way Improvements Plan, which should be reviewed every 10 years. The Act requires the highway authorities to have regard to the needs of disabled people when undertaking improvements. There is provision in the Act for occupiers of any land to temporarily divert a footpath or bridleway which passes over that land where works are likely to cause danger to users of the right of way.
- 1.1.3 Part 1 Section 12 of the Health and Social Care Act 2012 sets out responsibilities for local authorities to take such steps as it considers appropriate for improving the health of people in its area. It requires these responsibilities to be overseen by an appointed Director of Public Health. The Director of Public Health was contacted for relevant local health data to help inform this assessment.
- 1.1.4 The Health and Safety at Work etc. Act 1974 is the primary piece of legislation covering occupational health and safety in Great Britain, while the Construction (Design and Management) Regulations 2015 aim to improve health and safety in the construction industry specifically. It is considered that these pieces of legislation are embedded requirements for managing construction-related health and safety risks relating to the proposed scheme and, therefore, construction-related health and safety has not been considered further in this assessment.

1.2 National policy

- 1.2.1 The National Networks National Policy Statement (NNNPS) (Department for Transport (DfT), 2014) sets out the Government's policies to deliver the development of Nationally Significant Infrastructure Projects on the national road and rail networks in England. The Secretary of State uses the NNNPS as the primary basis for making decisions on DCO applications.
- 1.2.2 Key policy from the NNNPS relevant to this aspect is set out in Table 1.1.

Table 1.1 NNNPS requirements for population and health

NNNPS paragraph	NNNPS requirement	How this is addressed in the assessment
3.22	Where appropriate, applicants should seek to deliver improvements that reduce community severance and improve accessibility.	The population and human health assessment has identified and assessed where opportunities have been taken to address past severance, mitigate new severance and improve accessibility through design. This is set out in the landscape and accessibility assessment within this chapter of the Environmental Statement, as well as Appendix 13.3 Land Use and Accessibility Assessment Tables [TR010060/APP/6.3].
5.205	Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure, and that the applicant should provide evidence that they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.	This assessment has identified existing severance in the baseline (Section 13.8 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1]) and assesses the impact of proposals on walkers, cyclists and horse riders, including the effects of proposals for enhanced walkers, cyclists and horse riders infrastructure. This is set out in Section 13.10 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1]. Consideration of impacts on other forms of travel, including buses, are provided in Section 13.16 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1]
4.82	The applicant should identify measures to avoid, reduce or compensate for adverse health impacts as appropriate. These impacts may affect people simultaneously, so the applicant, and the Secretary of State (in determining an application for development consent) should consider the cumulative impact on health.	<p>Opportunities to minimise adverse impacts on health and maximise benefits have been identified throughout this chapter, and include</p> <ul style="list-style-type: none"> • The use of best practice construction measures to maintain access along routes used by walkers, cyclists and horse riders and minimise noise, vibration and air quality impacts; • new and improved walking, cycling and horse riding provision; and • the use of low noise surfacing, bunds and barriers to mitigate adverse noise impacts. <p>The assessment of impacts against determinants of health scoped into the assessment is provided in Section 13.16 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], and considers the potential impacts on each identified determinant from all relevant pathways (including but not limited to, changes in air quality and noise, land take, vegetation removal, disruption in access or</p>

NNNPS paragraph	NNNPS requirement	How this is addressed in the assessment
		<p>amenity to routes used by walkers, cyclists and horse riders, access to community facilities and assets, and employment opportunities).</p> <p>The assessment provided in this chapter considers Chapter 16: Cumulative effects assessment, of the Environmental Statement [TR010060/APP/6.1], which assesses the potential for cumulative impacts on health which might arise in combination with other schemes.</p>
5.166	<p>Existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Applicants considering proposals which would involve developing such land should have regard to any local authority's assessment of need for such types of land and buildings.</p>	<p>In the context of the NNNPS, open space refers to <i>"all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."</i> The 'Community land and assets' part of Section 13.7 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1] 'Baseline conditions' has sought to identify such areas that coincide with the Order Limits, while Section 13.8 'Community land and assets' of this chapter assesses the likely impacts on open space and sports and recreational facilities.</p>
5.184	<p>Applicants are expected to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other public rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve access. In considering revisions to an existing right of way, consideration needs to be given to the use, character, attractiveness and convenience of the right of way.</p>	<p>Section 13.8 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], 'Walkers, cyclists and horse riders' of this chapter assesses the likely impacts on PRoW and identifies where opportunities to improve access have been included in the proposed scheme. No impacts on coastal access, National Trails or open access land have been identified.</p>

NNNPS paragraph	NNNPS requirement	How this is addressed in the assessment
5.206	For road and rail developments, if a development is subject to EIA and is likely to have significant environmental impacts arising from impacts on transport networks, the applicant's environmental statement should describe those impacts and mitigating commitments.	This assessment considers potential impacts arising from changes in the alignment, access and traffic flows on the highway network. This includes matters such as the potential impact on community severance, air quality and noise and vibration, as well as changes in access and land use.
5.216	Where development would worsen accessibility, such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated.	Section 13.9 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1] sets out proposed mitigation for impacts on walkers, cyclists and horse riders and includes cross references to other documents included in the DCO application where further detail on design and mitigation proposals are contained.

- 1.2.3 As set out in Chapter 1: Introduction, of the Environmental Statement [TR010060/APP/6.1], the assessment has considered the Overarching National Policy Statement for Energy (EN-1) and National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (Department of Energy and Climate Change, 2011a; 2011b) in relation to the diversion of an existing high pressure gas main (the 'gas main diversion') owned and operated by Cadent Gas Limited (Cadent). Draft versions of the updated EN-1 and EN-4 NPS have also been considered (Department of Energy and Climate Change, 2021a; 2021b).
- 1.2.4 A review of the relevant requirements of EN-1 and EN-4 (including the draft updated versions), relating to the EIA of the gas main diversion works, identified that a main difference in requirements is that Section 5.12 of EN-1 states that *'Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts'* as part of the Environmental Statement. A gas main diversion of the nature included in the proposed scheme is not likely to have socio-economic impacts (positive or negative) at local or regional levels as it would not create many jobs or training opportunities, additional services, effects on tourism or a significant influx of workers. As such, it is considered that by meeting the NNNPS requirements set out in Table 1.1, the relevant requirements of EN-1 and EN-4 (and updated draft versions) are also met.
- 1.2.5 The human health assessment in this chapter provides a proportionate consideration of effects on socio-economic issues as a wider determinant of health.

1.3 Local policy

- 1.3.1 In addition to the national policy set out in the NNNPS, the proposed scheme must also have regard to relevant local plans and policy. A summary of policy framework is provided in Appendix 1.1 of the Environmental Statement [TR010060/APP/6.3].
- 1.3.2 Key local policy for this aspect is summarised in Table 1.2.

Table 1.2 Local plans and policy

Policy document(s)	Requirement	How this is addressed in the assessment
North Essex Authorities Shared Strategic Section 1 Local Plan (2021)	Policy SP 6 Infrastructure and Connectivity outlines the desire to increase opportunities for sustainable modes of transport, provide a comprehensive network of walking and cycling routes and ensure conditions for health communities are provided through good access to local services and facilities, green open space and places for active plan which are accessible by walking and cycling.	Section 13.8 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], 'Walkers, cyclists and horse riders' assesses the likely impacts on walking and cycling routes, including the potential impacts of proposed enhancements to walking and cycling infrastructure included in the proposed scheme.
<p>Local development plans:</p> <ul style="list-style-type: none"> Braintree Publication Draft Local Plan Section 2 (June 2017) (emerging) (Section 4: Vision & Objectives) Chelmsford Local Plan, May 2020 (Section 3: Strategic Priorities) Colchester Local Plan 2017 – 2033 Section Two – Local Plan for Colchester (Emerging) (Section 1: Introduction) 	<p>The Braintree Publication Draft Local Plan Section 2 sets a vision for Braintree District. This includes that <i>“strategic transport routes of the A120, A12 and rail routes from Braintree and Witham have been improved allowing fast and reliable connections to London, London Stansted Airport, the east coast ports and other key regional centres.”</i> The vision also includes that <i>“Housing growth has been achieved”</i> and that <i>“All residents in the District will have access to the highest quality community facilities including health and education provision. Outstanding leisure facilities continue to be provided to ensure residents can make healthy choices, and retail and other community needs are met.”</i> The vision is supported by key objectives. These include housing need, access to high quality community facilities for residents ('Social Infrastructure'), protection of the environment ('to minimise all forms of pollution on the</p>	<p>The land use and accessibility and human health matters included within the scope of this assessment are relevant to issues identified in the visions and objectives of the local development plans identified. The assessment in Section 13.8 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], addresses potential impacts on housing, sustainable transport, linkages between communities, walking and cycling, potential health impacts from pollution and healthy lifestyle choices and opportunities.</p>

Policy document(s)	Requirement	How this is addressed in the assessment
<ul style="list-style-type: none"> Maldon District Local Development Plan 2017 (Section 2: Spatial Vision and Development) 	<p>health and amenity of communities'), and healthy communities.</p> <p>The Chelmsford Local Plan lists nine strategic priorities for the Local Plan area. These focus on sustainable patterns of development, meeting the need for new homes, growth in new jobs, protecting and enhancing retail, leisure and commercial development, improving strategic infrastructure, improving local infrastructure as well as protecting and enhancing the Natural and Historic Environment and Green Belt. The plan aims to promote <i>'healthy communities'</i> through the implementation of the Local Plan.</p> <p>The Colchester Local Plan outlines objectives for sustainable growth, the natural environment and places within Colchester. These include improving accessibility and links between communities, meeting new housing/employment needs as well as aspirations for providing further opportunities in areas such as leisure and recreation, and walking and cycling.</p> <p>The Maldon District Local Development Plan aims to <i>'improve the quality of life for those who live and work in the District, and also for those who visit, to the benefit of existing and future generations.'</i> The plan has fourteen objectives in total that touch on themes including: addressing housing needs, facilitating the delivery of new infrastructure and to <i>'ensure that people and communities enjoy quality sustainable lifestyles by enabling the provision of facilities and services, including essential and green infrastructure.'</i></p>	

Policy document(s)	Requirement	How this is addressed in the assessment
<p>Essex Cycling Strategy (2016) and local authority cycle action plans:</p> <ul style="list-style-type: none"> • Braintree District Cycling Action Plan 2018 • Chelmsford Cycling Action Plan 2017 • Colchester Borough Cycling Action Plan 2018 • Maldon District Cycling Action Plan 2018 	<p>The Essex Cycling Strategy 2016 sets out key elements of a long-term plan to encourage sustained growth in cycling within the Essex area. The aim is for reduced reliance on cars, to improve health in the local area and to be able to facilitate future growth by investing in this strategy. It consists of three key elements:</p> <ul style="list-style-type: none"> • Enable – a focus on leadership that will drive the strategy forward. • Promote – a targeted increase in the promotion of cycling. • Provide – a step-change in the extent and quality of cycling infrastructure. <p>The Braintree District Cycling Action Plan 2018 notes a lack of connectivity between existing cycle routes within Witham and that a significant number of people in Witham drive short distances, suggesting that cycle access could be improved to promote more cycle journeys.</p> <p>The Chelmsford Cycling Action Plan 2017 identifies junction 19 (Boreham interchange) as a location which is currently extremely difficult for cyclists and pedestrians to cross and that there is a need to investigate options to improve crossings at this location.</p> <p>The Colchester Borough Cycling Action Plan 2018 proposals were mainly focused within Colchester itself, with limited relevance to the proposed scheme.</p> <p>The Maldon District Cycling Action Plan 2018 identifies that cross-boundary trips to Hatfield Peverel, Witham and Chelmsford could be encouraged, for example to access Hatfield Peverel Train Station and employment in Chelmsford, although noting that these are relatively high distance journeys for cyclists.</p>	<p>Section 13.8 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], 'Walkers, cyclists and horse riders' assesses the likely effects on cycling routes, including the potential impacts of the cycling infrastructure proposals included in the proposed scheme. The cycling infrastructure proposals have been designed to meet the requirements of Local Transport Note 1/20 (DfT, 2020) as noted in section 13.9 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1].</p>

Policy document(s)	Requirement	How this is addressed in the assessment
Essex Walking Strategy (2021)	<p>Sets out a vision that walking should be <i>'Easy, Safe and a Normal part of [residents] everyday lives'</i> along with nine objectives:</p> <ul style="list-style-type: none"> • Increase walking for everyday trips • Improve road safety for pedestrians • Better design and enhanced accessibility • Enable physical activity and walking for health • Enable more walking to schools • Promote walking for leisure • Support economic development • Improve neighbourhoods and sporting the development of new communities • Encourage walking by changing attitudes and behaviour 	<p>Section 13.8 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], 'Walkers, cyclists and horse riders' assesses the likely effects on cycling routes, including the potential impacts of the walking infrastructure proposals included in the proposed scheme. The walking infrastructure proposals have been designed to meet the requirements of Local Transport Note 1/20 (DfT, 2020) as noted in section 13.9 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1], which provides guidance of relevance to both walking and cycling.</p>
Essex Green Infrastructure Strategy (2020)	<p>Sets out a vision to <i>'protect, develop and enhance a high quality connected green infrastructure network that extends from our city and town centres, and urban areas to the countryside and coast and which is self-sustaining and is designed for people and wildlife.'</i> Identifies seven objectives, including:</p> <ul style="list-style-type: none"> • Protect existing green infrastructure, especially designated sites • Improve existing green infrastructure so it is better functioning for people and wildlife • Connectivity improvements connecting green infrastructure, people and wildlife • Increase use and inclusivity of green infrastructure across all user groups, social groups and abilities • Provide green infrastructure facilities to promote health and wellbeing 	<p>Section 13.16 of Chapter 13 Population and Human Health of the Environmental Statement [TR010060/APP/6.1] assesses the likely impacts on green space and how this may affect health and wellbeing. The assessment is set out under the sub-heading 'Access to greenspace and outdoor recreation'.</p>

Policy document(s)	Requirement	How this is addressed in the assessment
Essex Rights of Way Improvement Plan (ROWIP)	Identifies measures required to maintain and improve the existing Rights of Way network within Essex, including PRow, other non-vehicular highways, permissive routes, open access land and the highway network for walkers, cyclists and horse riders.	

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