

# M5 Junction 10 Improvements Scheme

Statement of Common Ground

Historic England

TR010063 - APP 8.6

Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Volume 8  
December 2023

THIS PAGE IS LEFT INTENTIONALLY BLANK

# Infrastructure Planning Planning Act 2008

## The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

### M5 Junction 10 Improvements Scheme Development Consent Order 202[x]

---

#### 8.6 Statement of Common Ground Historic England

---

<b>Regulation Number:</b>	Regulation 5 (2) (q)
<b>Planning Inspectorate Scheme Reference</b>	TR010063
<b>Application Document Reference</b>	TR010063/APP/8.6
<b>Author:</b>	M5 Junction 10 Improvements Scheme Project Team

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	December 2023	DCO Application

---

**STATEMENT OF COMMON GROUND**

This Statement of Common Ground has been prepared agreed by (1) Gloucestershire County Council and (2) Historic England.

Signed

On behalf of Gloucestershire County Council

Date:

Signed

On behalf of the Historic England

Date:

# Contents

Chapter	Page
<b>1. Introduction</b>	<b>8</b>
1.2. Purpose of this Document	8
1.3. Structure of Statements of Common Ground	8
1.4. Status of this SoCG	9
<b>2. Consultation</b>	<b>10</b>
2.1. The Role of Gloucestershire County Council	10
2.2. The Role of Historic England	10
2.3. Summary of consultation	10
<b>3. Topics covered in this SoCG</b>	<b>13</b>
<b>4. Matters Agreed</b>	<b>14</b>
<b>5. Matters Outstanding</b>	<b>19</b>
5.1. Principal matters outstanding	19
5.2. Matters outstanding	19
<b>Appendix A. Matters to be determined</b>	<b>30</b>
<b>Tables</b>	
Table 2-1 - Consultation with Historic England	10
Table 3-1 - Summary of topics covered within this SoCG	13
Table 4-1 - Matters agreed between the Applicant and Historic England	14
Table 4-1 - Matters outstanding between the Applicant and Historic England	19

# Glossary

Term	Meaning / Definition
(The) Act	The Planning Act 2008 (as amended)
(The) Applicant	Gloucestershire County Council (Strategic Development team) applying for the DCO
Biodiversity Net Gain (BNG)	Biodiversity Net Gain delivers measurable improvements for Biodiversity by creating or enhancing habitats in association with development
Carter Jonas (CJ)	Land referencing consultant working on behalf of the Applicant
Cheltenham Borough Council (CBC)	CBC is the local planning authority for Cheltenham Borough, and is a statutory consultee for the scheme, as defined under section 42(1)(b) and section 43(b) of the Act
Development Consent Order (DCO)	The consent for the construction, operation and maintenance of Nationally Significant Infrastructure Projects (NSIP) given by the relevant Secretary of State on the recommendation of the Planning Inspectorate under the Planning Act 2008 (as amended)
Environment Agency (EA)	A non-departmental public body with responsibilities relating to the protection and enhancement of the environment in England
Environmental Impact Assessment (EIA)	A process of evaluating the likely environmental impacts of a proposed development, including inter-related socioeconomic, cultural and human health impacts, both beneficial and adverse
Environmental Statement (ES)	Reports the findings of the EIA, including at least the information reasonably required to assess the likely significant environmental effects of the development
Examining Authority (ExA)	The person(s) appointed by the Secretary of State (SoS) to assess the DCO application and make a recommendation to the SoS
Flood Risk Assessment (FRA)	An assessment of the likelihood of flooding in a particular area so that development needs, and mitigation measures can be considered
Gloucestershire County Council (GCC)	Gloucestershire County Council. It is therefore a statutory consultee for the Scheme, as defined under section 42(1)(b) and section 43(c) of the Planning Act 2008 ("the Act"). GCC is the local highway authority in Gloucestershire and is the Minerals and Waste Planning Authority (MWPA) for Gloucestershire. GCC also has statutory duties in relation to drainage, flood risk, and heritage assets and archaeology
Historic England	Publicly funded body that champions and protects England's historic places, also known as the Historic Buildings and Monuments Commission for England
Host Authority	The local authority, within which the Scheme would be situated, In this case, Cheltenham Borough Council, Gloucestershire County Council and Tewkesbury Borough Council
Local Planning Authority (LPA)	The county council, metropolitan, or district council, which has statutory responsibilities within its administrative areas

Term	Meaning / Definition
Nationally Significant Infrastructure Project (NSIP)	A project of a type and scale defined under the Planning Act 2008 and by Order of the Secretary of State (SoS) relating to energy, transport, water, wastewater and waste generally. These projects require a single development consent, which includes consents under different regimes, such as planning permission, listed building consent and scheduled monument consent”
Natural England (NE)	Executive non-departmental public body responsible for the natural environment
Planning Inspectorate (PINS)	The Government Agency responsible for operating the planning process for NSIPs. The Planning Inspectorate is responsible for examining DCO applications and making recommendations to the relevant SoS, who will make the decision on whether to grant or to refuse development consent. The SoS for Transport takes the decision on applications for highway NSIPs
Preferred Route Announcement	Designation of a proposed option as a ‘preferred route’ by the Department for Transport and provides a form of planning protection from development of land in the vicinity of the M5 Junction 10 improvement scheme
Statement of Community Consultation (SoCC)	Prepared in accordance with Section 47 of the Planning Act 2008, to inform, explain and communicate how the consultation will be undertaken
(the) Scheme	The proposed M5 Junction 10 improvements development which is the subject of a DCO application
Tewkesbury Borough Council (TBC)	Tewkesbury Borough Council is the local planning authority for Tewkesbury Borough and a statutory consultee for the Scheme, as defined under section 42(1)(b) and section 43(b) of the Act
Water Framework directive	The Water Framework Directive (2000/60/EC) which established a framework for European Community action in the field of water policy

# 1. Introduction

- 1.1.1. This Statement of Common Ground (SoCG) has been prepared in respect of the application for the M5 Junction 10 Improvements Scheme (“the Scheme”) made by Gloucestershire County Council (GCC) (the Applicant) to the Secretary of State for a Development Consent Order (DCO) under section 37 of the Planning Act 2008.
- 1.1.2. If made, the DCO would grant consent for the construction of improvement works to M5 Junction 10, consisting of a new all-movements junction; the widening of the A4019 east of the junction to the Gallagher Retail Park Junction; and a new link road from the A4019 to the B4634. A small section of the A4019 will also be widened to the west of the proposed junction.

## 1.2. Purpose of this Document

- 1.2.1. This document is a Statement of Common Ground (SoCG) between GCC (the Applicant) and Historic England in relation to the Scheme.
- 1.2.2. The document identifies the following between the parties:
- Matters which have been agreed; and
  - Matters currently outstanding (subject to negotiation or not agreed).
- 1.2.3. The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.2.4. The SoCG will continue to evolve as the application for development consent progresses through the pre-application and Examination stages.

## 1.3. Structure of Statements of Common Ground

- 1.3.1. The SoCG has been structured in a generally consistent form and sets out the matters which are agreed, the matters subject to further discussion and those matters which are not agreed. Each SoCG has been tailored according to the approach agreed with the interested party concerned.
- 1.3.2. Each SoCG has the following Structure
- Section 1: Introduces the SoCG and provides a description of its purpose;
  - Section 2: Outlines the engagement that has taken place with the interested party; and
  - Section 3: Sets out any issues that have arisen, reporting on the status of each issue, i.e., whether it is agreed, still under discussion or not agreed, and any remaining actions.
- 1.3.3. PLACEHOLDER – Where relevant, documents that are referenced in the SoCG but do not form part of the application are available to the Examining Authority (ExA) upon request. The latest versions of these documents are:
- XXX



## 1.4. Status of this SoCG

1.4.1. This SoCG is a correct reflection of the position of both parties at the pre-application stage.

1.4.2. It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the Examination Stage.

## 2. Consultation

### 2.1. The Role of Gloucestershire County Council

2.1.1. In this SOCG, Gloucestershire County Council (GCC) is the Applicant for the M5 Junction 10 Improvements Scheme, and this is separate and independent from the other functions and statutory duties carried out by the Council. As Applicant, GCC are promoting and delivering the Scheme with support of the rest of the Council, other Local Planning Authorities, National Highways and Homes England. This is to be recorded in separate SOCGs with the other parties.

### 2.2. The Role of Historic England

2.2.1. Historic England was established with effect from 1 April 1984 under Section 32 of the National Heritage Act 1983. The general duties of Historic England under Section 33 are as follows: so far as practicable:

- To secure the preservation of ancient monuments and historic buildings situated in England;
- To promote the preservation and enhancement of the character and appearance of conservation areas situated in England; and
- To promote the public's enjoyment of, and advance their knowledge of, ancient monuments and historic buildings situated in England and their preservation.

2.2.2. Historic England is a statutory consultee providing advice to local planning authorities on certain categories of applications for planning permission and listed building consent and is also a statutory consultee on all Nationally Significant Infrastructure Projects (NSIP), where likely to affect land in England. Similarly, Historic England advises the Secretary of State on those applications, subsequent appeals and on other matters generally affecting the historic environment. It is the lead body for the heritage sector and is the Government's principal advisor on the historic environment.

### 2.3. Summary of consultation

2.3.1. GCC has been in consultation with Historic England during the development of the Scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the Scheme.

2.3.2. The engagement outlined in Table 2-1 covers formal consultation with Historic England and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request **(PLACEHOLDER)**.

2.3.3. The consultation with Historic England since the Preferred Route Announcement on 16<sup>th</sup> June 2021 is set in Table 2-1.

Table 2-1 - Consultation with Historic England

Date	Method	Parties Concerned	Matters Discussed
16/06/2021	Email	Historic England	Notifications of M5 Junction 10 Improvements Scheme preferred route announcement
04/08/2021	Email	Historic England / Atkins Environment Lead	Atkins Environment lead provided updated

Date	Method	Parties Concerned	Matters Discussed
			Scheme stating the project is an NSIP and DCO submission is due to be made in Autumn 2022.
13/10/2021	Email	Historic England	Historic England consulted to confirm their postal address for USB delivery of consultation documents. Historic England officer replied confirming the address.
06/12/2021	Letter	Historic England	USB sent to Historic England address along with formal notification of the start of Statutory consultation.
20/01/2022	Email	Historic England	Reminder email to send consultation response.
14/02/2022	Email	Historic England	Consultation representation received.
12/05/2022	Email	Historic England	Formal response provided for Historic England's feedback on Statutory Consultation.
13/05/2022	Teams call	Historic England / Atkins Heritage	Atkins Heritage consultant and Historic England officer discussed the potential impacts of the Scheme on the Scheduled moated site (and associated listed buildings) and the listed buildings at Uckington.
16/06/2022	Email	Historic England / Atkins Heritage	Atkins heritage consultant sent Historic England officer an update on key points following her chat about the Scheme and its potential impacts to the Scheduled moated site (and associated listed buildings) and the listed buildings at Uckington.
05/09/2022	Email	Historic England	Consultation representation received.
08/11/2022	Teams call	Historic England / Atkins Heritage / Atkins Planning	Atkins planning consultants and heritage consultant provided the Historic England officer

Date	Method	Parties Concerned	Matters Discussed
			with an update on the Scheme design and the mitigation measures currently in place. This focused mainly on the Scheduled moated site (and associated listed buildings) and the listed buildings at Uckington.
16/05/2023	Email	Historic England	Atkins document control team provided Historic England with some relevant draft DCO deliverables as part of a round of targeted consultation to key stakeholders.
30/05/2023	Letter	Historic England	Consultation representation received.
14/07/2023	Email	Historic England	Atkins planning team provided Historic England with some relevant draft DCO deliverables for review.
04/08/2023	Email	Historic England	Consultation representation received.
07/09/2023	Teams call	Historic England / Atkins Heritage / Atkins Planning	Having provided Historic England with the relevant draft submission documents, Atkins provided responses to comments made by Historic England. Some matters were then able to be agreed upon because of this.

## 3. Topics covered in this SoCG

3.1.1. The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 - Summary of topics covered within this SoCG

Overarching Topic	Topic Number	Topic
Background	1.	Principle of Development
	2.	Statutory Consultation
Relevant ES Chapter	3.	Assessment of Alternatives
	4.	Environmental Impact Assessment Methodology
	5.	Air Quality
	6.	Cultural Heritage
	7.	Landscape
	8.	Biodiversity
	9.	Geology and Soils
	10.	Material Assets and Waste
	11.	Noise and Vibration
	12.	Population and Human Health
	13.	Road Drainage and Water Environment
	14.	Climate
	15.	Assessment of Cumulative Effects
Other Topics	16.	Engineering Design
	17.	Draft Development Consent Order
	18.	Land
	19.	Environmental Management Plan
	20.	Construction Traffic Management Plan

## 4. Matters Agreed

4.1.1. Table 4-1 shows those matters which have been agreed, including the matter reference number, and the date and method by which it was agreed.

Table 4-1 - Matters agreed between the Applicant and Historic England

Matter Reference Number	Position	Date and method of Agreement
1. Principle of Development		
2. Statutory Consultation		
3. Consideration of Alternatives		
4. Environmental Impact Assessment Methodology		
4.1	<p>Historic England had reviewed the PEIR and considered that there was not enough information to provide a clear understanding of the nature and full extent of the potential impacts on the historic environment as required either by the EIA regulations, National Planning Statements, or the National Planning Policy Framework.</p> <p>Since the drafting of the PEIR, further information has been provided as part of the Environmental Statement (ES), including an assessment of the potential impacts to the Scheduled Monument and Listed Buildings at Moat House. Historic England have reviewed the draft ES and have no further comments.</p>	07 September 2023 – agreed via Teams meeting
4.2	<p>Historic England had stated that, in their view, proportional and refined information is necessary to understand these impacts upon designated heritage assets in their landscape setting. The level of carefully considered information that in our view is required is proportional to the issues we have identified in relation to the proposed</p>	07 September 2023 – agreed via Teams meeting

Matter Reference Number	Position	Date and method of Agreement
	<p>scheme, and directly related to the need to assess the overall sustainability of the development.</p> <p>Setting assessments for designated heritage assets have been conducted and are reported on in the ES. Results of the setting assessments have also been provided to the Landscape and Design teams to recommend embedded mitigation for the design.</p>	
4.3	<p>Historic England advised that a number of considerations would need to be taken into account when proposals of this nature are being assessed. This included</p> <ul style="list-style-type: none"> <li>• consideration of the impact of ancillary infrastructure and development, including local link roads and drainage proposals:</li> <li>• The potential impact upon the landscape, especially if a site falls within an area of historic landscape.</li> <li>• Direct impacts on historic/archaeological fabric (buildings, sites or areas), whether statutorily protected or not. All grades of listed buildings should be identified.</li> <li>• Other impacts, particularly the setting of listed buildings, scheduled monuments, registered parks and gardens, conservation areas etc, including long views and any specific designed views and vistas within historic designed landscapes.</li> <li>• In some cases, intervisibility between historic sites may be a significant issue;</li> <li>• The potential for buried archaeological remains;</li> <li>• Effects on landscape amenity from public and private land;</li> <li>• Cumulative impacts.</li> </ul> <p>All of these elements have been considered in the development of the study area and impact assessments and have been addressed in the submitted ES.</p>	07 September 2023 – agreed via Teams meeting
5. Air Quality		
6. Cultural Heritage		

Matter Reference Number	Position	Date and method of Agreement
6.1	Historic England had stated that the addition of a new track for the farm just to the south of the A4019, and off Moat Lane, may impact on the setting of Uckington Moat. Following targeted consultation in May 2023, Historic England responded, stating that there will be no impact on the significance of the highly designated heritage asset - Uckington Moated Site Scheduled Monument (Moat House moated site, Mon. No. 32340, NHLE 1016835). Historic England have no comments to make on this proposed design change.	30 May 2023 – agreed via letter to GCC
6.2	Historic England stated that the road improvements can be made with minimal harm to the Scheduled Monument provided the semi-isolated and set-back positioning of the monument from the road is maintained, so that the improvements do not cause the road to become a dominant feature from Scheduled Monument. Lighting should be only what is required for safety and the new junction between the A4019 and Moat Lane/The Green should not be obviously visible from the Scheduled Monument, particularly at the entrance near the listed gate houses. Atkins noted that the lighting design will seek to minimise obtrusive light pollution but will provide light at locations which are not currently lit at night within the study area.	07 September 2023 – agreed via Teams meeting
6.3	Referring to 11.14.1 and Table 11-5 within the ES, Historic England agree that the impact and effect, once all the embedded and additional mitigation is completed is slight adverse and not significant. There is some harm caused to the Scheduled Monument through increase in traffic and road infrastructure (especially lighting) closer to the monument. This is partially mitigated through planting, landscaping and reduced lighting for ecology reasons. The impact is therefore equivalent to less than substantial harm in NPPF terms.	07 September 2023 – agreed via Teams meeting
6.4	Historic England agreed that the settings of the moated site and its listed buildings have been modestly compromised due to the plantings surrounding the site, which limit the views to and from the wider landscape, which somewhat limits the ability of the moated site to feel connected to the village of Uckington, which was likely to have been a more significant connection in the past.	07 September 2023 – agreed via Teams meeting
6.5	Even with the trees planted to provide a screen to/from the moated site and its listed buildings, the fields surrounding the Scheduled Monument contribute to the setting of the asset though continued agricultural and communal use. This is particularly clear to the south and east of the monument, connecting Moat Cottage with the scheduled monument. The Scheduled Monument and its listed buildings should be considered an important aspect to the setting of Moat Cottage.	07 September 2023 – agreed via Teams meeting



Matter Reference Number	Position	Date and method of Agreement
6.6	Historic England have stated that they are happy overall with the impacts on archaeological remains to the north of the Moated Site. In terms of the approach to the Moat Lane Junction, if GCC as the County Authority do not have any concerns then Historic England will follow their lead in that regard.	07 September 2023 – agreed via Teams meeting
7. Landscape		
7.1	<p>At Table 9-6 in the ES, relating to VR20: Properties along Moat Lane, Historic England had stated that the assessment concludes that during construction the properties along Moat Lane will have a Major Adverse Effect with Moderate Adverse Significance.</p> <p>This impact is through the removal of vegetation, demolition, construction as well as site compounds and soil storage areas (9.12.4). More specifically for Moat Lane would be the closeness to works and consequent intrusion on views (9.12.7). See comment about 11.11.3 and 11.12.8 above. Atkins responded that the LVIA is assessed using different criteria to the Heritage assessment. It is noted that our assessments of significance and setting suggest that there will be no impact on the heritage values (significance/sensitivity) of the designated assets. If there is an impact on landscape and visual character, that would be for the LVIA team to address.</p>	07 September 2023 – agreed via Teams meeting
8. Biodiversity		
9. Geology and Soils		
10. Material Assets and Waste		
11. Noise and Vibrations		
12. Population and Human Health		

Matter Reference Number	Position	Date and method of Agreement
13. Road and Drainage		
14. Climate		
15. Assessment of Cumulative Effects		
16. Engineering Design		
17. Draft Development Consent Order		
18. Land		
19. Environmental Management Plan		
20. Construction Traffic Management Plan		

## 5. Matters Outstanding

### 5.1. Principal matters outstanding

5.1.1. The principal matters outstanding between the Applicant and Historic England

### 5.2. Matters outstanding

5.2.1. Table 5-1 shows those matters that are outstanding between the parties, including that matters reference number, and the date of the latest position.

Table 5-1 - Matters outstanding between the Applicant and Historic England

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
1. Principle of Development			
2. Statutory Consultation			
2.1.	Historic England will not be providing detailed comments on the assessment of non-designated archaeological remains which we recommend should be addressed in further consultation with Gloucestershire County archaeological advisors.	Consultation with the GCC archaeological advisors is ongoing and has informed geophysical survey, trial trenching, and proposed mitigation works.	
3. Consideration of Alternatives			
4. Environmental Impact Assessment Methodology			

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
4.1.	<p>The NPSNN policies for the Historic Environment (Chapter 5 p71-75) state that</p> <p>The applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation. (5.127)</p>	<p>The Gloucestershire Historic Environment Record, along with the National Heritage List for England, has been consulted. Setting assessments will be included to inform the ES, and field investigations have been conducted to inform the ES and Archaeological Management Plan.</p>	
5. Air Quality			
6. Cultural Heritage			
6.1.	<p>Historic England in particular has concerns regarding the level of information provided regarding the highly designated heritage asset of Uckington Moated Site (a scheduled monument and several listed buildings). We feel that some aspects of the scheme in its current form will impact on and cause harm to the significance of the asset through a change in its setting, which contributes to its significance.</p>	<p>Following further work, it is proposed that the new link between Cooks Lane and Moat Lane and the creation of passing bays along Moat Lane be removed from the latest version of the design. This will reduce the proximity of the M5 Junction 10 Improvements Scheme to Moat House. An assessment of the setting of the Scheduled Monument and the Listed Buildings has been presented as part of the Environmental Statement.</p>	
6.2.	<p>There is however one particular highly designated heritage asset - Uckington Moated site, Historic England</p>	<p>All of these are included in the study area and will be assessed for impacts to setting. The heritage receptors listed in the comment have been covered within the ES.</p>	

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	wish to comment on. This asset consists of a number of designations, namely: Moat House moated site Scheduled Monument (Mon. No. 32340, NHLE 1016835). Moat House Grade II Listed Building (NHLE 1091874) Barn circa 30 metres north west of The Moat House Grade II Listed Building (NHLE 1340069) Bridge and attached pair of lodges Moat House Grade II Listed Building (NHLE 1154528)		
6.3.	Potential Impacts on Designated Heritage Assets The improvements to Junction 10 and the dualling of the A4091 will increase vehicle use of the road into Cheltenham. Close to the site at the end of Moat Lane there will be a signal-controlled junction, which will increase movement, noise and lighting on the approach to the moated site.	A setting assessment has been conducted for the designated assets at Moat House in order to understand how the surroundings contribute to the assets' significance. This has informed the ES. Early assessments of the study area resulted in changes to the original proposals for the junction improvements to minimise impacts on the setting of the designated assets at Moat House.	
6.4.	The demolition of the three bungalows to the east of Moat Lane, along the A4091 will remove the current protection they give to the Moated site. They form a noise and visual barrier between the road and the Moated site. The increase in noise, fumes and potentially lighting will further urbanise this stretch of road. This change and the impact this causes needs to be included in Chapter 11 Cultural Heritage, of the Environmental Statement. The PEI report states that a setting study of the designated heritage asserts will be undertaken for the ES (PEIR Chapter 11 11.7.7). The PEIR, however, goes on to state that the setting of the Moated site is confined to its borders and that the scheme will not impact on its significance as a good example of a medieval moated site (PEIR Chapter 11 11.7.10 and 11.7.12). We do not agree with this	A setting assessment has been conducted for the designated assets at Moat House in order to understand how the surroundings contribute to the assets' significance. This has informed the ES, along with the results of the assessments on changes to air and noise conditions.	

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	assessment and have outlined above our assessment of how the rural setting of the moated site contributes to its significance.		
6.5.	<p>The applicant should also look at opportunities to enhance or better reveal significance of heritage assets through the new development (5.137).</p> <p>Historic England recognises the need for this road improvement and has no comments to make on the works to the Junction, or the Link Road. Historic England do however have a concern regarding the widening of the A4019 and the current proposals for the widening and joining of Moat and Cook Lane. This is because they feel that this will cause harm to the highly designated heritage asset - Uckington Moated Site-, through the urbanising of its immediate rural setting which contributes to its significance.</p>	<p>Opportunities to enhance or better reveal the significance of heritage assets will be considered as part of the development of the mitigation measures developed for the Scheme and as part of the Archaeological Management Plan.</p> <p>The new link proposed between Cooks Lane and Moat Lane, and the creation of passing bays along Moat Lane has been removed from the design as part of the development of the Design Fix 3 design.</p>	
6.6.	<p>To better inform the ES Cultural Heritage Chapter Historic England recommend that:</p> <p>A more thorough settings assessment of this designated heritage asset is undertaken.</p> <p>Further work is needed on understanding the water system that feeds and drains the moat to ensure there is no loss of levels, flow or quality through the proposed works.</p> <p>Further work is needed on providing suitable noise and visual screening between the new road and the Moated Site. This should be in the form of natural barriers (hedges and trees) to retain the rural character.</p>	<p>A setting assessment has been undertaken and reported in the ES.</p> <p>The water system that feeds and drains the moat has been considered and reported on within the ES.</p> <p>Landscape design has considered the implementation of planting for visual screening to Moat House.</p> <p>The new link proposed between Cooks Lane and Moat Lane, and the creation of passing bays along Moat Lane has been removed from the design as part of the development of the Design Fix 3 design.</p>	
6.7.	Historic England agreed that cumulative impacts from the combination of the M5 Junction 10 Scheme and the	The Scheme design between M5 Junction 10 and Uckington includes proposed banks and ditches sown with wet	

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	North West Cheltenham housing developments are expected to impact the significance of the Scheduled Monument through changes in setting, but the harm can be mitigated through careful design that protects a buffer around the Scheduled Monument and preventing dominating architecture or lighting from detracting from the semi-isolated feeling of the Scheduled Monument or the village setting of Uckington. The outline application for the development east of Uckington has done this through the siting of the playing fields and allotments, on the boundaries with Uckington and the A4019, to limit the sense of suburban dominance. A similar approach would be appropriate for the safeguarded land between Uckington and the M5.	grassland. Native species hedgerow will also be provided, ensuring that impacts to the Scheduled Monument are minimised and a buffer is provided from the A4019.	
6.8.	Historic England have noted that in terms of views from the Moated Site, the height of the proposed Link Road could present a concern. Visualisations may be required in order to show the visibility of the proposed Link Road when viewing from the Moated Site. Traffic on the bridge should also be a consideration as this would increase the height of what is visible.	Hedgerow will be provided along the Link Road with supplementary blocks of wood and individual trees, particularly around the bridge, to reflect local character of road infrastructure and provide some screening for visual receptors, whilst creating an attractive route for all users.	
6.9.	Historic England stated that the ES needs to be clear about why on-line resources such as Know Your Place West and Heritage Gateway were not used to write a separate Desk-Based Assessment as recommended under Policy 5.127 (NPS NN). The ES also needs to state that there was a map regression and LiDAR survey undertaken but this did not provide any significant information so was not included.	The ES acts, in part, as a desk-based assessment, but no separate document was produced. The chapter has now been amended to address the issues raised, please refer to section 11.16.1 - 11.16.3.	
6.10.	Historic England stated that the Roman and Saxon summaries do not include accurate details of the Fire Station excavation (GHER 29641). The HER record is titled Iron Age, Roman and early medieval features	The chapter has been amended to address this point – please see section 11.18.19 of the ES. Please note that this was overlooked due to the archaeological remains not being recorded as a site or monument, but only as an event with	

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	including inhumations, wooden structures, a well, ditches, pits and post holes. They found Iron Age, Roman and Saxon occupation with pits with preserved waterlogged wood in them and some burials. The HER is clear this find was potentially of National Significance.	the assumption that the remains had been removed through excavation.	
6.11.	Historic England note that at 11.11.2 and 11.12.6 in the ES and within the Gazetteer (Appendix 1, Table 11-2A), the site is classed as just a Romano British Field System of low sensitivity. Based on existing knowledge of the site and the HER record Historic England states that this is not accurate, and the site is potentially of high sensitivity. The location of an attenuation pond (Basin 6) immediately adjacent to this site will potentially uncover more of that archaeology and this will need to be fully evaluated and excavated prior to construction.	The chapter has been amended to reflect the correct information on the archaeological baseline at the fire station. As with the rest of the Scheme, the attenuation pond would be subject to an archaeological programme of works developed and implemented at the detailed design stage, following an overarching written scheme of investigation (the Archaeological Management Plan).	
6.12.	<p>Historic England have stated that 11.11.3 and 11.12.8 in the ES doesn't provide an impact assessment for Construction. It states that construction activities may also impact the setting of heritage assets, but these will be temporary and can be managed through noise and access arrangements. It does not state the level of harm and impact that will be caused.</p> <p>There will still be impacts and in Chapter 9 for the properties along Moat Lane the assessment states these will be major adverse during construction. Chapter 11 should better reflect and cross reference the assessment in Chapter 9 as the impacts identified in the Landscape and Visual Chapter - movement, loss of vegetation, construction activities etc - are all within the setting of the moated site and will be harmful to the significance of the heritage asset through a change to its setting.</p>	Impacts to Landscape and Visual amenities are assessed differently than impacts to heritage significance. The assessment of the contribution of setting to the significance of Moat House and its associated assets did not identify any significant impacts to setting in a way that would have a negative effect on the assets' historic significance.	
6.13.	Historic England agree with 11.14.3 in the ES that the harm overall to the heritage assets is less than	As per paragraph 199 of the NPPF, great weight should be given to the heritage asset's conservation, which is	



Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	substantial. However, any harm to a highly designated heritage asset (which a scheduled monument is) has to have clear and convincing justification or public benefits to outweigh that harm. Historic England have stated they will make that clear in their response to the DCO.	irrespective of whether any potential harm amounts to substantial harm. The key Scheme benefits which outweigh this harm can be seen with the Scheme bringing forward three major site allocations/safeguarded land in proximity to Cheltenham, fostering economic growth and facilitating jobs. The Scheme will also enhance the transport network to be future-proofed, meeting current and future needs.	
6.14.	Historic England noted that as there will be a more harmful impact during construction on the heritage assets and properties along Moat Lane, as identified in Chapter 9, is it proposed to provide some compensation or mitigation to those properties during construction? Historic England noted this for Moat House as the owner needs to clear the moat of invasive weed. The removal of that weed would improve the moat's condition and enhance the significance of the scheduled monument/ heritage asset. This is expensive and it may require some desilting as well. Historic England have enquired as to whether this is something the owner could request assistance with through this process, or whether this could fall within the Designated Funds scheme.	It is the role of the LVIA team to propose mitigation/compensation for landscape and visual amenity impacts. As no impacts were identified to the heritage significance of the assets in question during the temporary construction works, we have not made any recommendations for mitigating impacts. The Atkins Heritage team is happy to liaise and work with the LVIA to ensure any landscape mitigation does not impact heritage significance.	
6.15.	Historic England have some concerns that the Archaeological Management Plan will not be submitted as part of the DCO. Though it is noted there may be a draft produced during the examination. Without an AMP it will mean that at DCO submission the full extent and nature of archaeological works that will be needed will not be known.	A Management Plan and/or overarching Written Scheme of Investigation (WSI) can be produced, but Atkins has not been instructed to do so by the Client, though we have made this recommendation.	
7. Landscape			
7.1.	Historic England has concerns that the works at Moat Lane Junction will result in the industrialisation, the urbanisation and the opening up of the junction. The	The Cultural Heritage Chapter of the ES provides a recommendation for careful consideration to be given to protecting the semi-rural nature of the properties on either	

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	works will result in a longer journey to the more rural environs to the south of Moat Lane. Work should be done to look into implementing mitigation measures such as trees, wood pasture and landscape mitigation.	side of the A4019 near the junction with The Green/ Moat Lane. By protecting these land parcels, there is less risk for heritage assets at Uckington and Moat House to become isolated from their wider settings and unable to express their historic significance at the level that now exists. The design has responded to this through the provision of species-rich grassland to the south of the A4019 and grassland with bulbs to the north of the A4019. Three individual trees are also proposed to the north of the A4019 to the west of The Green.	
8. Biodiversity			
9. Geology and Soils			
10. Material Assets and Waste			
11. Noise and Vibrations			
12. Population and Human Health			
13. Road and Drainage			
13.1.	The water quality within the moated site is also of concern and how or if the proposed works will impact on that through changes in the water table or run-off from the road. The moat is fed from a spring and there is a	A site survey has been undertaken by our groundwater team. The initial assessment from a survey undertaken by groundwater team is that the spring feeding the moat is a locally fed spring that is highly unlikely to be affected by the	

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
	series of channels and waterways that feed and drain the site. A better understanding of how this works will be needed to ensure that the proposed works do not affect this and cause a reduction of waterflow or contaminates the water. Either of which would cause harm to the significance of the archaeological interest of the site.	design of the Scheme. Detail will be added into the Construction Environmental Management Plan (CEMP) to avoid dewatering issues during construction. Water for construction activities will not be sourced from groundwater supply in this area for example.	
14. Climate			
15. Assessment of Cumulative Effects			
16. Engineering Design			
16.1.	Of more concern is the proposal to widen Moat Lane and connect it to Cooks Lane to the west. This will be to improve ease of access for the residents and businesses (PEIR Chapter 1-4, 2.4.20) in the area. Although these two Lanes are connected by a footpath, and in the past a farm track, the widening and connection of these two rural single-track roads will impact on the rural character which contributes to the significance of the Moated site.	Following further work, it is proposed that the new link between Cooks Lane and Moat Lane and the creation of passing bays along Moat Lane be removed from the latest version of the design. This will reduce the proximity of the M5 Junction 10 Improvements Scheme to Moat House. An assessment of the setting of the Scheduled Monument and the Listed Buildings will be presented as part of the ES.	
17. Draft Development Consent Order			
18. Land			
19. Environmental Management Plan			

Matter Reference Number	Position of Interested Party	Response	Date and method of Agreement
19.1.	Mitigation measures to reduce any harm will need to be included within the ES and Construction Environmental Management Plan (CEMP).	Mitigation measures are expected to include embedded mitigation (mitigation measures within the design) as well as additional mitigation to minimise or off-set impacts to the significance of heritage assets. These will be part of the Archaeological Management Plan, Register of Environmental Actions and Commitments and CEMP, requirements of the DCO.	
19.2.	<p>For other DCOs I have dealt with, for linear schemes, we have agreed an Overarching WSI and/or an Archaeological Mitigation Strategy in draft prior to the submission of the DCO. This allows the applicant and statutory bodies to be clear about the level and location of any archaeological interventions needed post DCO and pre-construction. This can then have an impact on timescales for the start of construction depending on the extent of works needed.</p> <p>This is particularly relevant for this DCO as only the link road has been investigated with geophysics and trial trenching. Other areas within the DCO red line, that are off the live road corridor, could have been investigated to inform the DCO. Especially areas for compounds, attenuation ponds, etc.</p>	A Management Plan and/or overarching Written Scheme of Investigation (WSI) can be produced, but Atkins has not been instructed to do so by the Client, though we have made this recommendation.	
20. Construction Traffic Management Plan			

# Appendices



## Appendix A. Matters to be determined

- A.1.1. There are some matters which the position of Historic England is pending upon publication of the full suite of DCO application documents, in particular those relating to the Environmental Statement (ES).
- A.1.2. The Applicant will continue to review matters with the Joint Councils during the examination of the DCO application and discussions will be aided by the Joint Councils being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).

Table A-1 - Matters to be determined between the Applicant and Historic England

Ref	Matter	Position	Date of the latest position

# ATKINS

Member of the SNC-Lavalin Group

5th Floor, Block 5  
Shire Hall  
Bearland  
Gloucester  
GL1 2TH

Tel: +44 (0) 8000 514 514