

AtkinsRéalis



M5 Junction 10 Local Impact Report

Gloucestershire County Council, Cheltenham
Borough Council, Tewkesbury Borough Council

June 2024

M5 JUNCTION 10 IMPROVEMENTS SCHEME

Local Impact Report

Notice

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1. Introduction

1.1 Terms of reference

- 1.1.1. This report comprises the Local Impact Report (LIR) of Gloucestershire County Council (GCC), Cheltenham Borough Council (CBC) and Tewkesbury Borough Council (TBC). GCC, CBC and TBC, referred to throughout this report as the 'Joint Councils', are the host authorities for the GCC Major Projects Team ('the Applicant') M5 Junction 10 Improvements Scheme Development Consent Order (DCO) ('the Scheme').
- 1.1.2. The LIR intends to provide the Examining Authority (ExA) with the Joint Councils' understanding of the site, surrounding area, relevant local issues, planning policies and how the Scheme positively and adversely impacts this context. The review of impacts highlights the key issues arising from the Scheme, the relative importance of these impacts, and the extent to which the Applicant's draft DCO (dDCO) adequately addresses them.
- 1.1.3. The LIR presents a broad view of the impacts of the Scheme on the local area of the Joint Councils. In producing the LIR, the Joint Councils have not sought the views of local interest groups as to any particular matters that should be reflected in the report.
- 1.1.4. While the LIR mentions the key issues arising from the Scheme, it does not provide the detail of the Joint Councils' positions on the merits of the application. The Joint Councils' matters agreed and outstanding with the Applicant are detailed in the Statement of Common Ground – Joint Councils (TR010063/APP/8.2), Chapters 4 and 5.



2. The Scheme Context

2.1 Description of the area

- 2.1.1 The Scheme sits in a predominantly rural area. The surrounding area of the existing road network is dominated by arable and pastureland, with the eastern extent of the Scheme along the A4019 stretching into the built-up area of Cheltenham. Nearby settlements include the villages of Staverton, Boddington, Hayden and Staverton Bridge, the hamlet of Uckington, and the north-western edge of Cheltenham which is the largest settlement. There are several isolated properties and farmsteads between these settlements, notably the cluster of 14 residential properties at Withybridge Gardens adjacent to the south-east quadrant of the existing M5 Junction 10 / A4019. Residential and commercial properties of increasing density are situated along the A4019 towards the eastern extent of the Scheme, meeting Gallagher Retail Park and Kingsditch Trading Estate at its north-eastern extent.
- 2.1.2 The majority of the Scheme is situated within the Gloucester and Cheltenham Green Belt. The Scheme lies predominantly in an area of agricultural land, interspersed with pockets of broadleaved and mixed plantation woodland, traditional orchards, unimproved and semi-improved neutral grassland, and watercourses. While there are no designated nature conservation sites within the boundary of the Scheme, these habitats provide greater nature conservation value to land within the Scheme.
- 2.1.3 Coombe Hill Canal Site of Special Scientific Interest (SSSI), designated for its nationally rare and scarce invertebrates and nationally scarce plants, is located 1.9 km west of the Scheme. The Cotswolds National Landscape, a designated National Landscape (previously known as Area of Outstanding Natural Beauty), is situated 6 km east of the existing M5 Junction 10.
- 2.1.4 There are eight Noise Important Areas (NIA) within the boundary of the Scheme and its surrounding clusters of settlements. One of which is located at the existing M5 Junction 10, another north of the existing junction, and the other six NIAs along the A4019. The CBC Air Quality Management Area (AQMA) is located 1.5 km south east from the Scheme.
- 2.1.5 A network of Public Rights of Way (PRoWs) crosses and intersects with the Scheme. As the A4019 and M5 are barriers that limit and funnel the movement of walkers, cyclists and horse riders (WCH), existing crossing infrastructure including footbridges and subways form the preferred route for WCH for recreation and commuting around the existing road network.
- 2.1.6 An area of land about 400 m north of Junction 10 adjacent to the southbound carriageway of the M5 is currently occupied by unauthorised travellers (referred to as the Informal Traveller Site). The site is situated within the district boundary of TBC. TBC's position is that the site has been illegally occupied, and it should be assumed that it will be continued to be occupied during the construction and operation of the Scheme.

2.2 Need for the Scheme

- 2.2.1 The need for the Scheme has long been recognised by the Joint Councils. The M5 motorway is the major arterial route in the county. It provides strategic transport links to the midlands, north, and south-west, and is essential for the movement of people and goods within and through Gloucestershire and the surrounding regions.
- 2.2.2 Junction 10 of the M5 is currently the only restricted junction on the whole of the M5 that does not allow all movements. Vehicles coming to Cheltenham from the south are therefore required to use Junction 11 as the only motorway access to Cheltenham. This puts pressure on the local road network within Cheltenham and particularly causes traffic congestion on the A40 and A4019 corridors. The Scheme is needed to address and alleviate the existing pressure on the road network in and surrounding Cheltenham.
- 2.2.3 The Scheme is also necessary to support planned housing and economic growth around Cheltenham. Significant population and household growth is expected to take place in the area over the next 10-15 years. Development plans of the Joint Councils have identified land around the Scheme for future residential and commercial developments, including the Golden Valley Development strategic allocation at West Cheltenham and the North-West Cheltenham strategic allocation. As the existing highway provision lacks the capacity to accommodate additional journeys created by new developments, the Scheme plays a vital role in facilitating timely delivery and success of housing and economic growth planned by the Joint Councils.
- 2.2.4 The Applicant has set out a detailed description of the need for the Scheme in the Planning Statement and Schedule of Accordance with National Policy Statement (TR010063/APP/7.1), Chapter 3.
- 2.2.5 On the whole, the Joint Councils are supportive of the Scheme. The Joint Councils consider that the needs case is significant and well documented, optioneering has been robust, the preliminary design and environmental assessment are generally supported and there is overarching support for the Scheme. Following a review of the details submitted with the dDCO, the Joint Councils have expressed some concerns about issues which require attention during the Examination.

2.3 Statutory Development Plan

- 2.3.1 Given that the Scheme is a Nationally Significant Infrastructure Project (NSIP), the National Planning Policy Framework (NPPF) has the status of a material consideration in planning terms. Development plans at the local and county level are prepared under the NPPF, and National Policy Statement for National Networks (NPS NN) recognises the relevance of Development Plans to NSIPs. It is noted that new versions of both the NPPF and the NPS NN have been adopted after the application has been re-submitted in December 2023. These changes in national policies do not alter the position of the Joint Councils that is in support for the overall Scheme.
- 2.3.2 The NPS NN sets out the Government's vision and policy against which the Secretary of State (SoS) will make decisions on applications for development consent for NSIPs on the strategic road and rail networks. The latest NPS NN was designated in May 2024, this superseded the 2015 NPS NN. The 2024 NPS NN places greater emphasis on the role of national networks in contributing to conserving and enhancing the natural environment, reducing carbon emissions and reducing air pollutant emissions as detailed in paragraphs 2.16-2.37 of the NPS NN. It is noted that transitional provisions pursuant to paragraphs 1.16 and 1.17 of the NPS NN apply as the Scheme was accepted for Examination in January 2024, before the 2024 NPS NN was designated. Whilst the primary assessment by the Applicant for the Scheme is against the policies contained within the 2015 NPS



NN, the extent to which the 2024 NPS NN are relevant is a matter for the SoS to consider within the framework of the Planning Act 2008 and with regard to the specific circumstances of each DCO application.

- 2.3.3 The National Planning Policy Framework (NPPF) was updated by the Ministry of Housing, Communities and Local Government and published in December 2023. This superseded the previous version of the NPPF published in September 2023. The NPPF sets out the Government's national planning policies for England and is an important and relevant consideration in planning decisions. Whilst the NPPF does not provide specific policies relating to NSIPs, paragraph 1.10 of the 2024 NPS NN states that the NPPF "may be an important and relevant consideration in decisions on NSIPs, but only to the extent relevant to that project".
- 2.3.4 The relevant Development Plans on the county and local level covering the Scheme and the Joint Councils administration areas are introduced below.

Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy

- 2.3.5 The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 – 2031 (adopted December 2017) sets out the overarching spatial strategy, planning policies and site allocations to deliver development needs in the local authority areas of Gloucester City, Cheltenham Borough and Tewkesbury Borough. The Joint Core Strategy (JCS) forms part of the statutory development plan for Cheltenham Borough and Tewkesbury Borough.
- 2.3.6 A full review of the JCS is currently in the early stages of development. Once updates on the JCS are adopted, the JCS and the local plans of GCC, CBC and TBC will be replaced by a new Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (CGTSLP). CBC and TBC have set out the timetable for the review of the JCS in their respective Local Development Scheme (LDS) issued in July 2023. It is expected that consultation on spatial options and key policy areas is commenced at the end of 2023, and the new CGTSLP is submitted to the Secretary of State in April 2026.
- 2.3.7 The Golden Valley Development Supplementary Planning Document (SPD) (adopted July 2020) provides further guidance and details on policies in the JCS that are relevant to the West Cheltenham strategic allocation. It establishes the masterplan framework, objectives and principles, and design guidance for future development in West Cheltenham. Whilst the SPD is not part of a Development Plan, it is a material planning consideration and has substantial weight in the determination of relevant planning applications within the local authority areas of Cheltenham Borough and Tewkesbury Borough.

Cheltenham Borough Council

- 2.3.8 The Local Plan for Cheltenham Borough comprises the JCS, the Cheltenham Plan 2011 – 2031 (adopted July 2020) and saved retailing policies in the Cheltenham Borough Local Plan (2006). The Cheltenham Plan is currently under review alongside the JCS. The timetable for the review is provided in the CBC LDS.
- 2.3.9 The Cheltenham Climate Change SPD (adopted June 2022) incorporates a set of guidance on different aspects of sustainable design and construction to achieve the Borough's net zero ambition by 2030 and reverse biodiversity loss. Whilst the SPD is not part of a Development Plan, it is a material consideration in the determination of relevant planning applications within the local authority areas of Cheltenham Borough.



Tewkesbury Borough Council

- 2.3.10 The Local Plan for Tewkesbury Borough comprises the JCS and the Tewkesbury Borough Plan 2011 – 2031 (adopted June 2022). The Tewkesbury Borough Plan is currently under review alongside the JCS. The timetable for the review is provided in the TBC LDS.

Gloucestershire County Council

- 2.3.11 The Minerals Local Plan for Gloucestershire 2018 – 2032 (adopted March 2020) establishes the local policy framework underpinning the provision of minerals in the county. This plan forms part of the statutory development plan for Cheltenham Borough and Tewkesbury Borough. It intends to ensure that mineral resources in the county are well managed into the future. The Plan includes delivery policies for reducing demand for primary minerals, safeguarding mineral resources and allocating areas for future aggregate working.
- 2.3.12 The Gloucestershire Waste Core Strategy 2012 – 2027 (adopted November 2012) explains the approach to planning for waste management in the county. It provides certainty for local people and businesses regarding where, when and what new waste facilities will be built. Appendix 1 of the Waste Core Strategy (WCS) identifies those Waste Local Plan policies which are saved. The WCS and saved policies form part of the statutory development plan for Cheltenham Borough and Tewkesbury Borough.
- 2.3.13 In addition to these Statutory Development Plans, GCC published the Gloucestershire’s Local Transport Plan (LTP) 2020 – 2041 in March 2021. Whilst it is not a Development Plan, it has materiality as a statutory plan. The LTP sets out the strategic transport vision to 2041 and the overarching policies that support the spatial Connecting Places Strategies (CPS) and the Transport Scenarios looking to 2041. The LTP is structured around six CPS areas. In each area its CPS sets out the priority schemes for investment and delivery. Paragraph 4.2.31 states that improvements to M5 Junction 10 are required over the Plan period to “*maintain the safe operation of the highway*” and “*support the delivery of the North West and West Cheltenham strategic allocation*”.



3. Review of Impacts

3.1 Air Quality

Policies

JCS Policies

- 3.1.1 JCS Policy SD3: Sustainable Design and Construction requires development proposals to demonstrate how they contribute to the aims of sustainability by avoiding the unnecessary pollution of air. Proposals are expected to achieve national standards.
- 3.1.2 JCS Policy SD14: Health and Environmental Quality states that new development must result in no unacceptable levels of air pollution either alone or cumulatively with respect to relevant national and EU limit values.
- 3.1.3 JCS Policy INF1: Transport Network requires developers to assess the impact of development on the transport network through a transport assessment that demonstrates any impact including cumulative impacts of the prospective development on atmospheric pollution within the zone of influence of the development. Planning permission will only be granted if the impact of development is not considered to be severe, and any severe impact must be mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan.

Cheltenham Borough Policies

- 3.1.4 Policy SL1: Safe and Sustainable Living of the Cheltenham Plan states that development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. In assessing the impacts of a development, CBC will have regard to any potential harm including potential disturbance from smells, dust and fumes.

Tewkesbury Borough Policies

- 3.1.5 Tewkesbury Borough Plan Policy HEA1: Healthy & Active Communities highlights that new development will be expected to demonstrate how they will contribute to the creation and maintenance of healthy environments, which includes preventing negative impacts on residential amenity and wider public safety from air quality.

Gloucestershire County Policies

- 3.1.6 Gloucestershire's LTP Policy LTP PD0.1 Reducing Transport Carbon Emissions and Adapting to Climate Change states that GCC will work with its partners to improve air quality in the county by addressing travel demand and promoting the use of sustainable modes of transport and the uptake of ultra-low emission vehicles.
- 3.1.7 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impacts of highway improvement schemes by protecting and enhancing air quality. This will be achieved by developing, adopting and delivering Air Quality Action Plans required where AQMAs have been declared, and promoting agile working and reducing the need to travel through enabling active travel and low emission vehicles and the supporting infrastructure. It also requires developers to undertake assessments to determine if the



development will be subject to or create poor air quality in excess to the thresholds advised by Government and to commit to mitigating those effects that address traffic impacts on the natural environment and designated sites.

Impacts

- 3.1.8 The Joint Councils welcome the assessment that the Scheme will deliver a decrease in annual mean NO₂ concentrations as a result of the improved connectivity between the Strategic Road Network and the local transport network in west and north-west Cheltenham. The methodology applied in examining particulate matter (PM₁₀ and PM_{2.5}) concentrations determines that as PM concentrations in the base year do not exceed objectives for these pollutants, concentrations are unlikely to exceed objectives in future years also. No specific commentary is provided in the ES on the potential impact of the Scheme on achieving recently legislated concentration targets for PM_{2.5}.
- 3.1.9 The Joint Councils note that there are approximately 646 human health receptors within 200 m that are at risk of temporary elevated dust deposition and soiling during construction.
- 3.1.10 The Joint Councils are satisfied that during both construction and operation there should not be any significant residual adverse effects on air quality at human health receptors.

Adequacy of the draft DCO / mitigation

- 3.1.11 The Joint Councils welcome the dust mitigation measures outlined within the chapter and that these will be included within contract documentation and further developed following the 2nd iteration of the Environmental Management Plan (EMP) once construction methodologies have further developed. The 2nd iteration is requested to be submitted to the Joint Councils, as statutory consultees, for comment and approval prior to commencement of works.
- 3.1.12 Schedule 2 Requirement 3 of the dDCO (TR010063/APP/3.1) requires three iterations of the EMP to be prepared. The EMP will need to set out mitigation potentially required for the air quality effects arising from construction if monitoring identifies increased particulate matter and dust.

3.2 Noise and Vibration

Policies

JCS Policies

- 3.2.1 JCS Policy SD14: Health and Environmental Quality states that new development must result in no unacceptable levels of noise pollution either alone or cumulatively with respect to relevant national and EU limit values.
- 3.2.2 JCS Policy INF1: Transport Network requires developers to assess the impact of development on the transport network through a transport assessment that demonstrates any impact including cumulative impacts of the prospective development on noise pollution within the zone of influence of the development. Planning permission will only be granted if the impact of development is not considered to be severe, and any severe impact must be mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan.



Cheltenham Borough Policies

- 3.2.3 Policy SL1: Safe and Sustainable Living of the Cheltenham Plan states that development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. In assessing the impacts of a development, the Council will have regard to any potential harm including potential disturbance from noise, vibration, hours of operation, and traffic/travel patterns.

Tewkesbury Borough Policies

- 3.2.4 Tewkesbury Borough Plan Policy HEA1: Healthy & Active Communities expects new development to demonstrate how they will contribute to the creation and maintenance of healthy environments, including preventing negative impacts on residential amenity and wider public safety from noise and vibration.

Gloucestershire County Policies

- 3.2.5 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impacts of highway improvement schemes by reducing the levels of noise pollution. It also requires developers to undertake noise assessment and mitigate noise effects that address traffic impacts on the natural environment and designated sites and exceed the thresholds advised by the Government.

Impacts

Construction impacts

- 3.2.6 Noise impacts associated with the construction of the Scheme will significantly affect residential properties and non-residential receptors, particularly those close to the A4019 East of the M5 as well as properties close to the Link Road and any new access roads to individual properties. Construction works would be temporary, with noise control measures set out in the EMP. A detailed construction programme is not yet available and as such the Applicant has committed to revisiting the potential need to implement noise insulation or temporary rehousing measures at the Detailed Design stage, when the detailed construction programme and piling methods are available. The Joint Councils are aware that current assessments show that two properties would exceed the threshold for noise insulation during the day, one additional property would exceed the threshold during the evening, five properties plus the properties at River Leys that are 10 m from the works would exceed the threshold in the night-time. In addition, there are six properties exceeding the threshold for temporary rehousing.

Operational impacts

- 3.2.7 It is recognised that in the short and long term (without the strategic development sites) the Scheme would have beneficial noise effects where noise barriers have been installed or where changes in traffic flows will cause a reduction in noise levels. In contrast, properties at 6 Westfield Cottage, Hardwicke House and Bramble Cottage, on Stoke Road and New House Farm on Moat Lane would likely experience significant adverse noise effects as a result of the operational Scheme in the short term.
- 3.2.8 In the long term, without the strategic development sites, there are no significant adverse effects reported within Chapter 6 of the ES (TR010063/ APP/ 6.4). Whereas in the long term, with the strategic development sites, significant adverse effects are predicted at properties located at Boddington Road/Church Lane, The Green to Elmstone Hardwicke, Moat Lane, Fiddlers Green



Lane, Down Hatherley Lane, Cirencester Road, Brockworth Road and Innsworth Lane, as well as in Bishops Cleeve, and on the road network between Stoke Orchard and Ashchurch (through Fiddington and Natton). Significant adverse effects are also predicted at non-residential receptors located at the Orchard, the Village Hall Uckington and the Church of St Mary Magdalene.

Adequacy of the draft DCO / mitigation

Construction

3.2.9 The EMP (1st iteration) (TR010063/APP/7.3), outlines the mitigation measures to reduce noise impacts. As part of the Applicant's response to the Rule 9 letter from the Examining Authority, a Noise and Vibration Management Plan (NVMP) (1st iteration) (TR010063/APP/9.3) was submitted. The Joint Councils' welcome that a 2nd iteration will be prepared by the Principal Contractor at the Detailed Design stage. Allowance for long-term unattended noise monitoring should be included where appropriate in the 2nd iteration. This would include baseline background noise monitoring (monitoring periods of typically 1 week) and potentially at highly exposed noise sensitive receptors during construction works. The unattended noise monitoring during construction works should also have trigger alarms (as proposed for vibration monitoring) pre-set to notify site personnel in advance of breaching noise limits.

Operational

3.2.10 Chapter 6 of the ES states that the material of the noise barriers will be determined during the Detailed Design stage although all barriers will be compliant with DMRB LA 119 and that the EMP and Register of Environmental Actions and Commitments (REAC) will ensure the implementation of the operational noise controls. The Joint Councils welcome this approach.

3.2.11 The Joint Councils welcome the separate project that has been mentioned in paragraph 6.12.11 of Chapter 6 of the ES which will investigate measures to mitigate noise on Stoke Road in advance of the Scheme opening.

3.3 Biodiversity

Policies

JCS Policies

3.3.1 JCS Policy SD9: Biodiversity and Geodiversity states that the biodiversity resource of the JCS area will be protected and enhanced to establish and reinforce ecological networks that are resilient to current and future pressures. This will be achieved by conserving and enhancing biodiversity on internationally, nationally and locally designated sites, and encouraging new development to contribute positively to biodiversity whilst linking with wider networks of green infrastructure.

3.3.2 Policy SD9 also provides that harm to the biodiversity of an undesignated site or asset should be avoided where possible. Where there is a risk of harm as a consequence of development, this should be mitigated by integrating enhancements into the Scheme that are appropriate to the location.



Cheltenham Borough Policies

- 3.3.3 Paragraph 10.27 in Chapter 10: Biodiversity and Geodiversity of the Cheltenham Plan states the commitment of CBC to protect all species and habitats listed in the UK Biodiversity Framework and Gloucestershire Nature Map from development that would harm those features in accord with legislative requirements and JCS Policy SD9: Biodiversity and Geodiversity.

Tewkesbury Borough Policies

- 3.3.4 Tewkesbury Borough Plan Policy NAT1: Biodiversity, Geodiversity and Important Natural Features expects development proposals to conserve, restore and enhance biodiversity. It requires developments to deliver a biodiversity net gain across local and landscape scales and implement a level of protection and mitigation that are proportionate to the status of the feature, habitat or species and its importance to biodiversity and environmental quality individually and as part of a wider network.

Gloucestershire County Policies

- 3.3.5 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impacts of highway improvement schemes by achieving biodiversity net gain. It requires transport interventions to comply with Gloucestershire Highways Biodiversity Guidance and the Green Infrastructure Pledge and contribute towards major new initiatives including Nature Recovery Networks and large-scale woodland creation. It also requires transport interventions to support Natural England's work on Green Transport Corridors and Green Infrastructure Agreements to ensure that green infrastructure within or adjacent to Major Road Network can deliver biodiversity gains, ecological connectivity, and ecosystem services.
- 3.3.6 Gloucestershire's LTP Policy LTP PD4.3: Highway Maintenance states that GCC as the local highway authority will continue to work in partnership with Gloucestershire Wildlife Trust through GCC's Conservation Road Verges Site Register to enhance and restore the wildlife function of highway verges and ensure that all road verges receive appropriate conservation management as part of highways maintenance and related schemes.

Impacts

- 3.3.7 The principal concern for biodiversity is that the Scheme will result in loss and disturbance of habitats and introduction of structures and artificial lighting which will, in turn, result in severance and fragmentation of ecological connectivity. Potential impacts to Severn Estuary SAC and Ramsar site are also identified.
- 3.3.8 The Scheme as described in the ES (TR010063/APP/6.5) will result in the loss of approximately: 110.65 ha of habitats including broad-leaved and mixed woodland, scrub, trees, arable fields and grassland; 9.15 km of hedgerow habitats; 2.40 km of ditches; and 0.04 km of open channel along River Chelt. The majority of terrestrial habitats affected by the Scheme are considered to be of low value. However, priority habitats and habitats of County or Local value affected by the Scheme include the River Chelt, small area of unimproved neutral grassland/lowland meadow, hedgerows and a number of habitat complexes.
- 3.3.9 The loss of habitats has the potential to result in the loss of or disturbance of breeding, sheltering hibernating, foraging, commuting and dispersal habitats of priority or protected species including bats, hazel dormouse, otter, badger, reptiles, harvest mouse, barn owl, great crested newt and common toad. The most significant potential impact identified, in the absence of mitigation measures, is the potential for a major adverse impact to bats during construction as a result of roost loss, as well as temporary loss of foraging and commuting habitat while new planting becomes established.



Adequacy of the draft DCO / mitigation

- 3.3.10 The Joint Councils consider that the methodology for assessment, following CIEEM and National Highways guidance, is appropriate for the Scheme. Survey methodologies and study are explained and appropriate. The baseline data and assessment are considered sufficient, despite some limitations. Any limitations, and the impact of limitations on the assessment, are clearly described with appropriate assumptions made and mitigation outlined to overcome these limitations (e.g. pre-construction surveys). The evaluation and assessment of affects is considered to appropriately identify the sensitivity of resources and any residual effects of the Scheme.
- 3.3.11 The Joint Councils support the mitigation, compensation and enhancement measures set out in the Environmental Statement (TR010063/APP/6.5), Register of Environmental Actions and Commitments (TR010063/APP/7.4) and Environmental Masterplan (TR010063/APP/2.13) to reduce the impact of the Scheme on important ecological features, including Severn Estuary SAC and Ramsar. The Scheme's design has effectively minimised potential impacts through strategies such as reducing land take (both permanently and temporarily) where feasible, while also mitigating losses of significant features like hedgerows, woodland, and high-value grasslands. Specific mitigation and compensation measures for priority species are detailed, such as creation of replacement roosting features for bats, and hedgerow habitats for hazel dormouse. The design of the new River Chelt bridge has been carefully crafted to span the river in a single arc, ensuring it avoids direct interference with the river channel. Consideration has been given to permeability of the road, including the incorporation of underpasses and mammal ledges beneath the Link Road and the A4019 to facilitate species movement, retro-fitting of a mammal ledge of the M5 River Chelt culvert, inclusion of bat 'hop-overs' in the landscape design and, where possible, strategic lighting placement to minimise light spillage beyond the road. The Joint Councils have discussed with the Applicant whether there are other opportunities to retrofit crossing features to other existing culverts within the order limits, but it is understood this is not feasible.
- 3.3.12 The Joint Councils welcome that the Scheme includes a suite of embedded mitigation measures including habitat creation which aim to enhance and improve the habitats on site through increasing the area and quality of more valuable habitats, through creation and subsequent management. The environmental design aims to establish robust green corridors that connect with the surrounding environment, thereby fostering a resilient habitat network. The Scheme includes creation of woodland, scrubland, hedgerows, and species-rich grasslands. Furthermore, the Scheme aims to establish wetland habitats, incorporating both permanent water features and seasonal water bodies, along with ditches and corresponding wetland vegetation.
- 3.3.13 A Biodiversity Net Gain assessment report (TR010063/APP/6.15) concludes the project has the potential to achieve a net gain in excess of 10 % for habitats units (11.59%), hedgerow units (15.96%) and river and streams (34.19%) and ditches (23.38%). The Joint Councils welcome that an outline Landscape and Ecological Management Plan (LEMP) was requested by the Examining Authority as part of the s51 advice. The Joint Councils have reviewed the LEMP (1st iteration) ((TR010063/APP/9.5). The Joint Councils welcome the information regarding objectives, management and monitoring outlined within the LEMP and consider the description of objectives, targets, management and monitoring for habitats thorough. However, the objectives for habitat creation are not just to compensate for the loss of habitats to the Scheme, but to mitigate or compensate for the loss of habitats used by protected species. The Joint Councils would like to see that the outline description of monitoring, considers associated objectives relating to habitat function, such as provision of suitable connected habitat for protected and priority species and landscape screening.



3.4 Road Drainage and Water Environment

Policies

JCS Policies

- 3.4.1 JCS Policy SD14: Health and Environmental Quality states that new development must result in no unacceptable levels of water pollution either alone or cumulatively with respect to relevant national and EU limit values.
- 3.4.2 JCS Policy INF2: Flood Risk Management requires proposed developments of strategic scale to assess and effectively mitigate their cumulative impacts on flood risk in relation to existing settlements, communities or allocated sites. New development is required to contribute to a reduction in existing flood risk where possible and incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate to manage surface water drainage.

Cheltenham Borough Policies

- 3.4.3 Paragraph 10.26 in Chapter 10: Biodiversity and Geodiversity in the Cheltenham Plan outlines the commitment of CBC to promote and enhance the natural water system in the borough by encouraging developers to fully integrate watercourses into their developments and applying sustainable drainage principles when designing land drainage systems.

Tewkesbury Borough Policies

- 3.4.4 Tewkesbury Borough Plan Policy NAT2: The Water Environment states that TBC will seek appropriate opportunities offered by new development proposals to recreate more natural conditions and new habitat along watercourses.
- 3.4.5 Tewkesbury Borough Plan Policy ENV2: Flood Risk and Water Management sets out the principles TBC will apply to avoid and manage the risk of flooding to and from new development. These include requiring new development to contribute towards the provision of additional flood storage to reduce the existing risk of flooding from all sources in the Borough, to incorporate SuDS where appropriate, and to use and manage water efficiently. Surface water drainage proposals are also expected to achieve significant betterment on existing discharge rates for all corresponding storm events.

Gloucestershire County Policies

- 3.4.6 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impacts of highway improvement schemes by protecting and enhancing the water environment and reducing the risk of flooding. It seeks to promote water conservation, improvements in surface water run-off and greater flood resilience to the highway network by employing SuDS and Natural Flood Management wherever possible. Mitigations will be considered for schemes that have significant adverse impact on water availability or quality or fail to achieve the targets of the Water Framework Directive (WFD).



Impacts

- 3.4.7 The principal concerns for the impacts on the water environment are associated with how the Applicant has responded to consultee comments and the lack of water quality data.
- 3.4.8 Whilst it is agreed that a 1 km study area for water quality is sufficient, Natural England noted the potential impact to the Severn Estuary which is summarised within ES Chapter 7: Biodiversity (TR010063/APP/6.5). The Joint Councils require that there is mention of the Severn Estuary within ES Chapter 8: Road Drainage and Water Environment (TR010063/APP/6.6) and a robust justification for it being scoped out.
- 3.4.9 Potential impacts during the construction phase are high level and generic, there is no description or reference to specific site activity or construction compounds, for example. It is not clear where localised activities may have more of an impact on surface water quality and it is difficult to know whether or not the embedded mitigation is enough. The Joint Councils request that a summary of activity and associated mitigation, that is likely to specifically impact the water environment is provided.
- 3.4.10 No significant effects on water quality, hydromorphology or groundwater are reported within the ES Chapter 8: Road Drainage and Water Environment (TR010063/APP/6.6) during construction or operational phases. Significant adverse effects localised to the River Chelt floodplain are reported. It is understood that consultation with landowners on the increases in peak flood levels are ongoing and these areas are included inside the Order Limits for the Scheme. With the exception of the aforementioned comments regarding water quality, the Joint Councils agree with these conclusions.

Adequacy of the draft DCO / mitigation

- 3.4.11 The Joint Councils support the mitigation and enhancement measures that have been incorporated into the Scheme to reduce the effects on the water environment that are outlined in EMP (1st iteration) (TR010063/APP/7.3).
- 3.4.12 The Joint Councils welcome the commitment to implement further flood risk modelling at the detailed design stage and to notify affected landowners of the non-material increases in flood risk alongside the Staverton Stream.
- 3.4.13 The Applicant has produced a Flood Risk Assessment (TR010063/APP/6.15), Appendix 8.1 WFD compliance (TR010063/APP/6.15), Appendix 8.2 and a National Highways' Water Risk Assessment (TR010063/APP/6.15), Appendix 8.3 which the Joint Councils are satisfied complies with local policies. It is expected that additional, more detailed flood modelling of the Scheme will be undertaken to support the next stage.



3.5 Landscape and Visual Impact

Policies

JCS Policies

- 3.5.1 JCS Policy SD4: Design Requirements outlines the principles which development proposals may be required to demonstrate and incorporate in a masterplan and design brief. These include responding positively to and respecting the character of the site and its surroundings, enhancing local distinctiveness, addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form, and maximising the contribution of public realm designs to the preferential use of sustainable transport modes for all potential users.
- 3.5.2 JCS Policy SD6: Landscape states that development will seek to protect landscape character for its intrinsic beauty and for its benefit to economic, environmental and social well-being. Development proposals are required to demonstrate how the development will protect or enhance landscape character and avoid detrimental effects on the character, history and setting of a settlement or area. Planning applications are required to be supported by a Landscape and Visual Impact Assessment (LVIA) at the discretion of the Local Planning Authority, with proposals for appropriate mitigation and enhancement measures accompanying.
- 3.5.3 JCS Policy INF3: Green Infrastructure requires green infrastructure network of local and strategic importance to be conserved and enhanced in order to deliver a series of multifunctional, linked green corridors across the JCS area. Development proposals should consider and contribute positively towards green infrastructure, including the wider landscape context and strategic corridors between major assets and populations. Development proposals that will have an impact on woodlands, hedges and trees will need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the Local Planning Authority to mitigate the loss.

Cheltenham Borough Policies

- 3.5.4 Policy L1: Landscape and Setting of the Cheltenham Plan states that development will only be permitted where it would not harm the setting of Cheltenham including views into or out of areas of acknowledged importance.

Tewkesbury Borough Policies

- 3.5.5 Tewkesbury Borough Plan Policy LAN2: Landscape Character expects all development to be appropriate to and integrated into the landscape setting through sensitive design, siting, and landscaping. The expectation of this policy is for development to conserve and where possible enhance relevant landscape features and characteristics.
- 3.5.6 Tewkesbury Borough Plan Policy NAT3: Green Infrastructure: Building with Nature requires development to protect, provide and enhance green infrastructure. New green infrastructure is expected to be designed in accordance with established and recognisable standards, including the National Design Guide and Building with Nature Standards.



Gloucestershire County Policies

- 3.5.7 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impacts of highway improvement schemes on landscapes, townscapes, heritage assets and the wider historic environment. It seeks to protect and enhance the quality environment including buildings, structures, landscapes and townscapes. It also seeks to realise opportunities for green infrastructure enhancement associated with transport infrastructure resilience and performance through both the integration of green, blue and grey infrastructure, and the delivery of green naturally-based solutions to aid mitigation requirements.

Impacts

- 3.5.8 The Scheme is situated within the Cheltenham and Gloucester Greenbelt. The construction activities, loss of vegetation, and expansion of infrastructure are anticipated to significantly alter the landscape character. Residents in the vicinity are likely to experience adverse effects on visual amenity both during the construction phase and upon completion.
- 3.5.9 To summarise, the construction phase and immediate aftermath are expected to yield significant but temporary disruptions. However, with the gradual implementation of proposed landscape mitigation measures, it is envisaged that the Scheme could eventually yield overall beneficial effects on the landscape character, particularly by the 15th year.
- 3.5.10 The Joint Councils did not agree with assessment conclusions of the visual receptors at Barn Farm, Informal Travellers Site and at the properties on the south side of A4019 east of West Cheltenham Fire Station mainly due to the introduction of a barrier. The Joint Councils requested further explanation as to how these conclusions were reached. On all occasions these matters were agreed during a meeting between technical specialists from the Joint Councils and the Applicant and it is now understood that the assessment assumes that residents will have input into the design of the barrier. There is room for climbing plants to create an interesting/attractive screen at year 1. The Joint Councils agree with these matters subject to detailed design and commitments made in the REAC.

Adequacy of the draft DCO / mitigation

- 3.5.11 The Joint Councils support the mitigation outlined for the construction and operational phases of the Scheme. The Joint Councils note that the management measures within the REAC and ES chapter are not yet included within the EMP (1st iteration) (TR010063/APP/7.3). The Joint Councils note the inclusion of these measures in the LEMP (1st iteration) (TR010063/APP/9.5).

3.6 Geology and Soils

Policies

JCS Policies

- 3.6.1 JCS Policy SD9: Biodiversity and Geodiversity states that harm to the biodiversity or geodiversity of an undesignated site or asset should be avoided where possible. Where there is a risk of harm as a consequence of development, this should be mitigated by integrating enhancements into the Scheme that are appropriate to the location.



- 3.6.2 JCS Policy SD14: Health and Environmental Quality provides that new development must result in no unacceptable levels of water or soil pollution. Any risks of land contamination within the site or land instability must be satisfactorily remediated and resolved. The quality and versatility of any agricultural land affected by proposals must be considered in new development.

Cheltenham Borough Policies

- 3.6.3 The Cheltenham Plan does not contain any borough-wide policies specific to geology and soils beyond those within the JCS.

Tewkesbury Borough Policies

- 3.6.4 Tewkesbury Borough Plan Policy NAT1: Biodiversity, Geodiversity and Important Natural Features states the importance of geological conservation and the requirement to protect and mitigate development impacts.

Gloucestershire County Policies

- 3.6.5 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impacts of highway improvement schemes by protecting and enhancing soils and agricultural resources and conserving geodiversity. It also requires developers to assess, mitigate and/or compensate for any potential direct or indirect impacts on geology and soils.

Impacts

- 3.6.6 The impacts on soils principally concern the loss of Grade 3a Best and Most Versatile (BMV) agricultural land and Grade 3b moderate quality agricultural land. A small amount of Grade 3b agricultural land is also expected to have permanent reduction in quality for the creation of a flood compensation area. The Joint Councils recognise that the loss and quality deterioration of this agricultural land is unavoidable in order to deliver the Scheme.
- 3.6.7 The Joint Councils have not identified any significant local impacts on geology and land contamination.

Adequacy of the draft DCO / mitigation

- 3.6.8 Agricultural land that would be used on a temporary basis during construction will be reinstated and be subject to an aftercare period to ensure soils are reinstated to the same agricultural condition as was in existence prior to construction. Surplus soils from agricultural land lost as a result of the Scheme will be reused where possible, such as in the construction of embankments.
- 3.6.9 The Joint Councils support the mitigation measures that are outlined in the EMP (1st iteration) (TR010063/APP/7.3), Soil Handling Management Plan (SHMP) (1st iteration) (TR010063/APP/9.1) and Materials Management Plan (MMP) (1st iteration) (TR010063/APP/9.1). They are secured under Schedule 2 Requirement 3 of the dDCO (TR010063/APP/3.1).



3.7 Cultural Heritage

Policies

JCS Policies

- 3.7.1 JCS Policy SD8: Historic Environment requires development to make a positive contribution to local character and distinctiveness and give regard to valued and distinctive elements of the historic environment. It states that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy.

Cheltenham Borough Policies

- 3.7.2 Policy HE2: National and Local Archaeological Remains of Importance of the Cheltenham Plan outlines the presumption in favour of the physical preservation in situ of nationally important archaeological remains and their settings. Development affecting sites of local archaeological importance will be permitted where the remains are preserved in situ or by record if preservation is not feasible.

Tewkesbury Borough Policies

- 3.7.3 Tewkesbury Borough Plan Policy HER2: Listed Buildings states that development will not be permitted if it adversely affects elements of Listed Buildings and their settings that contribute to their special architectural or historic interest, or results in the significant loss of historic fabric.
- 3.7.4 Tewkesbury Borough Plan Policy HER4: Archaeological Sites and Scheduled Monuments outlines the expectation that Scheduled Monuments and sites of national archaeological importance will be preserved in situ. Development which would lead to substantial harm or loss of these sites and their setting should be wholly exceptional and will not normally be permitted. Provision should be made for excavation and recording with the appropriate publication and curation of the archive if development will cause harm or loss of these sites.
- 3.7.5 Tewkesbury Borough Plan Policy HER5: Locally Important Heritage Assets expects development affecting a Non-Designated Heritage Asset and its setting to sustain or enhance the character, appearance and significance of the asset.

Gloucestershire County Policies

- 3.7.6 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impact of highway improvement schemes on heritage assets and the wider historic environment by protecting and enhancing the quality environment including buildings, structures, archaeological remains and their settings. It seeks to promote transport schemes which tackle traffic congestion in Gloucestershire's historic villages, towns and city, and improve physical access and/or interpretation, understanding and appreciation of the significance of heritage assets as part of transport development.



Impacts

Archaeology

- 3.7.7 The principal heritage concern relates to the potential for impacts on archaeology during construction. The Scheme area has a high archaeological sensitivity related to late prehistoric and Romano-British settlement. There are six known archaeological sites which may be partially or completely removed during construction.

Designated heritage assets

- 3.7.8 The setting of the Moat House Moted Site Scheduled Monument would be altered by the Scheme, as would the following eight Grade II listed sites: Moat House, Bridge and Attached Pair of Lodges at Moat House, Moat Cottage, Barn circa 40 m northwest of Moat House, Butlers Court Farmhouse, Cottages by Drive to Butler's Court and Withybridge Mill and Adjoining Barn.

Adequacy of the draft DCO / mitigation

- 3.7.9 The Joint Councils acknowledge the embedded mitigation including lighting design and noise mitigation design to mitigate visual and noise impacts to the settings of the rural heritage assets.
- 3.7.10 The Joint Councils note that an Archaeological Management Plan (AMP) (1st iteration) (TR010063/APP/9.8) has been submitted; however, this is quite generic. The AMP (1st iteration) has been prepared prior to evaluation works and is therefore restricted to guiding principles rather than presenting a plan for mitigation. The Joint Councils welcome the Applicant's commitment to providing a 2nd iteration of the AMP for approval along with a programme of works and overarching Written Scheme of Investigation as outlined in Schedule 2 Requirement 9 of the dDCO (TR010063/APP/3.1).
- 3.7.11 It is noted that indirect impacts to the settings of heritage assets during construction activities will be mitigated through the implementation of the EMP (2nd iteration).

3.8 Materials and Waste

Policies

JCS Policies

- 3.8.1 JCS Policy SD3: Sustainable Design and Construction expects all development to incorporate the principles of waste minimisation and re-use and to demonstrate how any waste arising during the demolition, construction and subsequent occupation of the development will be minimised and sustainably managed.

Cheltenham Borough Policies

- 3.8.2 The Cheltenham Plan does not contain any borough-wide policies specific to materials and waste beyond those within the JCS, the Gloucestershire WCS and the Minerals Local Plan for Gloucestershire.



Tewkesbury Borough Policies

- 3.8.3 The Tewkesbury Borough Plan does not contain any borough-wide policies specific to materials and waste beyond those within the JCS, the Gloucestershire WCS and the Minerals Local Plan for Gloucestershire.

Gloucestershire County Policies

- 3.8.4 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impact of highway improvement schemes by promoting the use of increasingly more sustainable waste management practices with transport-related infrastructure projects in line with the waste hierarchy.
- 3.8.5 Policy WCS2: Waste Reduction of the Gloucestershire WCS, expects all development in the county to incorporate the principles of waste minimisation and re-use of waste and construction materials. Policy WCS2 also expects major development proposals to submit statements setting out how waste arising during the demolition, construction and subsequent occupation of the development will be minimised and managed.
- 3.8.6 Part b of Policy SR01: Maximising the use of secondary and recycled aggregates of the Minerals Local Plan for Gloucestershire states that non-mineral development proposals will be permitted where they adopt sustainable design principles, construction methods and procurement policies that are in line with policy WCS2 of the Gloucestershire WCS. The policy promotes the value of sourcing sustainable minerals from secondary and recycled supplies.

Impacts

- 3.8.7 The Joint Councils have not identified any significant local impacts on materials and waste.
- 3.8.8 The Joint Councils consider that the design of the Scheme has been developed with efforts made to reduce the volume of surplus material. The Joint Councils agree with the assessment that the impacts during construction will be slight and not significant. It is noted and agreed that operational waste has been scoped out.
- 3.8.9 The Joint Councils would welcome further information on whether the significant amount of primary materials (excluding steel) will be sourced from within Gloucestershire, the South West or elsewhere. This is to help with regional reporting where significant quantities are reported in the Aggregates Working Party reports as well as with planning for overall provision within the relevant Local Aggregate Assessments. It is understood that this will come during detailed design or via the Principal Contractor. It is acknowledged that the actual contract/quarry is likely to be confidential at this point, but a broad location would be helpful.

Adequacy of the draft DCO / mitigation

- 3.8.10 The Joint Councils welcome the consideration of the Mineral Safeguarding Areas (MSA) and the commitment to use some of the resource. The commitment for 70-99% of potential soils from the Scheme to be reused on site along with at least 22% of recycled material is also welcomed by the Joint Councils.
- 3.8.11 The Joint Councils note that the 1st iteration of the EMP (TR010063/APP/7.3), MMP (TR010063/APP/9.1) and Site Waste Management Plan (SWMP) (TR010063/APP/9.9) have been produced. The Joint Councils welcome the review of the 2nd iterations once available.



3.9 Population and Human Health

Policies

JCS Policies

- 3.9.1 JCS Policy SD14: Health and Environmental Quality outlines the principle that high-quality development should protect and seek to improve environmental quality. Development should not create or exacerbate conditions that could impact on human health or cause health inequality.
- 3.9.2 JCS Policy INF1: Transport Network requires development proposals to ensure safe and efficient connections for all modes to the transport and particularly the highway network to enable travel choice for residents and commuters, and to design active travel connections in a way that encourages maximum potential use to ensure that credible travel choices are provided by sustainable modes.

Cheltenham Borough Policies

- 3.9.3 Policy HM3: Loss of Residential Accommodation of the Cheltenham Plan provides that development involving the loss of residential accommodation through the demolition of existing housing will not be permitted, except where the proposed use would be beneficial to the wider economy and the local community.
- 3.9.4 Policy SL1: Safe and Sustainable Living of the Cheltenham Plan states that development will only be permitted if it would not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality. In assessing the impacts of a development, the Council will have regard to any potential harm including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lighting, hours of operation, and traffic/travel patterns.

Tewkesbury Borough Policies

- 3.9.5 Tewkesbury Borough Plan Policy HEA1: Healthy & Active Communities requires new major developments to positively contribute to health and wellbeing and promote active communities. They should be designed in accordance with 'Active Design' principles and provide measures to mitigate adverse impact through planning obligations if significant impacts of the development are identified.
- 3.9.6 Tewkesbury Borough Plan Policy TRAC1: Pedestrian Accessibility sets out the intent to protect pedestrian networks across the Borough and seek opportunities to extend and enhance them. New development should encourage walking by providing good quality permeable and legible routes both through the development and to the surrounding area and promote pedestrian safety and convenience.
- 3.9.7 Tewkesbury Borough Plan Policy TRAC2: Cycle Network & Infrastructure seeks to protect and enhance the cycle network, infrastructure and facilities across the Borough by developing a borough-wide network of safe and convenient cycle routes and providing safe and well-lit cycle facilities at nodes of the community.



Gloucestershire County Policies

- 3.9.8 Gloucestershire's LTP Policy LTP PD0.5: Community Health and Wellbeing sets out the commitment of GCC to work with partners to improve community health, wellbeing and safety by encouraging people from all social and economic groups and those with disabilities to use safe and affordable multi-modal travel options. It particularly focuses on connecting people to services, employment, housing, education, health services, social and leisure amenities to allow equal opportunity to health, social and economic wellbeing and remove barriers that can create social isolation.
- 3.9.9 Gloucestershire's LTP Policy LTP PD2.3: Active Travel: Safety, Awareness and Confidence and Policy LTP PD4.4: Road Safety set out the commitment of GCC to contribute towards improved safety, security and health by reducing the risk of death, injury or illness arising from transport journeys. They also state that GCC will work with partners to improve personal safety perceptions when using the transport network and promote the use of transport including inclusive public transport and active travel options that contributes to good health and psychological wellbeing.
- 3.9.10 Gloucestershire's LTP Policy LTP PD6.1: Gloucestershire's Pedestrian Network establishes the intention of GCC to work with interested parties to provide an inclusive, safe, reliable and efficient highway environment that encourages walking and provides pedestrian links to connect communities, employment and services.
- 3.9.11 Gloucestershire's LTP Policy LTP PD6.2: Rights of Way pledges to support the Rights of Way and Countryside Access Improvement Plan by improving safety, accessibility and the quality of the experience for walkers, horse riders, carriage drivers and those travelling by bicycle. It requires the integration of WCH routes into the road network to promote a cohesive path network, and the provision of a safe crossing point where a route has to cross a busy road.
- 3.9.12 Gloucestershire's LTP Policy LTP PD6.4: Pedestrian Safety states that GCC is committed to reducing the rate of pedestrian casualties within the county by providing an environment that reduces both actual and perceived risk to personal safety and recommending the use of designated walking routes as attractive and safe alternatives to routes carrying high volumes of motorised traffic.

Impacts

Construction

- 3.9.13 The Joint Councils acknowledge that the population assessment has accounted for the potential demolition of 32 private properties, which are either currently owned by the Applicant or subject to ongoing discussions between the landowner and the Applicant. Additionally, three residential areas have been identified as likely to experience significant impacts due to changes in key characteristics during the construction phase. Specifically, residents of Uckington can expect alterations to important rural features from building demolitions and the introduction of urban elements along the A4019 corridor. Those residing in the Informal Traveller Site located to the north of M5 Junction 10 and adjacent to the M5 corridor will face land acquisition and the loss of vegetation, which serves as both acoustic and visual screening along the western edge of the site. Furthermore, residents of Sheldon Cottages will encounter changes in characteristics resulting from construction activities, nearby building demolitions, adjustments to access routes, and the creation of earthworks and taking a precautionary approach a very small number of consented schemes would be significantly impacted.
- 3.9.14 It has been determined that the West Cheltenham Fire Station will be significantly affected during the construction phase because of disruptions to emergency access and response routes within areas under traffic management.



- 3.9.15 The Joint Councils recognise that the development of the Scheme necessitates the demolition of two businesses, namely Gloucester Detailing Valeting Service and premises at Sheldon Nurseries. This matter is addressed through the compensation process via compulsory purchase, which falls outside the scope of the ES.
- 3.9.16 The access to Gallagher Retail Park and Kingsditch Trading Estate will be significantly impacted during construction and the Joint Councils welcome the acknowledgement that construction may disrupt operational requirements and discourage customers. An established business (breakfast van) located at the Junction 10 layby will be lost, although due to the mobile nature of this business a future solution may be reached.
- 3.9.17 Regarding the construction assessment on walkers, cyclists and horse riders a number of footpaths and bridleways will be adversely affected due to severance and the length of the diversions. For the safety of horses, Uckington Bridleway 1 will require closure for the duration of the construction works.
- 3.9.18 Five agricultural holdings will be significantly impacted. Holding B will be most adversely affected through siting of the FSA and loss of Farm Woodland Scheme payments, with Holdings C, F, H and I suffering severance. These are permanent construction impacts, that would continue to be observed during the operational phase.
- 3.9.19 During construction, it is recognised that the wider population will experience some significant impacts, particularly in the rural context, due to demolition and changes in air quality, noise and landscape amenity, whilst some of the sub-populations (families with children and adolescents, people who are physically or mentally disadvantaged) will be significantly impacted by changes to safety, access, noise and separation from open space and recreational routes, although significant benefits would arise for people who are materially disadvantaged, and people from black and minority ethnic groups from positive health and wellbeing outcomes associated with vocational training opportunities through construction work.
- 3.9.20 Aligning with the findings from the population assessment, a number of geographic sub-populations will be significantly impacted, particularly residents of properties at Uckington, Moat Lane and Cooks Lane, Homecroft Drive and Appleyard Close, and Withybridge Gardens, Withybridge Lane and Stanboro Lane due to the demolition of properties and other changes, whilst changes in landscape amenity and other changes will significantly impact users of the PRoW and WCH networks.
- 3.9.21 Other significant impacts are reported from changes to health outcomes for employees, users or visitors of community assets: West Cheltenham Fire Station, and Cheltenham Civil Service Tennis and Football Clubs, and employment and training assets: businesses adjacent to the A4019, Greensteps and National Star, and Gallagher Retail Park and Kingsditch Trading Estate.

Operational

- 3.9.22 The Joint Councils acknowledge that the existing residential area in Uckington will undergo considerable change as a result of the demolition of buildings and the urbanisation of the junction between the Green and the A4019, as well as along the A4019 corridor. Nonetheless, the Scheme overall will bring notable benefits to several land use and accessibility types assessed (private property and housing, community assets, development land and local businesses), through improved access for various modes of transportation resulting from its implementation. For example, a large number of residential properties and planned developments, Cheltenham Civil Service Tennis and Football Clubs and West Cheltenham Fire Station, local businesses and business locations, will experience beneficial effects due to improvements to access for a range of modes, which the Joint Councils welcome.



- 3.9.23 The overall physical changes / improvements reported in the population assessment are also reflected in the human health assessment. For example, overall, health and wellbeing outcomes will be significantly improved for the wider population group and sub-population groups because of improved access for a range of modes to residential properties, community facilities, development land and local businesses, whilst safety and accessibility will also be improved, particularly from changes and improvements to WCH routes. However, notwithstanding this, a small number of residents at Uckington, Moat Lane and Cooks Lane, properties adjacent to the B4634, and Withybridge Gardens, Withybridge Lane and Stanboro Lane, will be adversely affected by permanent changes to landscape amenity.
- 3.9.24 It is noted that the underpass will not be lit during dusk and dawn to allow the movement of bats. From an ecological perspective, this is recommended though it does pose a safety risk to pedestrians and equestrian users which the Joint Councils welcome further information on.

Adequacy of the draft DCO / mitigation

Construction

- 3.9.25 The Joint Councils recognise that the compensation for loss of private property would be dealt with through discussion between GCC (the Applicant) and the landowners or through compulsory acquisition.
- 3.9.26 To reduce effects on the retail parks and local businesses, the Joint Councils welcome the close liaison between the Public Liaison Officer and affected businesses to ensure effective traffic management and potential agreement / relocation for the loss of one local business is implemented.
- 3.9.27 The Joint Councils note that an Emergency Vehicle Movement Plan (1st iteration) (TR010063/APP/9.14) has been prepared to mitigate the effects on the West Cheltenham Fire Station.
- 3.9.28 The collaborative approach to identifying solutions with affected residents in particular, but also other affected land uses, as well as the dynamic feedback approach during construction is welcomed by the Joint Councils.
- 3.9.29 The Joint Councils welcome the approach that agricultural land temporarily acquired for haul roads and construction compounds will be restored to farming once completed, and that following temporary disruptions to WCH facilities, these will be reinstated and improved.
- 3.9.30 Essential mitigation has been proposed that includes further engagement and the development of collaborative solutions with the affected residents and, in the case of Sheldon Cottages, potential opportunities for the residents to relocate during part or all of the construction phase. Depending on how this mitigation manifests in practice, there is the potential for the significance to be reduced.

Operational

- 3.9.31 Overall, the Scheme would deliver significant access improvements for a range of modes and to various land uses, such as residential property, community facilities, local businesses and development land, and on the whole have significant health benefits for the wider group and the various sub-population and geographical sub population groups.
- 3.9.32 The Joint Councils welcome the reinstatement and new alignments of public footpaths for walkers, cyclists and horse riders.



- 3.9.33 The Joint Councils recommend the dDCO include a Requirement to consult with prescribed consultees prior to submission for written approval from the County Planning Authority of the details of design of new sections of PRoW and permissive path.

3.10 Climate Change

Policies

JCS Policies

- 3.10.1 JCS Policy SD3: Sustainable Design and Construction expects all development to be adaptable to climate change in respect of design, layout, siting, orientation and function. It also requires major developments to submit energy statements that clearly indicate the methods for calculating predicted annual energy demand and annual carbon dioxide emissions.

Cheltenham Borough Policies

- 3.10.2 The Cheltenham Climate Change SPD provides guidance on how transport infrastructure should respond to climate change in the Borough. It requires all developments to support shifts in transport and travel behaviour towards a sustainable transport hierarchy that prioritises walking and cycling, and provide strong and continuous links to existing footpaths, cycle routes and public transport nodes. It also expects development proposals to demonstrate flexibility to respond to changing modal shifts in future years.

Tewkesbury Borough Policies

- 3.10.3 The Tewkesbury Borough Plan does not contain any borough-wide policies specific to climate change beyond those within the JCS.

Gloucestershire County Policies

- 3.10.4 Gloucestershire's LTP Policy LTP PD0.1: Reducing Transport Carbon Emissions and Adapting to Climate Change sets out the commitment of GCC to work with partners to reduce transport carbon emissions and tackle climate change by addressing travel demand and promoting the use of sustainable travel modes and ultra-low emission vehicles. It also seeks to minimise energy usage of transport infrastructure including traffic signals and street lighting.
- 3.10.5 Gloucestershire's LTP Policy LTP PD0.2: Local Environmental Protection sets out the commitment of GCC to work with District Councils to minimise the impact of highway improvement schemes. It seeks to realise opportunities for the delivery of green naturally based solutions including carbon, nutrient and water capture to provide cleaner air, improved water quality, more sustainable flood risk management and increased resilience to climate change.

Impacts

- 3.10.6 The Scheme will result in greenhouse gas (GHG) emissions during the construction and operational phases however, the assessment of effects in Chapter 14 of the ES (TR010063/APP/6.12) concludes that this impact is not considered to be significant based on evidence that in isolation the Scheme would not have a material impact on the ability of UK Government to meet its carbon reduction targets.



- 3.10.7 The Joint Councils had some concerns regarding the approach to the carbon assessment. The current method has assumed that operation and maintenance emissions will decrease proportionally as more electric vehicles are used and has based assumptions from other highway schemes which are not recent. Increased use of low-carbon vehicles decouples operation and maintenance estimates from tailpipe projections. The Joint Councils would also expect to see more details of how the land use change assessment has been undertaken.

Climate change resilience

- 3.10.8 The Scheme has been assessed in terms of its vulnerability to climate change. Climate vulnerability is taken to be the degree to which receptors in the study area are susceptible to the effects of climate change, both beneficial and adverse. These effects include slow onset trends in climate as well as project changes to extreme weather.
- 3.10.9 The adopted assessment approach reviewed how climate change could affect the Scheme's assets, as well as how it could affect the potential environmental impacts identified. The methodology followed the guidance set out in DMRB LA 114 and is informed by best practice climate assessment approaches, and literature and well as professional judgement.
- 3.10.10 The potential construction and operational impacts have been discussed. Construction-related climate vulnerability impacts were scoped out of further assessment. Construction impacts associated with the current climate are not expected to impact construction unless construction coincides with extreme weather event(s) such as heatwaves, droughts or storms. Potential operational impacts on assets (including their operation, maintenance and refurbishment) are discussed related to receptors they could affect, including road surface and pavements, structures (including embankments, earthworks and bridges), drainage infrastructure, road technology and street furniture, landscaping and end-users.

Adequacy of the draft DCO / mitigation

- 3.10.11 GCC has an ambitious 'Million Trees Challenge' as part of its Climate Strategy to plant a million trees by 2030. Additionally, in the GCC Climate Change Strategy (2023) renewable energy generation and electric vehicle charging infrastructure have been identified as priority actions for carbon reduction. In support of GCC Climate Change Strategy, the Joint Councils welcome the commitments set out in Table 14-6, Table 14-14 and Table 14-15 of Chapter 14 of the ES (TR010063/APP/6.12) including commitment to reuse over 99% of excavated soil on site and landscaping to name a few.

3.11 Green Belt

Policies

JCS Policies

- 3.11.1 JCS Policy SD5: The policy protects the Green Belt from harmful development, limiting development to those types deemed appropriate by the NPPF unless very special circumstances justify otherwise, which includes local transport infrastructure, which requires a Green Belt location. It includes defined boundaries on the Proposed Changes to the Green Belt Boundary map, with possible limited reviews under exceptional circumstances through Borough Plans. For safeguarded areas adjacent to Strategic Allocations A1, A4, and A7, any land released for development must be well-connected to public transport and infrastructure and enhance the setting of Cheltenham or Gloucester, ensuring sustainable growth and environmental enhancement.



- 3.11.2 This policy highlights that Development must be well-related to public transport and other existing and planned infrastructure and where it makes a positive contribution to the setting of Cheltenham or Gloucester

Cheltenham Borough Policies

- 3.11.3 The Cheltenham Borough Plan does not contain any borough-wide policies specific to greenbelt beyond those within the JCS.

Tewkesbury Borough Policies

- 3.11.4 The Tewkesbury Borough Plan does not contain any borough-wide policies specific to greenbelt beyond those within the JCS.

Gloucestershire County Policies

- 3.11.5 The Gloucestershire County Policies does not contain any borough-wide policies specific to greenbelt beyond those within the JCS.

Impacts

- 3.11.6 There are no particular locations within the Green Belt where the effects on openness would be particularly pronounced. The only area where some minor reduction in openness is possible would be along the West Cheltenham link road, that connects Tewkesbury Road to Old Gloucester Road. The proposed roads cross the River Chelt via a bridge, where the road will be on an embankment to rise up to the level of the bridge abutment in this section. In doing so, a visual barrier will be created, dividing open field areas on either side. However, the effects on openness in this area of green belt are only likely to be reduced when in close proximity to the raised section of road and would affect users of the two public rights of way that run parallel to the River Chelt.
- 3.11.7 From further afield, views of the raised road should blend into the layers of field boundary vegetation, and it should still be possible to view hills and countryside in the distance. This will be the same as views currently had, so this should not reduce the sense of openness to the greater extent of the green belt area.
- 3.11.8 The proposed widening of the Tewkesbury Road on the approach to the M5 Junction, is unlikely to have an impact on the openness of the green belt and would be in keeping with the current situation.
- 3.11.9 The raised junction at the M5 would generally be in keeping with the current situation, as it is already a raised junction. This area currently forms a visual barrier between the open Green Belt land on either side of the M5. Although the proposed junction is larger than the current one, it is unlikely to have detrimental effects beyond the existing situation, particularly once the proposed planting is established. Therefore, it does not further reduce openness in this area.

Adequacy of the draft DCO / mitigation

- 3.11.10 It is considered that this part of the Green Belt is already heavily influenced by the existing motorway, junction, approach roads, dwellings and associated built development which in turn impact openness at present (to which elements of which are proposed to be replaced or demolished).
- 3.11.11 Notwithstanding the impacts mentioned, it is considered that the benefits of the scheme would clearly and demonstrably outweigh the harms and the area is not subject to any other landscape constraints.



The consideration of landscaping and other mitigation would serve to reduce the overall impacts of the scheme. It is considered that the scheme is not inappropriate development in the Green Belt.

4. Other documents

4.1 Transport Assessment

- 4.1.1 The Joint Councils are pleased to see the inclusion of the Walking, Cycling and Horse Riding (WCHAR) detailed assessment and the full Transport Assessment. Full comments on these reports have been provided separately. The Joint Councils are in full support of the scheme in the context that it provides the necessary infrastructure to deliver the identified Sustainable Growth to the West of Cheltenham. The scheme presents an opportunity to manage the network with support of wider transport interventions around the central urban settlements of Cheltenham and Gloucester.
- 4.1.2 There are a number of complementary sustainable transport schemes being delivered to enable multi-modal travel to operate more efficiently. These are as identified within the overarching transport strategy for Gloucestershire for example, Arle Court Transport Hub, the Cycle Spine and the Mass Transit proposals. Key principles will be followed from the Local Transport Plan and the Connecting Cheltenham Report (2019).
- 4.1.3 Furthermore, the existing network constraints will be resolved to allow a clear hierarchy, routing and network management. This will help manage both local and national highway networks in both existing and future scenarios.
- 4.1.4 The Sustainable modes are considered as part of the design and options have been provided. Sustainable modes will provide a key role in delivering a complete network. They will be linked to the identified development sites to the west of Cheltenham. It is recommended the information within the Transport Assessment and WCHAR reports be summarised taking account of the detailed comments provided separately.

4.2 Environmental Management Plan (EMP)

- 4.2.1 The EMP secured under Schedule 2 Requirement 3 of the dDCO contains construction-related mitigation measures and these are generally acceptable. Requirement 3 also requires the Applicant to consult and get approval from the LPA on the final contents of the EMP prior to approval by the Joint Councils and the Country Planning Authority and in advance of development commencing. This is welcomed.
- 4.2.2 The Joint Councils welcome the EMP (1st iteration) (TR010063/APP/7.3) and supporting Annexes that have been submitted with the S51 submission to PINS on the 22nd March and the PD-007 submission on the 10th May:
- Annex B.1 Materials Management Plan (TR010063/APP/9.1)
 - Annex B.2 Soil Handling Management Plan (TR010063/APP/9.2)
 - Annex B.3 Noise and Vibration Management Plan (TR010063/APP/9.3)
 - Annex B.4 Air Quality Management Plan (TR010063/APP/9.4)
 - Annex B.5 Landscape and Ecology Management Plan (TR010063/APP/9.5)
 - Annex B.6 Emergency Preparedness and Response Plan (TR010063/APP/9.6)



- Annex B.7 Pollution Prevention and Control Management Plan (TR010063/APP/9.7)
- Annex B.8 Archaeological Management Plan (TR010063/APP/9.8)
- Annex B.9 Operational Unexploded Ordnance Emergency Response Plan (TR010063/APP/9.24)
- Annex B.10 Severe Weather Plan (TR010063/APP/9.25)
- Annex B.11 Traffic Management Plan (TR010063/APP/9.12)
- Annex B.12 Site Waste Management Plan (TR010063/APP/9.9)
- Annex B.13 Public Rights of Way Management Plan (TR010063/APP/9.13)
- Annex B.14 Emergency Vehicle Movement Management Plan (TR010063/APP/9.14)
- Annex B.15 Community Engagement Plan (TR010063/APP/9.100)
- Annex B.16 Carbon Management Plan (TR010063/APP/9.11)

4.2.3 These management plans have been reviewed by the Joint Councils. The Joint Councils have several comments on these plans which the Applicant has ensured will be addressed in the 2nd iteration of each plan by the Early Contractor Involvement Contractor.

5. Draft Development Consent Order

5.1.1 In this LIR, the Joint Councils have made some recommendations for changes to the dDCO. These are summarised in this section, along with further comments on the dDCO.

5.2 Explanatory Memo to dDCO

5.2.1 Paragraph 4.5(a) - It is not that clear from the ES (Chapter 2) which are the pre-commencement works. It is assumed that it is Phase 1 works for each work item. It should be clearer at the end of paragraph 4.5(a) which are the pre-commencement works rather than just referring to Chapter 2 as a whole.

5.2.2 Paragraphs 4.1.3 and 4.1.36 – It would be appropriate to suggest wording specifies who the compensation is payable to for the tree works and if compensation is payable in relation to hedgerow removal.

5.3 Articles

5.3.1 Article 11- The Explanatory Notes (para 4.36) explains that this does not list all the streets affected here but does not explain why other than that this goes wider than in the model Order. There seems to be a comprehensive list of streets impacted in Schedules 3 and 4 and so are their further streets that are impacted that are not already specifically listed.

5.4 Schedules

5.4.1 Schedule 2, Part 1 - Consultation on the discharge of Requirements - the dDCO sets out the proposed process for consulting on and seeking approval for details secured by Requirements. As



presently drawn, the Joint Councils require greater involvement in the consultation process prior to the discharge of Requirements to ensure details submitted for approval are acceptable to the local area. While prescribed consultees would be consulted prior to submission of applications, the Joint Councils would need to be named as prescribed consultees in relation to all relevant DCO Requirements. As currently written the dDCO is unclear how the requirements are to be discharged by the county planning authority, when for issues such as noise, are the role of the Local Authority. Discussions are underway between the Joint Councils, Applicant and National Highways as to the organisation which would take the role of discharging the Requirements, with the other parties taking a role as consultee. Further revisions to the drafting of the dDCO Requirements is anticipated to reflect any agreed changes between the parties. A position statement agreed between these parties is being submitted to the Examination at Deadline 1.



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