

M5 Junction 10 Improvements Scheme

Applicant's Response to the Local Impact Report

TR010063 – APP 9.40

Regulation 5 (2) (q)

Planning Act 2008

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

Volume 9
July 2024

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]

Applicant Response to the Local Impact Report

Regulation Number:	Regulation 5 (2) (a)
Planning Inspectorate Scheme Reference	TR010063
Application Document Reference	TR010063/APP/9.40
Author:	M5 Junction 10 Improvements Scheme Project Team

Version	Date	Status of Version
Rev 0	July 2024	Deadline 2

Contents

Chapter	Page
1. Introduction	4
1.1. Purpose of this document	4
1.2. Assessment of local impacts	4
1.3. Comments on other documents	4
1.4. Applicant's response to the Joint Councils Local Impact Report	6

Tables

Table 1-1 - Applicant's response to the Review of Impacts presented in the Joint Councils Local Impact Report.	6
Table 1-2 - Applicant's response to the Other Documents presented in the Joint Councils Local Impact Report.	56

1. Introduction

1.1. Purpose of this document

1.1.1. This document sets out the comments of the Applicant on the Local Impact Report (LIR) submitted by the Joint Councils to the Examination of the M5 Junction 10 Improvements Scheme application for development consent. The LIR from the Joint Councils was submitted to the Examining Authority (ExA) at Deadline 1 of the Examination on 18 June 2024.

1.1.2. This document does not seek to respond to every element of the LIR submitted by the Council, but rather to focus on the pertinent points cited and respond to any important and relevant matters raised. It also seeks to comment on any matters that may require clarification or correction where it may assist the ExA and Interested Parties.

Structure of this document

1.1.3. For ease of reference, this document is structured in a tabular format which replicates the topic headings within the LIR.

1.1.4. The background to each section provides an overview, detailing the sections of the LIR that the Applicant has commented on, which is followed by the Applicant's comments concerning the details contained within the LIR for each topic.

1.2. Assessment of local impacts

1.2.1. The responses to Section 3 of the LIR (Review of Impacts) are set out in Table 1.1 below. The Applicant has provided a response to the key matters raised under each of the topics within the LIR, covering:

- Air quality.
- Noise and vibration.
- Biodiversity.
- Road drainage and the water environment.
- Landscape and visual impact.
- Geology and soils.
- Cultural heritage.
- Materials and waste.
- Population and human health.
- Climate change.
- Green belt.

1.3. Comments on other documents

1.3.1. The LIR from the Joint Councils also provides comments on other DCO application documents. The applicant's responses to these three documents are provided in Table 1.2.

- Transport assessment.

- Environmental management plan.
- Draft development consent order.

1.4. Applicant’s response to the Joint Councils Local Impact Report

Table 1-1 - Applicant’s response to the Review of Impacts presented in the Joint Councils Local Impact Report.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant’s Response
2.1 Description of the area			
2.1.1 – 2.1.5	Description of the area		The Applicant has no further comments on the details presented in paragraphs 2.1.1 – 2.1.5 of the LIR. The details presented reflect those provided in Chapter 2 of the ES (APP-061).
2.1.6	Informal Traveller Site	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.	The Applicant confirms that the environmental assessment undertaken for the Scheme has assumed that this site will be occupied during both 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.	Noted.
2.2.2 – 2.2.3	Need case	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	The Applicant notes the Joint Councils’ comments on the need for the Scheme to address and alleviate the existing pressure on the road network in and surrounding Cheltenham, and to support planned housing and economic growth around Cheltenham.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>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. 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.</p>	
2.2.4		<p>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.</p>	Noted.
2.2.5	Need case	<p>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.</p>	The Applicant notes the Joint Councils' support for the Scheme.
2.3 Statutory development plan			

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
2.3.1	Statutory development plan	<p>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</p>	<p>The Applicant notes the Joint Councils' view that the changes in national policies do not alter the supportive position of the Joint Councils towards the Scheme.</p>
2.3.2		<p>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</p>	<p>The Applicant notes the Joint Councils' acknowledgement that the transitional provisions pursuant to paragraphs 1.16 and 1.17 of the NN NPS (2024) apply to the Scheme.</p> <p>The Applicant has provided commentary on the 2024 version of the NN NPS in the context of the Scheme. This commentary is set out within the Applicant's update to the Planning Statement and Schedule of Accordance with National Policy Statement, submitted at Deadline 1 (REP1-028). Of specific relevance to the Joint Councils' representation, Appendix C of the updated document provides a policy accordance table relating to the revised NN NPS.</p> <p>Notwithstanding the above The NN NPS (December 2014) provides the primary basis for decision-making for the Scheme.</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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".	The Applicant has provided commentary on the December 2023 NPPF in the context of the Scheme. This commentary is set out within the Applicant's update to the Planning Statement and Schedule of Accordance with National Policy Statement, submitted at Deadline 1 (REP1-028). Of specific relevance to the Joint Councils' representation, Section 3.4 of the updated document reflects the December 2023 NPPF content; with other references updated as appropriate.
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.	Noted.
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.	Noted.
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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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	Noted.
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.	Noted
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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		determination of relevant planning applications within the local authority areas of Cheltenham Borough.	
Tewkesbury 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.	Noted.
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.	Noted.
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.	Noted.
2.3.13		In addition to these Statutory Development Plans, GCC published the Gloucestershire's Local Transport Plan	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		(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”.	
3.1 Air Quality			
Policies			
3.1.1	JCS	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.	Noted.
3.1.2	JCS	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.	Noted.
3.1.3	JCS	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	Noted

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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	
3.1.4	Cheltenham Borough	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.	Noted.
3.1.5	Tewkesbury Borough	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	Noted.
3.1.6	Gloucestershire County	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	Noted.
3.1.7	Gloucestershire County	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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 NO ₂ 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 (PM ₁₀ 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} .	The AQ assessment has been undertaken in accordance with DMRB. Estimated PM _{2.5} concentrations have been provided for the 2019 base year as shown in Table 2.3 of Appendix 5.1 of the ES (APP-081). The Applicant notes that targets for PM _{2.5} are defined in the Environmental Targets (Fine Particulate Matter) (England) Regulations SI 2023 No.96 as an annual mean concentration of 10 µg/m ³ to be met by 2040, and a 35% reduction in population exposure by 2040 (as compared to a 3-year baseline period 2016-2018). Defra's Air Quality Strategy for England (https://www.gov.uk/government/publications/the-air-quality-strategy-for-england) section 5 identifies that having set the targets, further consideration is required to determine how the targets will be implemented and taken account of within decision-making.
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.	Potential impacts from dust during construction of the Scheme will be mitigated through the measures described in the 1 st iteration of the Air Quality Management Plan (AS-034). With the implementation of these construction dust mitigation measures, and any additional measures as will be detailed in the 2 nd iteration of the Air Quality Management Plan, it is likely that there will be no significant effects for air quality during the construction stage.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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.	Noted.
Adequacy of 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 2 nd iteration of the Environmental Management Plan (EMP) once construction methodologies have further developed. The 2 nd iteration is requested to be submitted to the Joint Councils, as statutory consultees, for comment and approval prior to commencement of works.	As detailed in item AQ1 of the REAC (REP1-030), the EMP (2 nd iteration) will be submitted to and approved by the county planning authority following consultation with the relevant local planning authority and strategic highway authorities to the extent that it relates to matters relevant to their functions.
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.	As detailed in item AQ1 of the REAC (REP1-030), Scheme specific mitigation measures to control dust during construction would be specified within the 2 nd Iteration EMP prior to commencement of the Scheme. The Applicant considers that monitoring for particulate matter and dust during construction is not necessary due to the mitigation measures proposed and secured via the 2 nd Iteration EMP.
3.2 Noise and vibration			
Policies			
3.2.1	JCS	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.	Noted.
3.2.2	JCS	JCS Policy INF1: Transport Network requires developers to assess the impact of development on the transport	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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.	
3.2.3	Cheltenham Borough	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.	Noted.
3.2.4	Tewkesbury Borough	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.	Noted.
3.2.5	Gloucestershire County	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		environment and designated sites and exceed the thresholds advised by the Government.	
Impacts			
3.2.6	Construction impacts	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.	Noise impacts during the construction stage will be managed through the 2nd iteration of the Noise and Vibration Management Plan. This will be produced by the Principal Contractor in advance of construction, and submitted for approval by the county planning authority, following consultation with the relevant planning authority and strategic highway authority to the extent that it relates to matters relevant to its functions. The 1st iteration of the Noise and Vibration Management Plan (AS-033) (section B.3.6) sets out that the Principal Contractor will undertake an appraisal for noise insulation or temporary housing six to nine months prior to starting the construction phase of the works or at such time appropriate to the scale and nature of the works. With regards to the exceedances referenced by the Joint Councils, the Applicant notes that where noise levels are predicted to exceed the threshold for a moderate and major impact at a property, this would not automatically lead to a significant effect, as both the duration of the works and the noise levels over that duration must be taken into account. This is in accordance with the methodology in DMRB LA 111 'Noise and Vibration' 2020, section 3.19.
3.2.7	Operational impacts	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		effects as a result of the operational Scheme in the short term.	
3.2.8	Operational impacts	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.	The Applicant notes that Chapter 6 of the ES (AS-014) reports that in the long term, with the strategic development sites, the Scheme results in both significant adverse and significant beneficial effects with regards to noise.
Adequacy of draft DCO / mitigation			
3.2.9	Construction	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	<p>The Principal Contractor will adhere to the guidance stipulated in DMRB LA111 Noise and Vibration, and BS5228 Code of Practice for noise and vibration control on construction and open sites (Parts 1 and 2). Item NV1 in the REAC (REP1-030) states that the mitigation details in BS5228 will be incorporated into the 2nd iteration Noise and Vibration Management Plan, which will be produced by the Principal Contractor in advance of construction, and submitted for approval by the county planning authority, following consultation with the relevant planning authority and strategic highway authority to the extent that it relates to matters relevant to its functions.</p> <p>The 1st iteration of the Noise and Vibration Management Plan (AS-033) (section B.3.7) sets out that the Principal Contractor, during construction, will undertake observational checks, supplemented by physical measurements on a regular basis, as</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		proposed for vibration monitoring) pre-set to notify site personnel in advance of breaching noise limits.	well as those taken prior to the works commencing. The location and basis of any noise and/or vibration measurements will be agreed with the local authority where required.
3.2.10	Operation	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.	Noted.
3.2.11	Operation	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.	Noted.
3.3 Biodiversity			
Policies			
3.3.1	JCS	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.	Noted.
3.3.2	JCS	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		by integrating enhancements into the Scheme that are appropriate to the location.	
3.3.3	Cheltenham Borough	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.	Noted.
3.3.4	Tewkesbury Borough	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.	Noted.
3.3.5	Gloucestershire County	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		can deliver biodiversity gains, ecological connectivity, and ecosystem services.	
3.3.6	Gloucestershire County	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.	Noted.
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.	The Applicant agrees with the Joint Council's summary of potential impacts, when considered in the absence of mitigation measures, that the Scheme will result in loss and disturbance of habitats and introduction of structures and lighting which will result in severance and fragmentation of ecological connectivity. The Applicant also notes the Joint Council's subsequent comment (LIR reference 3.3.11) around the effectiveness and appropriateness of the mitigation, compensation and enhancement measures, including specifically the habitat creation measures and measures to ensure permeability of the Scheme.
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	The Applicant notes this comment, and confirms that it is broadly correct, however, the area of habitat loss reported in Chapter 7 of the ES (REP1-012) is 133.10 ha. The Applicant also notes the Joint Council's subsequent comments (LIR reference 3.3.11 and 3.3.12) around the effectiveness and appropriateness of the mitigation, compensation and enhancement measures, including specifically minimising loss of valuable habitat and the habitat creation measures.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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.	<p>The Applicant agrees with the Joint Council's summary of impacts to protected and priority species.</p> <p>The Applicant also notes the Joint Council's subsequent comments (LIR reference 3.3.11 and 3.3.12) around the effectiveness and appropriateness of the mitigation, compensation and enhancement measures, including measures relating to priority and protected species.</p> <p>A number of important biodiversity resources have been identified within the Scheme area, including a number of priority or protected species. Potential impacts have been identified to these resources, and a range of measures have been proposed to avoid, mitigate and compensate for the effects of these impacts. These include design specifications and construction management requirements. Taking into account the embedded and additional essential mitigation measures proposed, significant residual effects in relation to biodiversity resources are not anticipated as a result of the Scheme.</p> <p>Regarding bats specifically, in addition to the embedded mitigation measures, numerous additional essential mitigation measures were identified including protection of retained roosts; undertaking works under a Natural England European Protected Species mitigation licence; undertaking pre-construction surveys; and provision of additional alternative roost habitat. Taking into account the embedded and additional mitigation measures, a residual effect of minor adverse was reported for bats.</p>
Adequacy of 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.	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>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. preconstruction surveys). The evaluation and assessment of affects is considered to appropriately identify the sensitivity of resources and any residual effects of the Scheme.</p>	
3.3.11		<p>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,</p>	<p>The Applicant welcomes the Joint Councils statement supporting the mitigation, compensation and enhancement measures set out in the Environmental Statement (REP1-012), Register of Environmental Actions and Commitments (REP1-030) and Environmental Masterplan (APP-027 and APP-028) to reduce the impact of the Scheme on important ecological features, including the Severn Estuary SAC and Ramsar and relevant habitats and species.</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>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.</p>	
3.3.12		<p>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.</p>	<p>The Applicant is pleased to note the Joint Councils statement welcoming the embedded mitigation, habitat creation to enhance habitats, and other listed features of the environmental design.</p>
3.3.13		<p>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</p>	<p>The Applicant notes the Joint Councils statement in support of the LEMP (AS-034).</p> <p>Regarding the final point, the Applicant will ensure that the comments are shared with the ECI contractor and addressed in the 2nd Iteration of the environmental management plans. This is in accordance with the approach agreed in the Statement of Common Ground (REP1-034, matter reference number 19.1).</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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 the water environment			
Policies			
3.4.1	JCS	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.	Noted.
3.4.2	JCS	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.	Noted.
3.4.3	Cheltenham Borough	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		and applying sustainable drainage principles when designing land drainage systems.	
3.4.4	Tewkesbury Borough	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.	Noted.
3.4.5	Tewkesbury Borough	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.	Noted.
3.4.6	Gloucestershire County	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).	Noted.
Impacts			

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
3.4.7		<p>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.</p>	<p>The Applicant's surface water quality assessment is robust and has followed the Design Manual for Road and Bridges (DMRB) Standard LA 113 Road Drainage and the Water Environment.</p> <p>As documented in Appendix 8.3 (Surface Water Quality Assessment) of the ES (APP-111) baseline water quality data have been used to help assess the risk to surface water quality.</p> <p>Water quality data are also provided in the Water Framework Directive (WFD) Compliance Assessment (REP1-026), and a summary of WFD overall status is provided in the baseline section of the Road Drainage and Water Environment chapter of the Environmental Statement (REP1-014). This is the level of water quality data needed to assign an importance to a watercourse, as set out in the DMRB Standard LA 113 methodology.</p>
3.4.8		<p>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.</p>	<p>Section 8.4.4. of the ES Chapter 8: Road Drainage and Water Environment (REP1-014) states that the study area of 1km for water quality was selected as this is an appropriate distance for any potential impacts to be sufficiently reduced, for example, dilution of pollutants. This is in accordance with the DMRB Standard LA 113.</p> <p>ES Chapter 7 (Biodiversity) (REP1-012) (para 7.8.37) identifies water quality impacts to functionally linked habitat within the River Chelt as a result of a potential pollution event during construction and operation, and consequent detrimental effects to migratory European eel, Atlantic salmon and sea trout associated with the Severn Estuary Ramsar Site, and river lamprey associated with the Severn Estuary SAC and Ramsar Site. These impacts (as identified in ES Chapter 7) are anticipated when fish migrate into the River Chelt rather than the pollution event propagating downstream to the River Severn Estuary.</p> <p>The Applicant therefore considers that the 1km study area for water quality is appropriate and that no further mention of the</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
			Severn Estuary is required in the ES Chapter 8: Road Drainage and Water Environment (REP1-014).
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.	<p>Item WE1 of the REAC (REP1-030) describes the measures to minimise the deterioration in surface water quality from construction activities which includes:</p> <ul style="list-style-type: none"> - Methods for reducing the risk of pollution to surface and groundwater which should follow best practice guidance (i.e., guidance on pollution prevention) in particular, GPP1, GPP5 and GPP21. - Methods for undertaking works along watercourses to ensure limited impacts to hydromorphology. This includes the bank reprofiling and bridge construction. - Construction compounds and works areas to be outside of the functional floodplain. - Requirements for the flood storage and compensation areas to be constructed prior to the loss of the floodplain. <p>These measures will be implemented through the 2nd iteration of the Pollution Prevention and Control Management Plan. This plan will be developed from the 1st iteration Pollution Prevention and Control Management Plan (AS-037), by the Principal Contractor in advance of construction.</p>
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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		water quality, the Joint Councils agree with these conclusions.	
Adequacy of 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).	Noted.
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.	Noted.
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.	The Applicant notes the comment from the Joint Councils that the details presented in Appendices 8.1, 8.2 and 8.3 comply with local policies. With regards to further flood modelling to support the next stage, detailed flood risk modelling of the construction phase will be undertaken, as described in item WE15 of the REAC (REP1-030).
3.5 Landscape and visual impact			
Policies			
3.5.1	JCS	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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	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.	Noted.
3.5.3	JCS	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	Noted.
3.5.4	Cheltenham Borough	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		including views into or out of areas of acknowledged importance.	
3.5.5	Tewkesbury Borough	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.	Noted.
3.5.6	Tewkesbury Borough	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.	Noted.
3.5.7	Gloucestershire County	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.	Noted.
Impacts			

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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.	As set out in the Written Summary of ISH1 (REP1-046) (it is considered that the general character of the area will not substantially change and the sense of openness of the Green Belt will be retained.
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.	As detailed in para 9.16.6 of Chapter 9 (Landscape and Visual) (REP1-016), as an overall summary it is considered that, although significant adverse effects may be experienced during construction and initially upon completion, once the designed in mitigation had established and matured, the Scheme would not have any long-term significant adverse effects on landscape character or visual amenity, and in some cases may provide beneficial effects.
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.	Item LV6 of the REAC (REP1-030) confirms that consultation will be undertaken with the LPA and directly affected receptors on options for the final design of the noise barriers. Regarding the Joint Councils assessment of the impacts on visual receptors at Barn Farm, Informal Travellers Site and at the properties on the south side of A4019 east of West Cheltenham Fire Station, the Applicant agrees with the Joint Councils comment that this point has now been agreed. This is detailed in item 9.5 of the SoCG (REP1-034).
Adequacy of draft DCO / mitigation			

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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).	The LEMP 1st iteration (AS-035) is Annex B.5 of the EMP 1st iteration (AS-025), and therefore the Applicant's view is that all measures included in the AS-035 (LEMP 1st iteration) are inherently part of the AS-025 (EMP 1st iteration).
3.6 Geology and soils			
Policies			
3.6.1	JCS	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.	Noted.
3.6.2	JCS	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.	Noted.
3.6.3	Cheltenham Borough	The Cheltenham Plan does not contain any borough-wide policies specific to geology and soils beyond those within the JCS.	Noted.
3.6.4	Tewkesbury Borough	Tewkesbury Borough Plan Policy NAT1: Biodiversity, Geodiversity and Important Natural Features states the importance of geological conservation and the	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		requirement to protect and mitigate development impacts.	
3.6.5	Gloucestershire County	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.	Noted.
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.	Noted.
3.6.7		The Joint Councils have not identified any significant local impacts on geology and land contamination.	Noted.
Adequacy of 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.	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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).	Noted.
3.7 Cultural heritage			
Policies			
3.7.1	JCS	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.	Noted.
3.7.2	Cheltenham Borough	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.	Noted.
3.7.3	Tewkesbury Borough	Tewkesbury Borough Plan Policy HER2: Listed Buildings states that development will not be permitted if it adversely affects elements of Listed Buildings and their	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		settings that contribute to their special architectural or historic interest, or results in the significant loss of historic fabric.	
3.7.4	Tewkesbury Borough	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.	Noted.
3.7.5	Tewkesbury Borough	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.	Noted.
3.7.6	Gloucestershire County	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.	Noted.
Impacts			

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
3.7.7	Archaeology	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.	The Applicant notes the comments on potential impacts to archaeology. Measures to mitigate potential impacts are set out in the 1st iteration of the Archaeological Management Plan (Annex B8 to the EMP) (AS-038). The Archaeological Management Plan (AMP) outlines the requirements and processes for further identification, evaluation, and mitigation of archaeological impacts. Item CH1 of the REAC (REP1-030) sets out the process for the archaeological investigation and how this will be managed through the AMP which will act as an overarching Written Scheme of Investigation for the Scheme.
3.7.8	Designated heritage assets	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.	The assessment of setting and its contribution to the significance of these assets is included in Section 11.10 of ES Chapter 11 (Cultural Heritage) (APP-070). The SoCG with Historic England (REP1-038) demonstrates agreement with Historic England regarding the assessment of settings and the nature and significance of the impacts to designated heritage assets through changes in setting.
Adequacy of 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.	Noted.
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	As detailed in item CH1 of the REAC (REP1-030), the 2nd iteration AMP will act as an overarching Written Scheme of Investigation for the Scheme. The 2nd iteration AMP will be produced by the Principal Contractor in advance of construction, and submitted for approval by the county planning authority, following consultation with the relevant planning authority and strategic highway authority to the extent that it relates to matters relevant to its functions.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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).	Noted.
3.8 Materials and waste			
Policies			
3.8.1	JCS	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.	Noted.
3.8.2	Cheltenham Borough	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.	Noted.
3.8.3	Tewkesbury Borough	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.	Noted.
3.8.4	Gloucestershire County	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.	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
3.8.5	Gloucestershire County	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.	Noted.
3.8.6	Gloucestershire County	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.	Noted.
Impacts			
3.8.7		The Joint Councils have not identified any significant local impacts on materials and waste.	Noted.
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.	Noted.
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	It is anticipated that a significant portion of the primary materials will be sourced from the Southwest and Gloucestershire area. The Principal Contractor will select sustainable suppliers, considering commercial viability and location. Due to the quantity

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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.	of imported fill material that will be required for the Scheme, the suitability and surety of fill material will be reviewed in detail to mitigate potential programme impacts of any supply delays. The Principal Contractor is in the process of reviewing potential suppliers and therefore the quarry locations are not known at this time. However, all suppliers currently under consideration operate from the Southwest (greater Bristol area) with some potential supply from South / East Wales. The potential for utilising recycled materials is also under review, but it will not be possible to identify the locations of the recycled material until nearer to the project start, due to the volume of the demand and availability of the supply.
Adequacy of 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.	Noted.
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.	As detailed in item MS1 of the REAC (REP1-030) the EMP 2nd iteration will include 2nd iterations of the MMP and SWMP.
3.9 Population and human health			
Policies			
3.9.1	JCS	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		conditions that could impact on human health or cause health inequality.	
3.9.2	JCS	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	Noted.
3.9.3	Cheltenham Borough	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.	Noted.
3.9.4	Cheltenham Borough	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.	Noted.
3.9.5	Tewkesbury Borough	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		obligations if significant impacts of the development are identified.	
3.9.6	Tewkesbury Borough	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.	Noted.
3.9.7	Tewkesbury Borough	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 boroughwide network of safe and convenient cycle routes and providing safe and well-lit cycle facilities at nodes of the community.	Noted.
3.9.8	Gloucestershire County	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.	Noted.
3.9.9	Gloucestershire County	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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 County	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.	Noted.
3.9.11	Gloucestershire County	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	Noted.
3.9.12	Gloucestershire County	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.	Noted.
Impacts			

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
3.9.13	Construction	<p>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.</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings.</p>
3.9.14	Construction	<p>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.</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings.</p>
3.9.15	Construction	<p>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</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings.</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		compulsory purchase, which falls outside the scope of the ES.	
3.9.16	Construction	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.	The Applicant notes the Joint Councils' interpretation of the assessment findings.
3.9.17	Construction	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.	The Applicant notes the Joint Councils' interpretation of the assessment findings.
3.9.18	Construction	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.	The Applicant notes the Joint Councils' interpretation of the assessment findings.
3.9.19	Construction	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	The Applicant notes the Joint Councils' interpretation of the assessment findings.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>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.</p>	
3.9.20	Construction	<p>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.</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings.</p>
3.9.21	Construction	<p>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.</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings.</p>
3.9.22	Operational	<p>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</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings, including its acknowledgement of the considerable changes that are reported in respect of Uckington. The Applicant also notes that the Joint Councils welcome the beneficial effects anticipated due to improvements to access for a range of modes to both existing and planned developments, due to the Scheme.</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>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.</p>	
3.9.23	Operational	<p>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.</p>	<p>The Applicant notes the Joint Councils' interpretation of the assessment findings.</p>
3.9.24	Operational	<p>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.</p>	<p>The Applicant has provided further information to the Joint Councils on this matter through the Statement of Common Ground process.</p> <p>The Applicant's Response to Relevant Representations (REP1-043) provides relevant additional information in response to the Joint Councils' Relevant Representation (RR-039). In response to point 39.19 on page 171 (REP1-043) the Applicant states that:</p> <p><i>'The underpass has been designed with dual function; however, the passage of pedestrians and equestrians is expected to be principally recreational, while bats are a nocturnal species. It is anticipated that recreational users of the underpass would</i></p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
			<p><i>typically favour daytime movement. There are alternatives for the movement of people and equestrians who may wish to cross the A4019 at grade – there will be signalised pedestrian crossings as part of the A4019/Link Road junction as well as an informal opportunity for equestrians to cross between The Green and Moat Lane at Uckington using the signalised junction proposed in this location. In balancing the needs to be met here, the ecological mitigation is a primary driver; and the pedestrian and equestrian movement is a compatible benefit in terms of recreational connectivity. The design parameters reflect this. The population and human health assessment provides mitigation measures that seek to address human health effects – this includes ensuring that user groups are well informed about the characteristics and benefits of the Scheme once operational, and this aspect of the design would logically be included within such communications.'</i></p>
Adequacy of draft DCO / mitigation			
3.9.25	Construction	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.	Noted.
3.9.26	Construction	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.	With regard to the potential relocation of the local business the Applicant continues to engage with the business owner with the aim of finding an appropriate solution.
3.9.27	Construction	The Joint Councils note that an Emergency Vehicle Movement Plan (1 st iteration) (TR010063/APP/9.14) has been prepared to mitigate the effects on the West Cheltenham Fire Station.	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
3.9.28	Construction	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.	The Applicant notes the recognition and welcoming by the Joint Councils of the collaborative and dynamic approaches planned during construction to manage effects to affected residents.
3.9.29	Construction	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.	The Applicant notes the recognition and welcoming by the Joint Councils of the approach proposed for the restoration of haul roads and construction compounds to farming.
3.9.30	Construction	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.	The Applicant notes the Joint Councils' interpretation of the assessment findings, including in respect of the role of the mitigation for the residents of Sheldon Cottages.
3.9.31	Operational	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.	Noted.
3.9.32	Operational	The Joint Councils welcome the reinstatement and new alignments of public footpaths for walkers, cyclists and horse riders.	The Applicant notes the recognition and welcoming by the Joint Councils of the elements of the Scheme that related to provision for walkers, cyclists and horse riders.
3.9.33	Operational	The Joint Councils recommend the dDCO include a Requirement to consult with prescribed consultees prior to submission for written approval from the County	Noted. The Applicant would welcome the opportunity to consider any appropriate wording proposed by the Joint Councils for such a requirement.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>Planning Authority of the details of design of new sections of PRoW and permissive path.</p>	<p>Notwithstanding the above it should be noted that Requirement 11 of the dDCO provides that the authorised development must be designed in detail and carried out so that it is compatible with the preliminary scheme design shown on the Works Plans, the General Arrangement Plans, the Environmental Masterplan and the Engineering Drawings and Sections, unless otherwise agreed in writing by the county planning authority following consultation with the relevant planning authority and strategic highway authority, where appropriate. This means that any variations to the Scheme design are subject to approval and the relevant planning authorities will be consulted.</p>
<p>3.10 Climate change</p>			
<p>Policies</p>			
<p>3.10.1</p>	<p>JCS</p>	<p>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.</p>	<p>Noted.</p>
<p>3.10.2</p>	<p>Cheltenham Borough</p>	<p>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.</p>	<p>Noted.</p>

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
3.10.3	Tewkesbury Borough	The Tewkesbury Borough Plan does not contain any borough-wide policies specific to climate change beyond those within the JCS.	Noted.
3.10.4	Gloucestershire County	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.	Noted.
3.10.5	Gloucestershire County	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.	Noted.
Impacts – Effects on Climate Change			
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.	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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.	With regards to the methodology for the carbon assessment, and how the land use assessment has been undertaken, the Applicant has added further information to the ES Chapter 14 (Climate) (REP1-024). The SoCG with the Joint Councils (REP1-034) confirms that the Joint Councils will review the updated information presented in ES Chapter 14 (REP1-024) that was provided at Deadline 1.
Impacts – 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.	Noted.
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.	Noted.
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.	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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 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 Chapter14 of the ES (TR010063/APP/6.12) including commitment to reuse over 99% of excavated soil on site and landscaping to name a few.	Noted.
3.11 Green belt			
Policies			
3.11.1	JCS	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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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	JCS	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	Noted.
3.11.3	Cheltenham Borough	The Cheltenham Borough Plan does not contain any borough-wide policies specific to greenbelt beyond those within the JCS.	Noted.
3.11.4	Tewkesbury Borough	The Tewkesbury Borough Plan does not contain any borough-wide policies specific to greenbelt beyond those within the JCS.	Noted.
3.11.5	Gloucestershire County	The Gloucestershire County Policies does not contain any borough-wide policies specific to greenbelt beyond those within the JCS	Noted.
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	The Applicant agrees with the view of the Joint Councils with regards to the absence of particular locations within the Green Belt where the effects on openness would be particularly pronounced; with minor reduction in openness most likely caused by the Link Road River Chelt crossing.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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.	The Applicant agrees that despite the raised area of road, long distant view across to the hills would still be possible, retaining the sense of openness.
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.	Noted.
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.	Noted.
Adequacy of 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).	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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.	The Applicant notes the view of the Joint Councils that the Scheme is not inappropriate development in the Green Belt.

Table 1-2 - Applicant's response to the Other Documents presented in the Joint Councils Local Impact Report.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
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.	The Applicant notes the Joint Councils full support of the Scheme in the context that it provides the necessary infrastructure to deliver the identified Sustainable Growth to the west and north west of Cheltenham.
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	Noted.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		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.	Noted.
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.	The Applicant has previously responded to the detailed comments separately provided by the Joint Councils and these are summarised in, latest iteration of the SoCG submitted at Deadline 1 (REP1-034) as matters agreed or matters outstanding, the Applicant continues to discuss outstanding matters with the Joint Councils with a view to resolve matters to agreed.
4.2 Environmental management plan			
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.	Noted.
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.	Noted.
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	As detailed in item G1 of the REAC (REP1-030) the Principal Contractor (PC) will prepare an EMP for their works prior to the commencement of the works and which details the measures that shall be undertaken prior to, and during construction of, the Scheme.

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
			No part of the authorised development is to commence until an EMP (2nd iteration), substantially in accordance with the EMP (1st iteration), for that part has been submitted to and approved by the county planning authority, following consultation with the relevant planning authority and strategic highway authority to the extent that it relates to matters relevant to its functions.
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.	Noted
Explanatory memorandum to the 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.	The Explanatory Memorandum is an explanative document to be read alongside the dDCO. The Explanatory Memorandum is explaining at 4.5(a) the extent of the works identified within the definition of "commence" as set out in the dDCO. The Applicant does not consider that Chapter 2 of the ES needs to set out the "pre-commencement" works as they are considered in the DCO, the works described in the ES are important for setting out an overall sequence. The definition of "commence" has a narrow use in determining which of those works can be done prior to the discharge of requirements set out in Schedule 2 of the dDCO.
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.	The Applicant has responded to this point during ISH2 and has set out its position in its written summaries of oral case for Issue Specific Hearing 2 (REP2-047), further the Applicant has provided a response in its response to relevant representations (REP2-043).
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	The Applicant has responded to this point during ISH2 and has set out its position in its written summaries of oral case for Issue Specific Hearing 2 (REP2-047), further the Applicant has provided

LIR Reference	Topic	LIR Extract (verbatim)	Applicant's Response
		<p>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.</p>	<p>a response in its response to relevant representations (REP2-043).</p>
Schedules			
5.4.1		<p>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.</p>	<p>The Applicant has responded to this point during ISH2 and has set out its position in its written summaries of oral case for Issue Specific Hearing 2 (REP2-047), further the Applicant has provided a response in its response to relevant representations (REP2-043).</p>

AtkinsRéalis

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

Tel: +44 (0) 8000 514 514