

M5 Junction 10 Improvements Scheme

**Applicant Response to Relevant Representations on
Changes**

TR010063 - APP 9.91

Rules 8 (k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

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

Applicant Response to Relevant Representations on Changes

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Contents

Chapter	Page
1. Introduction	4
2. RR-045 Ceri Brown	5
3. RR-046 Peter Frank Dufton Badham	15
4. RR-047 Eversheds Sunderland LLP on behalf of Severn Trent Water	18

1. Introduction


- 1.1.1. This document (TR010063/APP/9.91) provides the Applicant's response to relevant representations made by interested parties in relation to Application for Changes 1 and 2 where it is considered a response is required including:
- RR-045 Ceri Brown
 - RR-046 Peter Frank Dufton Badham
 - RR-047 Eversheds Sunderland LLP on behalf of Severn Trent Water
- 1.1.2. The Applicant acknowledges that a submission was also made by the UK Health Security Agency (RR-048), however, the Applicant considers a response is not required in this instance.

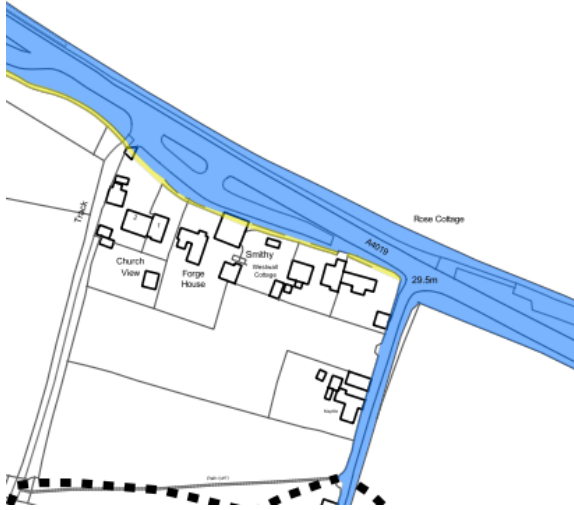
2. RR-045 Ceri Brown

Reference No.	Interested Parties Response	Applicant Response
045-01	<p>I write to express significant concerns in relation to the abovementioned scheme and the lack of information to adequately assess the impact of the scheme on the residents of Church View and it is considered that the impact on the amenity of the residents of Church View, Uckington has not been fully assessed to date and therefore the proposed scheme does not comply with paragraph 130 point F and paragraph 185 of the NPPF. Paragraph 130 confirms that planning decisions should ensure that developments:</p> <p><i>“Create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users”</i></p>	<p>It is the interpretation of the Applicant that the Interested Party’s comments have been made within the context of the 2021 NPPF. As such the following response has sought to address the comments made against the equivalent paragraphs of the current NPPF (December 2023), namely paragraphs 135 and 191 respectively.</p> <p>The Applicant also notes that whilst the NPPF remains an important and relevant consideration in decisions on nationally significant infrastructure projects, and has therefore provided a response on paragraphs highlighted by the IP, the relevant policy for the Scheme is the NPS NN 2014.</p> <p>The Scheme has been subject to two stages of assessment to consider the impacts on people and the environment, and to identify the mitigation measures needed to limit those impacts where possible. Mitigation measures are achieved through features embedded into the design of the Scheme, as well as measures employed during the Scheme’s construction.</p>
045-02	<p>Furthermore, paragraph 185 confirms that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.</p>	<p>The two stages of assessment undertaken are reported in the Preliminary Environmental Impact Report (as published on GCC’s website (M5 Junction 10 Improvements Scheme - Highways (gloucestershire.gov.uk))), and in the Environmental Statement, a summary of which is provide in the Non-technical Summary [REP1-011].</p> <p>The assessment of the impacts to people, including the residents of Church View are presented in ES Chapter 13 (Population and Human Health) [REP3-022]. This assessment includes a consideration of the effects of the Scheme on human health at a population cluster level. Church View has been assessed as part of the Uckington, Moat Lane and Cooks Lane population cluster for human health assessments, with results reported in the Population and Human Health assessment [REP3-022] Construction impacts are assessed in Table 13-50 and</p>

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		<p>operational impacts in Table 13-51 these assess the impacts on access and landscape amenity. For the population assessment, Church View has been assessed within the < 30 residential properties at Uckington cluster. Construction impacts on population are included in Table 13-11, operational impacts are reported in Table 13-12 with impacts assessed for access and characteristics.</p> <p>Tables 13-50 and 13-51 refer to the wider population assessment for health outcomes, of which the relevant impacts for Church View include air quality, safety, noise, soil and water pollution, and separation from open space and recreational routes. Details of these health outcomes assessments are located within Table 13-48 for construction and Table 13-49 for operation.</p> <p>Conclusions for the impacts of the Scheme on residents of Church View are located in Tables 13-58 and 13-59. These are summarised as:</p> <p>Population</p> <ul style="list-style-type: none"> • Moderate adverse construction impact associated with changes to key rural characteristics from construction works, demolition of buildings and the introduction of urbanising features along the A4019 corridor. • Moderate beneficial operational impact associated with improvements to access for a range of modes arising from Scheme implementation. <p>Human Health</p> <ul style="list-style-type: none"> • Very large adverse construction impacts associated with changes in landscape amenity. • Moderate adverse construction impact associated with changes in access arrangements. • Moderate adverse operation impact associated with changes in landscape amenity.

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		<ul style="list-style-type: none"> • Large beneficial operation impact associated with access improvements for a range of modes and community facilities in opening year. • Very large operational impact associated with access improvements for a range of modes and community facilities in future year. <p>With regards to compliance with NPPF paragraph 135 it is the Applicant's position that the Scheme before Examination provides and facilitates a number of benefits associated with inclusivity and accessibility, specifically in relation to improvements to access of a wide range of modes of transport and community facilities as a result of the Scheme, which in turn would promote health and well-being within the local community.</p> <p>With regards to compliance with NPPF paragraph 191 (new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development), the Applicant has assessed these items within the Environmental Statement (ES) that has been produced for the Scheme. The assessment of the effects of the Scheme on people and health is provided in ES Chapter 13 (Population and Human Health) [REP3-022]. The assessment of the effects of the Scheme on the natural environment is provided in Chapters 5-14 of the ES, and summarised in the Non-technical Summary [REP1-011]. Cumulative effects of the Scheme are assessed specifically in ES Chapter 15 [APP-074].</p>
045-03	<p>In relation to the available information, it is unclear why the application is only subject to an indicative redline plan at this stage on the process. With regards to the redline boundary, confirmation is required of the precise redline along the front of properties at Church View.</p>	<p>The "Indicative Application Red Line Boundary Plan - November 2021" on GCC's website was for statutory consultation carried out by the Applicant between November 2021 and February 2022. It remains on GCC's website as a record of historical published documents.</p>

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		<p>The DCO limits (redline boundary) have been confirmed, are fixed and are shown on the DCO Plans (see Sheet 12 of the Land Plans REP5-002). The Plan confirms that the redline boundary follows the front of the properties at Church view.</p>
045-04	<p>Furthermore details of the proposal in front of Church View is unclear, as per the extract of the scheme plan below:</p> 	<p>The proposal, as detailed within the DCO application, is to provide access to the existing road in front of Church View via a proposed new side road which links to the proposed West Cheltenham Link Road by means of a priority junction.</p> <p>Works will be undertaken in this area as shown in Works Plans 12 TR010063/APP/2.4.</p> <p>These works include:</p> <p>Work No.5a: the construction of a service road linking properties south of the A4019 (Tewkesbury Road) and Cooks Lane (the need for resurfacing of the existing layby will be considered during detailed design).</p> <p>Work No. 5k: the construction of new or altered private means of access (connection of existing access track to Work no 5a described above)</p> <p>Work No.4k: the construction of an environmental barrier approximately 160 metres in length south of the A4019 (Tewkesbury Road) adjacent to Cooks Lane</p> <p>Work No. 15: the diversion of 7090 metres of water pipeline at the location shown on sheets 5, 12, 13 and 14 of the works plans.</p> <p>Work No. 30: the diversion of 122 metres of telecommunication cable and associated apparatus and equipment at the location shown on sheet 12 of the works plans.</p>
045-05	<p>The existing road in-front of the properties appears not to be subject to resurfacing and it is therefore unclear who will be responsible for the long term maintenance of the road.</p>	<p>The existing road in front of Church View is adopted by GCC, as shown in this extract from their adopted highways records (GCC adopted highway shown in blue). The DCO is not proposing to change this, so the road will remain adopted</p>

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	<p>Clarification is required on these matters.</p>	<p>highway and therefore the long term maintenance will continue to be the responsibility of GCC. The Classification of Roads Plans [ref], sheet 12, show that the A4019 mainline will be classified as an A-Road, with the service road running parallel with the A4019 classified as “unclassified”. This position is secured in the dDCO under Article 14.</p> 
045-06	<p>The Noise and Vibration chapter of the PIER confirms that a 2m reflective noise barrier will be located adjacent to the properties on Church View but it is unclear from the scheme plan where this will be located. The term ‘reflective’ is also concerning because this could create significant glare and light pollution for the properties along Church View. It should be noted that habitable rooms are located on the front façade of properties which will look toward the noise barrier. In</p>	<p>It is not clear from the comments made which version of the NPPF is being referenced. Based on the subject matter raised, in this instance, the Applicant has assumed that the interested party is referring to the 2023 NPPF and has responded on that basis.</p> <p>The information provided below reflects the details reported in the Environmental Statement (ES), and supporting documents (including the</p>

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	<p>relation to the noise barrier, the landscape and visual chapter of the PIER confirms for VR19 that:</p> <p><i>“There is potential for there to be significant effects for the properties around the Smithy due to proximity of works and proposed noise barrier, however with sensitive design the change in view may not necessarily be adverse”.</i></p> <p>It should be noted that it is assumed that VR 19 does assess impacts on the residential properties of Church View but it is unclear from Figure 9.2 and clarification is requested on this point along with further details of the proposed Noise Barrier and any landscaping to soften its impact. In this regard, significant landscaping needs to form part of the mitigation measures to soften the visual impact of the proposed noise barrier. In light of the above and based on the lack of information it can only be concluded that the proposed scheme does not comply with paragraphs 127 and 170 of the NPPF. Furthermore, information on the lighting of the scheme is required to ensure the scheme does create significant light pollution in accordance with the requirements of paragraph 180 of the NPPF.</p>	<p>Environmental Masterplans). These documents provide an updated level of information to that reported in the PEIR.</p> <p>The location of the noise barrier in the current design is shown on the Environmental Masterplan [REP4-010] sheet 12 of 16, as a thin blue line in the verge between the service road and the A4019.</p> <p>The description in the Noise and Vibration chapter of the ES [AS-014] Table 6-13 of this noise barrier being a ‘reflective noise barrier’, refers to the acoustic properties of the barrier and not its visual properties. The noise barrier in this location is designed to reflect the sound from the traffic on the A4019 back onto the road. The location of the noise barrier results in a reduction in the level of noise experienced at the properties that are on the other side of it, such as Church View.</p> <p>The design of this noise barrier has been assessed in the ES Chapter 9 (Landscape and Visual Assessment) [REP7-005] as a timber board design. Further discussion will be held with local residents as part of the detailed design stage regarding the final design of the barrier. The design (as determined at detailed design stage) may include simple timber boards, living woven planting, green wall systems or a painted design to provide as much additional amenity value as possible.</p> <p>Table 9-6 in the ES Chapter 9 summarises the results of the visual amenity assessment, including receptor group VR19.</p> <p>With regards to compliance with paragraph 127 of the current NPPF it should be noted that paragraph 127 states that:</p> <p>“Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:</p> <p>a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality</p>

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		<p>and viability of town centres, and would be compatible with other policies in this Framework; and</p> <p>b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.</p> <p>Given that the DCO application submitted into Examination does not relate to the use of land to which paragraph 127 refers it is the Applicant's position that paragraph 127 is not of relevance to the determination of the DCO application. Moreover, the converse to paragraph 127 is true as the Scheme seeks to facilitate the development of land allocated for housing development within the JCS.</p> <p>Details of the how the Scheme passes the Exception test, (and the requirements of paragraph 170 of the NPPF) are provided in the ES Appendix 8.1 (Flood Risk Assessment) [REP5-008].</p> <p>With regards to lighting, the A4019 adjacent to Church View will be lit. ES Chapter 2 (The Scheme) [AS-010] provides an overview of the lighting for the Scheme as this preliminary design stage:</p> <ul style="list-style-type: none"> The lighting design for the Scheme will use directional full cut-off Light Emitting Diode (LED) luminaires at a 12m mounting height to illuminate the carriageway to standard and minimise light spill on the surrounding areas. The proposed LED luminaires have a warm white appearance for environmental reasons and will have an option to be dimmed using GCC's Central Management System. <p>Section 2.6 of the ES Chapter 2 [AS-010] describes how the design of the Scheme has sought to avoid key environmental features as far as possible so that impacts to them are avoided or minimised. Mitigation and enhancement measures have been embedded within the preliminary design of the Scheme to mitigate impacts to the environment, and meet the requirements of paragraph 180 of the NPPF.</p>

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		<p>Notwithstanding the above and in light of the interested party's comments regarding noise and light impacts described in the Applicant's pre-application documentation the Applicant would be happy to meet with them to discuss their concerns within the context of the Scheme, and the assessment, before the Examination.</p>
045-07	<p>We are assessing the emissions of carbon dioxide from the scheme and further work is required to frame these likely emissions with reference to our Climate Change Strategy and associated target. Our scheme will result in carbon dioxide emissions during the construction phase, and it is likely to increase emissions during the operational phase due to increased levels of traffic. However, our goal is to reduce the volume of these emissions as much as possible, and we will be applying a carbon reduction hierarchy of avoid/prevent, reduce and remediate. Our findings in the PEIR have also concluded that the scheme is highly unlikely to affect the UK's ability to meet its carbon budget, meaning that the emissions produced during the construction and operational phases of the scheme will likely have a negligible impact on the country's overall carbon emissions</p> <p>In terms of Air Quality, the PEIR on Figure 5.1 identifies monitoring locations and it is really concerning that no monitoring was undertaken at Church View given the proximity of the properties to the A4019.</p> <p>Monitoring should be undertaken at this location so the full impacts on the properties can be identified and appropriate mitigation put in place which is likely to include significant landscaping so the vegetation can help to absorb increased air</p>	<p>With regards to the first paragraph of the Interested Party's response, the Applicant notes that no question is being asked here by the IP and therefore the Applicant has not provided a response.</p> <p>Regarding air quality monitoring, Figure 5.1 of the ES Chapter 5 (Air Quality) [AS-012] shows that Air Quality Scheme specific monitoring was undertaken at a location on the A4019, D5, a roadside site just under 1 km east of Church View. The measured annual mean nitrogen dioxide concentration at this site in 2019 was 29.9 µg/m³, comfortably below the air quality objective of 40 µg/m³ (see Table 5.7 of the ES Chapter 5). None of the measured data from the Scheme specific survey identified any exceedances of the annual mean nitrogen dioxide air quality objective, giving confidence that the annual mean nitrogen dioxide concentration at the roadside of the A4019 in proximity to Church View would also be below the air quality objective.</p> <p>As shown in Figure 5.4 (ES Chapter 5), receptor R37, located just off the A4019 on the same section of road as Church View at a distance of less than 100 m, was selected for assessment. With the Scheme, there is expected to be a decrease in the estimated annual mean NO₂ concentration of 1.6 µg/m³ (see Table 2.1 of the ES Appendix 5.1 [APP-081]), as the proposed Scheme alignment results in the road carriageways being further away from R37, when compared with the existing alignment of the A4019.</p> <p>Hence, given that annual mean NO₂ concentrations are currently meeting the objective, and are expected to reduce further with the Scheme, there is no requirement for any further mitigation for air quality.</p>

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	pollution in the local area.	
046-08	<p>It is also questionable whether the scheme fits with the Climate Change Agenda, when basically it is encouraging vehicle movements as opposed to encouraging greater use of public transport. For example, it is evident that the road widening along the A4019, does not include a dedicated bus lane and will just facilitate the easier movement of vehicles and therefore the proposed scheme does not actually meet at least one of its stated objectives or paragraph 105 of the NPPF:</p> <p><i>“Deliver a package of measures which is in keeping with the local environment, establishes biodiversity net gain and meets climate change requirements.”</i></p>	<p>The assessment work carried out for the Joint Core strategy and further work carried out by the Applicant (REP3-053 Multimodal Study) show that improvements to public transport alone would not release the housing developments that this scheme is unlocking.</p> <p>As part of the Scheme, the Applicant includes for alternative forms of travel with the provision of segregated footways / cycleways and provision of bus lane on the A4019 eastbound between the West Cheltenham Fire Station and Gallager Junction. Provision of bus lanes elsewhere was not considered necessary as there is no significant delay or congestion for buses to bypass in dedicated bus lanes. This is in line with the first priority set out with the UK Government’s Transport Decarbonisation Plan (Accelerating modal shift to public and active transport). This plan sets out the priorities and actions that the UK Government will undertake to decarbonise the transportation sector by 2050.</p>
046-09	<p>It should also be noted that we continue to object to the inappropriate release of greenbelt land to accommodate housing and job growth which necessitates the scheme. We object to the release of greenbelt land in this location for the following reasons:</p> <ul style="list-style-type: none"> • Building houses on green belt and A1 farming land • Noise and light pollution • Air pollution • Flood risk • Destruction of wildlife habitats • Destruction of natural views 	<p>With regard to the building of houses on green belt land it should be noted that whilst the housing developments themselves are not part of the DCO application; the Strategic Allocations, facilitated by the Scheme, were adopted as part of the Joint Core Strategy (JCS). As part of the JCS this land was removed from the Green Belt in order to meet the identified need and objectives outlined in the local plan.</p> <p>When considering the impacts of the Scheme itself on the Green Belt, this was covered in the first Issue Specific Hearing (ISH1) and the details from that are presented in Appendix A of the Applicant’s Written Submissions of Oral Case for Issue Specific Hearing 1 [REP1-046]. In summary, it is considered that, from a visual perspective, the Scheme design and its landscape mitigation will preserve the openness of the Green Belt.</p> <p>As part of the Environmental Statement (ES) produced for the Scheme, the Applicant has assessed the environmental impacts of the issues identified in this</p>

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		<p>representation. Further information on this assessment is presented in the following documents:</p> <ul style="list-style-type: none"> - Noise – ES Chapter 6 (Noise and Vibration) [AS-014]. - Light pollution – ES Chapter 9 (Landscape and Visual Impact Assessment) [REP7-005] includes an assessment of light pollution to people. ES Chapter 7 (Biodiversity) [REP1-012] addresses impacts of light pollution on wildlife. - Air quality – ES Chapter 5 (Air Quality) [AS-012]. - Flood risk – ES Appendix 8.1 (Flood Risk Assessment) [REP5-008]. - Impacts on wildlife habitats – ES Chapter 7 (Biodiversity) [REP1-012]. - Impacts on natural views – ES Chapter 9 (Landscape and Visual Impact Assessment) [REP7-005].
	<p>I trust the above objection is clear and I request that I am kept informed of when any new information becomes available.</p>	<p>Response noted.</p>

3. RR-046 Peter Frank Dufton Badham

Reference No.	Interested Parties Response	Applicant Response
046-01	<p>Plot Ref: 13/3v - As the owner of [REDACTED], I note the proposal to acquire permanently the subsoil rights up to the centreline of the public adopted highway of [REDACTED] and the adjoining property Landean shown coloured pink on Land Plan 13 of 16. I note, however, that with regard to the public adopted highway immediately to the West (Plot Ref : 13/3g) and to the East (Plot Ref: 13/3s) both coloured green on the Land Plan the proposal is to simply use the land temporarily. I fail to understand firstly, why this distinction arises and secondly, why permanent subsoil rights are considered necessary in respect of [REDACTED] and Landean. The works to be carried out in respect of Plots Refs: 13/3g and 13/3s are in fact greater than those in respect of Plot Ref: 13/3v and those to be carried out in respect of Plot Ref: 13/3v are all included in respect of Plots Refs: 13/3g and 13/3s. If there is no impediment to carrying out the necessary works in respect of Plots Refs: 13/3g and 13/3s by way of temporary possession there cannot be any in respect of Plot Ref: 13/3v. In any event my understanding is that statutory rights pertain to the carrying out of all necessary works I, therefore, consider the proposal to acquire permanent subsoil rights in respect of Plot Ref: 13/3v as misconceived and entirely without foundation.</p>	<p>The ownership and any interest in the land included within plot 13/3v (the section of the A4019 immediately in front of Landean and Elton Lawn, is unregistered with HM Land Registry. A presumed interest has been recorded against plot 13/3v for Rosalind Nolan and Peter Badam as owners of Landean and Elton Lawn respectively, under the ad medium filum rule. The Applicant has taken a consistent approach across the Scheme, to acquire unregistered land which will form part of the permanent local road network delivered by the Scheme, as is normal for Schemes such as this. This ensures that any unknown interest in the land are addressed by means of the Order and that any rights required for utilities through the land can be freely granted by the Applicant.</p> <p>Gloucestershire County Council are the registered freeholders for both plots 13/3g and 13/3s which is why the land acquisition approach is different as there is not considered to be the same risk of unknown third party rights over the land.</p> <p>The Applicant has sought to minimise the land acquired as part of the Scheme, it has sought to use temporary powers of possession where appropriate, but in some cases such as plot 13/3v due to the unregistered nature of the plot acquisition of the sub-soil rights is necessary to ensure no impediment to the delivery of the Scheme.</p> <p>The Applicant has sent an offer to all owners and presumed owners of sub-soil rights on 19th October 2023 with an intent to acquire voluntarily.</p>
046-02	<p>Plot Ref: 13/11a - As the owner of this Plot forming part of [REDACTED], I note the proposal to acquire permanently the rights and to possess and</p>	<p>The Applicant is seeking Temporary Possession and Permanent</p>

	<p>use temporarily the small triangle of hedgerow, trees and garden associated with [REDACTED] for the purpose of constructing (only) a new or altered private means of access and the construction (only) of a service road. As this right relates only to the construction stage, I see no reason for the permanent acquisition of such right</p>	<p>Rights in relation to Plot 13/11a.</p> <p>The plot is required for the construction of both the new footway and the service road which will provide access to Elton Lawn following completion of the works. Whilst the alignment of the boundary of Elton Lawn will not be altered by the Scheme, the Applicant has assumed that some level of replacement of existing highway fencing and hedgerow. However, the Applicant considers that the principal reason for this plot being “blue”, and the undertaker of the Order being required to acquire permanent access rights is to ensure continuity of access to the hedgerow which forms part of the dormouse mitigation in plot 13/11b. The Applicant notes that the Statement of Reasons and dDCO are not explicit in the rights being acquired to facilitate access for this purpose and therefore will be updating its dDCO in respect of plot 13/11a to ensure that there is reference to work no. 4j. The Applicant has discussed this matter with Mr Badham to explain the purpose and need of the amendment.</p>
046-03	<p>Plot Ref: 13/11b - I have no objection in principle to this proposal relating to the welfare of dormice. However, I ask if this right, by way of reciprocation, would impose an obligation on the Applicant to carry out the construction and maintenance etc and for clarification as to whether this right (with the obligation) would pass to successors in title of the Applicant.</p>	<p>The Applicant would be required to deliver the dormouse mitigation. The improvements to the hedgerow need to be maintained for a 10 year period following the Applicant undertaking the improvements therefore the Applicant requires rights to allow it to access the relevant plots to maintain the hedgerow. This is a period set by Natural England for managing the mitigation required for dormice. The agreement proposed would be limited to this period only and during that period would need to be capable of being passed to successors in title of the Applicant, if required. Access is needed to both sides of the hedgerow for this period only. A termed Deed of Easement to access the western side of the hedgerow is desired to secure these improvements for the required time only and would pass to a successor in title if transferred during the term before ending.</p>
046-04	<p>Plot Ref: 13/12a - As the owner of this Plot forming part of [REDACTED], my comments are the same as in respect of Plot Ref: 13/11b above. Plot Ref: 13/3w - My comments relating to dormice are the same as in respect of Plot Ref: 13/11b above. With regard to the electric cable there are</p>	<p>With reference to the dormouse mitigation, the comments above would apply.</p>

<p>existing statutory rights and I, therefore, query the need to create new rights. Statement of Reasons Application Document Reference: TR010063/APP/4.1 State of Negotiations with land interest It is correct that the Applicant and agent have engaged with me at various consultation events, met on site and discussed works to hedges. However, there has never been any discussion as to "proposed land take" as I have been repeatedly assured that was not an issue and that there would only be need for temporary access to carry out ancillary works.</p>	<p>The Applicant is not aware of any electricity cable required for the scheme in this location. Only rights to secure the dormouse mitigation and access are being sought over plot 13/3w. For clarity Plot 13/3w is owned by Gloucestershire County Council and Mr Badham does not have an interest in this plot.</p> <p>The Applicant met with Mr Badham on the 11 October 2024, during which the need for access to improve and rights to maintain the hedge were discussed along with proposals to reach a voluntary agreement. This was further discussed at a meeting on the 07 November 2024.</p> <p>For clarity there is no permanent land take proposed within Mr Badham's property or changes to the existing boundaries.</p>
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4. RR-047 Eversheds Sunderland LLP on behalf of Severn Trent Water

Reference No.	Interested Parties Response	Applicant Response
047-01	<p>Severn Trent Water (a Statutory Undertaker for wastewater services) has existing apparatus situated within the 'red-line' boundary of the DCO, it is envisaged that these apparatus will be diverted to accommodate the Promoter's scheme. Whilst Severn Trent does not object to the scheme in principle, it will require bespoke protective provisions to be included within the proposed DCO to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards. Severn Trent is currently in negotiation with the Promoter of the scheme in relation to said protective provisions. Severn Trent will keep the Examining Authority updated in relation to these discussions.</p>	<p>The Applicant has provided an updated dDCO with bespoke provisions for the benefit of Severn Trent Water at Deadline 7. The bespoke provisions provided are not entirely agreed with Severn Trent Water. The Applicant has provided a S127 Report (AS-110) into examination to set out its justification for why its position remains acceptable despite remaining disagreement on the precise form of the protective provisions. The Applicant's position is that whilst the precise form has not been agreed, the remaining items are not sufficiently material to jeopardise the Scheme's compliance with section 127.</p>

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