

Hi Jo

This site has very few trees on it and is bounded by low value hedges. I would still expect a tree and hedgerow survey as per BS5837:2012.

Because of the low existing tree cover, the development could be used to enhance tree cover in the area. This should be a suitable mix of trees and include trees located in areas of open space that will reach and ultimate large and prominent size. Orchards are found locally so it would be appropriate to try and secure a new orchard area in the development somewhere.

Kind regards

Justin Hobbs
Arboriculturist

Our Ref: NSS/GL/GC/1247/201830

Your Ref: 20/00315/OUT

21 May 2020

Gloucester City Council
Development Control
PO Box 3252
Gloucester
GL1 9FW



FISHER GERMAN LLP
CLH Pipeline System Ltd
PO Box 7273
Ashby de la Zouch
Leicestershire
LE65 2BY

Tel: 0845 0701245
Email: CLHpipelinesystem@fishergerman.co.uk
www.fishergerman.co.uk

Dear Sirs/Madam

**CLH Pipeline System (CLH-PS) Ltd ('CLH-PS') – Objection
Land at Hill Farm Hempsted Lane Gloucester**

Thank you for your enquiry dated 19 May 2020. We confirm that our client CLH-PS's apparatus will be affected by your proposals as indicated on the attached plan(s). The plan(s) supplied are intended for general guidance only and should not be relied upon for excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided and in order to verify the true location of the pipeline you should contact CLH-PS to arrange a site visit.

It appears from the plans submitted by the applicant that their proposed development is to be constructed within close proximity to CLH-PS apparatus. Such works would require consent from CLH-PS and, in this instance, consent would not be granted as the proposed development would restrict access to the pipeline, both for routine maintenance and in an emergency situation. We must therefore **object** to the planning application. My client must be consulted to ensure the proposal has no impact on their apparatus. Their contact details are:

**Central Services
Ashdon Road
Saffron Walden
Essex, CB10 2NF**

Email: pipeline.admin@grupoclh.com
Tel: 01799 564101

When contacting CLH-PS, please quote our unique reference **201830**, which is specific to this enquiry. Please note that you should contact CLH-PS within 28 days of the date of this letter in order to validate this enquiry, otherwise it will become void.

You should note that the interests of the CLH-PS are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from CLH-PS. CLH-PS's Easement Strips are 6 metres wide and can incorporate other associated CLH-PS facilities.

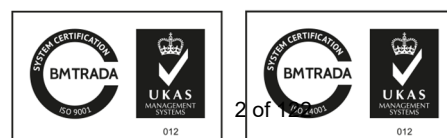
CLH-PS will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining a Works Consent can take between four and six weeks depending on circumstances at the time of application.

To reiterate, you should not undertake any work or activity without first contacting CLH-PS for advice and, if required, a Works Consent. For a copy of CLH-PS's Standard Requirements for Crossing or Working in Close Proximity to CLH-PS Pipelines, please visit <https://cdn.lineearchbeforeudig.co.uk/pdfs/lbstd-standard-requirement-uk-um.pdf>. This will provide you with practical information regarding the legislation that governs the CLH-PS.



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Regulated by RICS.

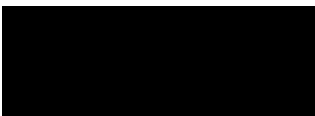


You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage CLH-PS apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.

Please note that implementation of any unapproved work that affects the CLH-PS Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.

Should you require any further assistance regarding this letter please contact the undersigned or alternatively, you can contact CLH-PS using the details provided above.

Yours faithfully



For and on behalf of FISHER GERMAN LLP (CLH-PS Authorised Agent)

Enc. Location Plan

CC. CLH-PS



CORONAVIRUS / COVID 19

Please note that in accordance with ongoing measures put in place to contain the spread of the Covid 19 virus in the UK, all CLH Pipeline System (CLH-PS) Ltd offices are currently closed and will remain so until at least the 1st June 2020 in line with current UK Government Guidance.

If there is an emergency, please call 01189 712021 any time of the day.

The aim in closing our offices is to protect our employees, and others, from any avoidable exposure and onward transmission of the virus that could result in avoidable serious illness or worse.

All office based staff are currently working from home and are contactable via the contact numbers below.

Regarding site visits by our pipeline staff, while we are attending these we are trying to limit them, wherever possible, by asking that all non essential work to be deferred until June, again this is aligned with current available Guidance.

If you do need to organise a site visit please contact us to make a request using the details provided below.

NOTE: we will only attend a site if it is safe to do so and appropriate social distancing measures can be maintained. These will need to be agreed before attending site.

Please contact us on pipeline.admin@grupoclh.com

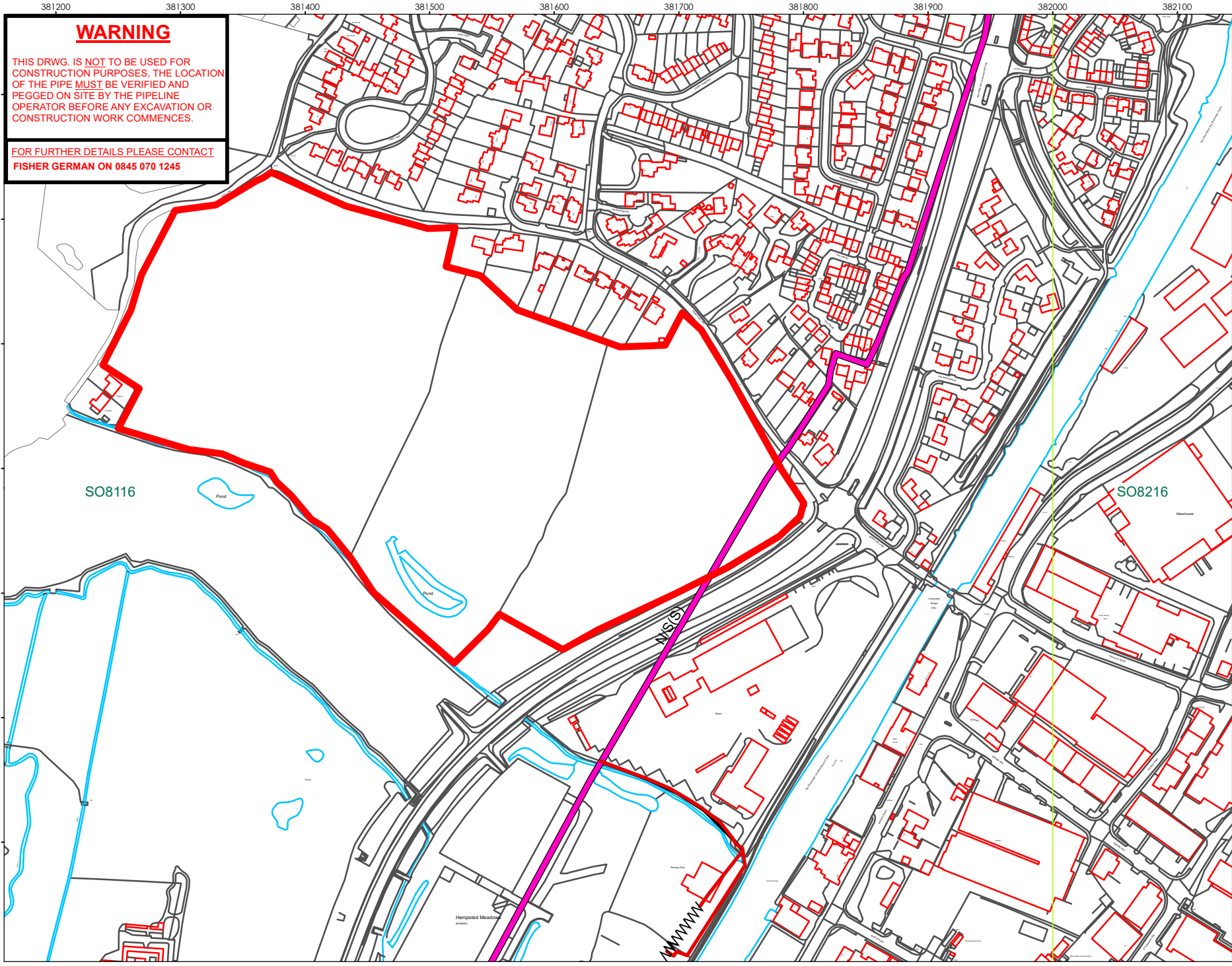
Or

during business hours 9-5 Monday to Friday call:

Anne Swallow (Pipeline Administrator) on 07595 820567 (in the first instance)

Paul Lewis (Pipeline Protection Advisor) on 07540 138353

Carl Sadler (Pipeline Protection Advisor) on 07827 231604



WARNING

THIS DRWG. IS NOT TO BE USED FOR CONSTRUCTION PURPOSES. THE LOCATION OF THE PIPE MUST BE VERIFIED AND PEGGED ON SITE BY THE PIPELINE OPERATOR BEFORE ANY EXCAVATION OR CONSTRUCTION WORK COMMENCES.

FOR FURTHER DETAILS PLEASE CONTACT FISHER GERMAN ON 0845 070 1245



OVERVIEW WINDOW



Legend

- CLH_PS
- Cathodic Protection

Site centre coordinates:
381,651 - 216,484

CLIENT:



TITLE:
LOCATION PLAN EXTRACT
OF PIPELINE N/S(S)

SCALE: 1:4,000 @ A4
DATE: 19/05/2020

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CHARTERED SURVEYORS



The Estates Office, Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ

Telephone 0845 070 1245

DRAWING NO:
20/00315/OUT
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Fisher And German Chartered Surveyors
The Grange
80 Tamworth Road
Ashby De La Zouch
Leicestershire
LE65 2BW

19th May 2020

Joann Meneaud
(01452) 396787
development.control@gloucester.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

Our Reference: 20/00315/OUT

Proposal: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

Location: Land At Hill Farm Hempsted Lane Gloucester

UPRN: 200004489227

If you wish to make any observations about the proposal, I would be grateful to receive them within the next **21 days**.

You can view this application on-line from **1 day after** the date of this letter via the council's website <http://glcstrplnng12.co.uk/online-applications/>

- Please send comments to development.control@gloucester.gov.uk. *All comments will be published on the Council's website, so please ensure the information provided is of a professional nature.*
- If you receive an error message when trying to view documents on Public Access please email development.control@gloucester.gov.uk with the reference number so we can fix the issue.

Should you require any further information, please let me know.

Yours faithfully

Joann Meneaud
Planning Case Officer

Application for Outline Planning Permission With Some Matters Reserved.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

| | |
|----------------|--|
| Number | <input type="text"/> |
| Suffix | <input type="text"/> |
| Property name | <input type="text"/> |
| Address line 1 | <input type="text" value="Hempsted Lane"/> |
| Address line 2 | <input type="text"/> |
| Address line 3 | <input type="text"/> |
| Town/city | <input type="text" value="Gloucester"/> |
| Postcode | <input type="text"/> |

Description of site location must be completed if postcode is not known:

| | |
|--------------|-------------------------------------|
| Easting (x) | <input type="text" value="381499"/> |
| Northing (y) | <input type="text" value="216555"/> |

| | |
|-------------|--|
| Description | <input type="text" value="Agricultural land"/> |
|-------------|--|

2. Applicant Details

| | |
|----------------|---|
| Title | <input type="text" value="Please Select..."/> |
| First name | <input type="text"/> |
| Surname | <input type="text" value="Gladman"/> |
| Company name | <input type="text"/> |
| Address line 1 | <input type="text" value="Gladman Developments"/> |
| Address line 2 | <input type="text" value="Gladman House"/> |
| Address line 3 | <input type="text" value="Alexandria Way"/> |
| Town/city | <input type="text" value="Congleton"/> |
| Country | <input type="text" value="Cheshire"/> |

2. Applicant Details

Postcode

CW12 1LB

Primary number

Secondary number

Fax number

Email address

Are you an agent acting on behalf of the applicant?

YesNo

3. Agent Details

No Agent details were submitted for this application

4. Description of the Proposal

Please indicate all those matters for which approval is sought as part of this outline application (tick all that apply).

Note: if this application is approved, the matters not determined as part of this application will need to be the subject of an 'Application for approval of reserved matters' before the development may proceed.

☒ Access

☐ Appearance

☐ Landscaping

☐ Layout

☐ Scale

Please describe the proposed development

Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

Has the work already been started without planning permission?

YesNo

5. Site Area

What is the measurement of the site area?
(numeric characters only).

12.22

Unit

Hectares

6. Existing Use

Please describe the current use of the site

Agricultural land

Is the site currently vacant?

YesNo

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

YesNo

Land where contamination is suspected for all or part of the site

YesNo

A proposed use that would be particularly vulnerable to the presence of contamination

YesNo

7. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway?

YesNo

7. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered pedestrian access proposed to or from the public highway?

☒ Yes☐ No

Are there any new public roads to be provided within the site?

☒ Yes☐ No

Are there any new public rights of way to be provided within or adjacent to the site?

☐ Yes☒ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

☐ Yes☒ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state their reference numbers

Please refer to cover letter accompanying this application for full list of drawings and reports.

8. Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

☐ Yes☒ No

9. Materials

Does the proposed development require any materials to be used externally?

☒ Yes☐ No

Please provide a description of existing and proposed materials and finishes to be used externally (including type, colour and name for each material):

| | |
|--|--|
| Walls | |
| Description of existing materials and finishes (optional): | n/a |
| Description of proposed materials and finishes: | To be considered as part of Reserved Matters |

| | |
|--|--|
| Roof | |
| Description of existing materials and finishes (optional): | n/a |
| Description of proposed materials and finishes: | To be considered as part of Reserved Matters |

| | |
|--|--|
| Windows | |
| Description of existing materials and finishes (optional): | n/a |
| Description of proposed materials and finishes: | To be considered as part of Reserved Matters |

| | |
|--|--|
| Doors | |
| Description of existing materials and finishes (optional): | n/a |
| Description of proposed materials and finishes: | To be considered as part of Reserved Matters |

| | |
|--|--|
| Boundary treatments (e.g. fences, walls) | |
| Description of existing materials and finishes (optional): | n/a |
| Description of proposed materials and finishes: | To be considered as part of Reserved Matters |

| | |
|--|-----|
| Vehicle access and hard standing | |
| Description of existing materials and finishes (optional): | n/a |

9. Materials

Description of proposed materials and finishes:

To be considered as part of Reserved Matters

Are you supplying additional information on submitted plans, drawings or a design and access statement?

☒ Yes ☐ No

If Yes, please state references for the plans, drawings and/or design and access statement

Please refer to cover letter submitted with this application

10. Foul Sewage

Please state how foul sewage is to be disposed of:

- ☒ Mains Sewer
☐ Septic Tank
☐ Package Treatment plant
☐ Cess Pit
☐ Other
☐ Unknown

Are you proposing to connect to the existing drainage system?

☒ Yes ☐ No ☐ Unknown

If Yes, please include the details of the existing system on the application drawings. Please state the plan(s)/drawing(s) references.

Please refer to cover letter accompanying this application.

11. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

☒ Yes ☐ No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

☒ Yes ☐ No

Will the proposal increase the flood risk elsewhere?

☐ Yes ☒ No

How will surface water be disposed of?

- ☒ Sustainable drainage system
☐ Existing water course
☐ Soakaway
☐ Main sewer
☐ Pond/lake

12. Trees and Hedges

Are there trees or hedges on the proposed development site?

☒ Yes ☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

☐ Yes ☒ No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of your local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

13. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

b) Designated sites, important habitats or other biodiversity features:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

c) Features of geological conservation importance:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

14. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

☐ Yes ☒ No

Have arrangements been made for the separate storage and collection of recyclable waste?

☐ Yes ☒ No

15. Residential/Dwelling Units

Due to changes in the information requirements for this question that are not currently available on the system, if you need to supply details of Residential/Dwelling Units for your application please follow these steps:

1. Answer 'No' to the question below;
2. Download and complete this supplementary information template (PDF);
3. Upload it as a supporting document on this application, using the 'Supplementary information template' document type.

This will provide the local authority with the required information to validate and determine your application.

Does your proposal include the gain, loss or change of use of residential units?

☐ Yes ☒ No

16. All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

☐ Yes ☒ No

17. Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

☐ Yes ☒ No

18. Hours of Opening

Are Hours of Opening relevant to this proposal?

☐ Yes ☒ No

19. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Is the proposal for a waste management development?

☐ Yes ☒ No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority

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19. Industrial or Commercial Processes and Machinery

should make it clear what information it requires on its website

20. Hazardous Substances

Does the proposal involve the use or storage of any hazardous substances?

☐ Yes ☒ No

21. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

☐ Yes ☒ No

22. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

23. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

| | |
|------------|-----------------|
| Title | Ms |
| First name | Joann |
| Surname | Meneaud |
| Reference | 19/00864/PREAPP |

Date (Must be pre-application submission)

Details of the pre-application advice received

24. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

☐ Yes ☒ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

25. Ownership Certificates and Agricultural Land Declaration

CERTIFICATE OF OWNERSHIP - CERTIFICATE B - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before

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25. Ownership Certificates and Agricultural Land Declaration

the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates.

* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. ** 'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Owner/Agricultural Tenant

| | |
|-----------------------------------|--------------------|
| Name of Owner/Agricultural Tenant | G & J Mann Limited |
| Number | |
| Suffix | |
| House Name | Waterend farm |
| Address line 1 | Coaley |
| Address line 2 | Dursley |
| Town/city | |
| Postcode | GL11 5DR |
| Date notice served (DD/MM/YYYY) | 26/03/2020 |

Person role

- ☒ The applicant
☐ The agent

| | |
|-------------------------------|---|
| Title | <input type="text" value="Please Select..."/> |
| First name | <input type="text"/> |
| Surname | <input type="text" value="Gladman"/> |
| Declaration date (DD/MM/YYYY) | <input type="text" value="26/03/2020"/> |

☒ Declaration made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☒

| | |
|----------------------------------|---|
| Date (cannot be pre-application) | <input type="text" value="26/03/2020"/> |
|----------------------------------|---|

KEY

Site boundary (12.22Ha)

Proposed development (6.4Ha)
up to 245 dwellings @38 dph

*

Local Equipped Area for Play (0.04Ha)

*

Neighbourhood Equipped Area for Play (0.1Ha)

Public open space: Informal recreation (4.81Ha)

Incidental greenspace, habitat enhancement and
meadow grassland margins (0.87Ha)

Existing hedgerows and trees

Proposed hedgerows and trees

Proposed drainage basin

Existing drainage basin

Proposed footways

Proposed vehicular access

Proposed pedestrian access

Proposed primary vehicle route

Secondary street and
lanes / private drives

Public Right of Way: Bridleway

Public Right of Way: Footpath

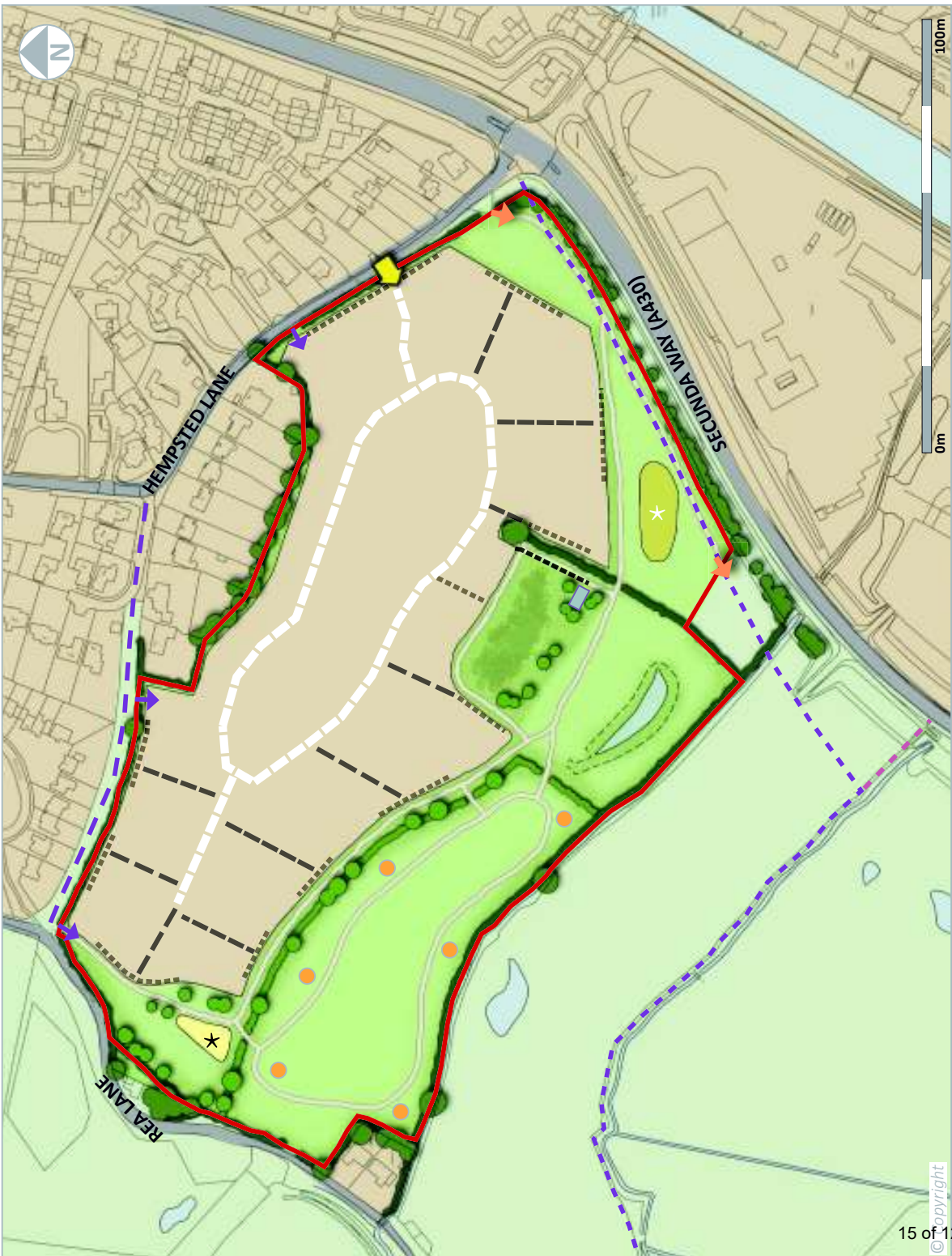
Permissive path

Retained agricultural access

Vehicular access to proposed pumping station

Proposed pumping station

Proposed trim trail (stations indicative only)



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Development.Control@Gloucester.Gov.Uk

Created on 21/05/2020 08:05

Please See Attached

Lead Local Flood Authority

Shire Hall
Gloucester
GL1 2TH

Joann Meneaud
Gloucester City Council
Planning
Shire Hall
Westgate Street
Gloucester
GL1 5TG

email: david.lesser@gloucestershire.gov.uk

Our Ref: G/2020/045298 Please ask for: David Lesser Phone: 01452 427438
Your Ref: 20/00315/OUT Date: 21st May 2020

Dear Joann,

TOWN AND COUNTRY PLANNING ACT 1990 LEAD LOCAL FLOOD AUTHORITY RECOMMENDATION

LOCATION: Land At Hill Farm Hempsted Lane Gloucester

PROPOSED: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

The LLFA has no objection to this application based on the information provided in the FRA reference CRM.1132.021.HY.R.001.A published by Enzygo dated December 2019. Information provided is suitable for an outline application therefore any consent given should be conditioned as follows:

Condition:

No building works hereby permitted shall be commenced until detailed plans for surface water drainage works have been submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. The submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation

Reason:

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

Condition:

Prior to the occupation of any building surface water drainage works shall have been implemented in accordance with details that have been approved in writing by the local planning authority. Implementation will include the provision of a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:

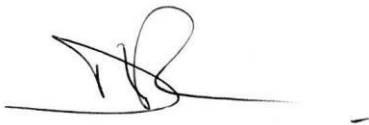
To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding for the lifetime of the development.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DL', with a horizontal line extending to the left.

David Lesser
Sustainable Drainage Engineer

Joann,

Thanks for your email.

I should be able to get out on site on the 31st May/1st of June to have a look around. Let me know if you need me to visit sooner.

In the meantime, I'll be in touch to discuss what aspects of the project might warrant particular attention.

Regards,

Peter

Landscape comments on proposed development at Hill Farm, Hempsted.

1.0 General

The following comments apply to the landscape proposals submitted as part of the above application. Comments focus on the submitted Landscape and Visual Appraisal, Design & Access statement and associated plans and certain other documents with relevance to landscape. Comments on these documents generally apply to other documents in the submission.

2.0 Policy

2.1 Certain aspects of policy relevant to landscape are discussed elsewhere in these comments. Aspects not covered elsewhere feature below.

2.2 The proposals in relation to the NPPF (Feb 2019)

Page 3 of the Design and Access Statement states that the development would *have regard to the principles set out in the NPPF*. The principle of *Conserving and enhancing the natural environment* is relevant to the site. The Development Framework Plan (GM10710-012 Rev H) shows the removal of two significant lengths of hedgerow (H8 and part of H3). This does not appear to be necessary in order to develop the site and thus does not clearly demonstrate regard for the conservation of the natural environment.

The Plan does *not* show the removal of a significant length of the hedgerow along Hempsted Lane though this is almost certain given the proximity of the hedge to the Lane. The Plan does however show the planting of c.130m of new hedgerow and 30 new trees in the public open space. Though welcome, the length of new hedgerow is close in length to that likely to be removed and the number of new trees is very low for a development of this size.

Overall, there appears to be very little regard for conserving or enhancing the natural environment in these proposals especially in terms of safeguarding components of wildlife rich habitats and wider ecological networks, wildlife corridors and stepping stones that connect them as recommended by the NPPF (section 174 etc).

2.3 The proposals in relation to the Joint Core Strategy (JCS 2011-2031)

2.3.1 The proposals outlined in the Development Framework Plan (GM10710-012 Rev H) and Illustrative Masterplan would be very unlikely to conform with many aspects of the Joint Core Strategy relevant to landscape in particular, those listed below:

- Policy SD4 Design Requirements (see 2.3.2 below)
- Policy SD6 Landscape
- Policy SD9 Biodiversity and Geodiversity
- Policy INF1 Transport Network
- Policy INF3 Green Infrastructure

2.3.2 Policy SD4 states that proposals for development would need to demonstrate the incorporation of the following principles:

- High quality landscaped areas (iv)*
- Ensure accessibility for cyclists (v and vii)*
- Ensure links to green infrastructure (vii)*

The Development Framework Plan does not fully demonstrate the satisfactory incorporation of the above.

2.4 Landscape Characterisation Assessment and Sensitivity Analysis

The Landscape Characterisation Assessment and Sensitivity Analysis is discussed in other sections of these comments.

2.5 City Plan

The proposals outlined in the Development Framework Plan and Illustrative Masterplan do not conform with a number of policies of the City Plan relevant to landscape, in particular those listed below:

- Policy D1 Active Design
- Policy D4 Allotments
- Policy F5 Green Infrastructure
- Policy G4 Landscape
- Policy G11 Development alongside main routes
- Chapter 4.0 Proposed Land Allocations.

3.0 Comments on Design and Access Statement **(Wardell Armstrong Draft 05.02.20)**

3.1. Certain elements of the DAS relevant to landscape and requiring comment are discussed elsewhere. Other elements relevant to landscape requiring comment or further consideration follow:

3.2. The map on page 11 omits or does not clearly show a number of public rights of way including the Severn Way and the National Cycle Network route 41 (along the towpath of the Gloucester and Sharpness canal) both of which are very well used and have a view of the site. Neither does it annotate the various rowing clubs along the canal as Sports and Leisure facilities (see also section 6.3).

3.3. Views of the site are described on page 12 as being *typically confined to the short and immediate distance passing to the west, and the very long distance to the north-west and south-east*. Page 18 describes views as *largely confined to the roads, residents and footpaths in close proximity to the Site*.

Neither statement accurately describes the extent of views.

Though it is not clear what the *short and immediate distance passing to the west* means exactly, clear views of the site from the A430 extend as far as the canal road bridge c.900m southsoutheast of the centre of the site. Views from this distance could not be described as *short and immediate*.

Even though the DAS actually features a view of the site from the Severn Way (photo 5 in the DAS), this view does not appear to be considered in the *short and immediate* description, as the viewpoint is c.650m to the eastnortheast of the centre of the site.

The views from the canal cycleway are also not considered in this or any of the submitted documents.

The overall inference is that the DAS has not thoroughly considered all significant views of the site.

Page 18 also states that *the Site is typically seen in the context of the much broader settled area of Gloucester*. Views from the well-used Severn Way feature only a small number of partially screened houses and the site is thus not *seen in the context of the much broader settled area of Gloucester*. The character of the views are more akin to a rural scene featuring the edge of a village as can be clearly seen in views 2, 4 and 5 of the DAS and in the view below taken from the Severn Way (see also 6.22 and 6.31 below):



A study of the context of the photoviews section in the LVA reinforces the observation that the site, in almost all views, is not *seen in the context of the much broader settled area of Gloucester*.

3.4 Whilst the DAS quotes from relevant sections of the Hempsted section of the JCS Landscape Characterisation Assessment and Sensitivity Analysis, it omits a part which could be considered very relevant to this proposed development:

where residential estates have encroached across the hill, particularly along the eastern boundary of the area (A430), the landscape has been lost, fragmented or degraded.

The proposals for the residential estate outlined in the DAS and Development Framework Plan and Illustrative Masterplan do not suggest that the outcome for landscape would be any different should the site be developed.

3.5. Page 18 suggests that *There is an opportunity to create a new settlement edge in this location on the western edge of Gloucester which provides a sympathetic address to the Severn Vales.*

The Development Framework Plan and Illustrative Masterplan (page 23) suggest that the opportunity has not been taken. Should the site be developed as shown, with little effective screening along the southern edge of the housing estate, then the new, clearly visible edge would comprise rear garden fences, parked cars and building facades with limited screening from a new hedge and a limited number of trees. This could not be considered a sympathetic address to the Severn Vale.

3.6 It is suggested on page 21 that *More informal structural planting would also be included such as within habitat around the drainage basin and to the area of open space adjoining Rea Lane*. It is not clear why *More informal structural planting* has not been shown on the Development Framework Plan or Illustrative Masterplan. What is shown (a short stretch of hedge and 30 trees) falls well short of what would be appropriate should the site be developed in the way proposed.

3.7 Page 22 proposes that development is *set within extensive swathes of Green Infrastructure to form a successful and sympathetic transition between the built development and wider countryside*. There is little evidence of an adequate or properly considered Green Infrastructure plan shown on the Development Framework Plan or Illustrative Masterplan.

3.8 Page 22 suggests that a new hedge and trees would filter views towards the housing estate. The filtering effect of the hedge and the very small number of trees proposed would be minimal especially given the topography of the site. By way of illustration, the image below shows the screening effect of the existing mature hedge along the southwestern boundary of the site when viewed from the adjacent footpath.



3.9 Page 22 states that the *existing vegetation along the boundaries will be retained and reinforced with additional planting to soften views*. The removal of a what is likely to be a significant length of hedge along the boundary with Hempsted Lane clearly makes this statement incorrect. The *additional planting* as shown on the Development Framework Plan appears to be provide insufficient reinforcement.

Furthermore, the Illustrative Masterplan shows the proposed location of a number of houses along the northern boundary as being very close to the existing boundary hedge and trees. It is unlikely that such buildings, especially given the topography of the site, could be constructed without detriment to the existing vegetation.

3.10 The Illustrative Masterplan proposes *tree planting incorporated where possible to the frontages of dwellings*. Whilst this proposition is to be welcomed, *where possible* gives little reassurance that the number and stature of such trees would be adequate to provide sufficient screening and other amenity benefit.

Furthermore, in order to properly provide *a sympathetic address to the Severn Vales* on such a steeply sloping site, tree planting would also need to be included along the boundary between rear gardens.

3.11 The Illustrative Masterplan shows a *Proposed vehicular site access onto Hempsted Lane with proposed dwellings set back behind retained existing hedgerow*. As well as appearing to be an unlikely solution to the main access on such a large estate, a substantial length of the hedgerow would almost certainly have to be removed to allow for the necessary visibility splay. See also sections 5.2, 6.15 and 6.24.

3.12 Page 24 proposes that cycle access *will be available* via the main vehicular access. This is a basic and inadequate approach to what is likely to be a substantial demand by cyclists for direct access onto the A430 at the southernmost point of the site and onto Rea Lane from the westernmost point and onto the PROW along the northern boundary. It is also likely that the lack of pedestrian connection onto Rea Lane from the westernmost point of the site would cause frustration and potentially, the creation of an informal entrance which could present a danger to all road users.

3.13 The Green Infrastructure Plan shows *Primary opportunities for areas of meadow/conservation grassland*. Whilst the proposed treatments are welcome in principle, the extent of the *Primary opportunities* shown is limited. Much greater areas of meadow could readily be established without compromising other recreational activities. Such areas would provide welcome wildlife habitat and would contribute greatly to biodiversity enhancement of the site.

4.0 Comments on Development Framework Plan **(Wardell Armstrong GM10710-012 Rev H 20/01/2019)**

4.1 A number of the failings of the Development Framework Plan relevant to landscape are dealt with elsewhere, especially in the analysis of the LVA and DAS. Those aspects not covered elsewhere and requiring comment or more thorough analysis are listed below:

4.2 The entire length of hedgerow H8 and a significant length of H3 is shown as being removed. The removal of the hedges is not necessary especially given that the design of the housing estate is not at a detailed stage. The retention of such hedges, is desirable given the lack of proposed green infrastructure within the developed area (beige render). Whilst their *landscape* significance at present is not great, such hedges are likely to provide effective wildlife corridors and should form the framework for a green infrastructure network. They should be retained and enhanced by laying and by planting gaps and should be extended to link with the existing hedgerow network and other elements of green infrastructure.

4.3 The location of the neighbourhood equipped play area less than 15m from the very busy A430 is ill-judged given the potential impact of pollution on children and the ease with which the play area could be relocated to be much further away within what is an extensive POS.

5.0 Comments on Arboricultural Impact Assessment **(Wardell Armstrong 007 V2.0 Feb 20)**

5.1 Table 3 recommends that the bare minimum is removed from hedge H3 and H8 to achieve the required access and clearance. The recommendation has been ignored on the Development Framework Plan: H8 has been removed completely and a substantial length of H3 has been removed.

5.2 Section 5.1.3 states that *five small sections of hedgerows will need to be removed for access* and that the resultant impact on local amenity *as currently assessed* would be *negligible*. The overview table shows the removal of hedgerow sections for access as having a *low impact*. The Development Framework Plan shows this graphically with almost all of the existing hedgerow along Hempsted Lane being retained.

Whilst the sections of hedges required to be removed to provide pedestrian access could be small in size, the section that will need to be removed for the vehicular access is very unlikely to be *small*. The width of the proposed access road, plus footways, plus visibility splays is likely to require the removal of a length of hedge much greater than *small*.

This mature hedge is very close to the lane and a significant length of the hedge would need to be removed to provide visibility splays. The resultant impact on local amenity would be likely to be significantly greater than *negligible*. Instead of a view dominated by a 7 metre high, healthy, well-maintained native hedge, the view would change to a modern housing estate. The adverse impact on wildlife would also be significant with a reduction in habitat quality, quantity and connectivity.

Whilst the Assessment suggests in section 5.1.5 that the *exact impacts of the proposed access roads* is assessed as part of the reserved matters application, the likely magnitude of the potential impact and the comparative ease with which visibility calculations could be *estimated*, suggests that likely impacts could and should be addressed at a much earlier stage in order to properly assess the likely adverse effects of the development.

6.0 Comments on Landscape and Visual Appraisal **(Wardell Armstrong GM10710 0001 V0.1 10th February 2020)**

6.1 A number of the failings of the landscape proposals are dealt with elsewhere, especially in the analysis of the DAS. Other aspects relevant to landscape and featured in the LVA and requiring comment or further analysis are listed below:

6.2 It is worth noting that the approach of using professional judgement rather than the results of formulae and matrices in the appraisal (section 2.1.4) is very welcome. The resulting document is easy to read and the findings readily understood.

6.3 The *adjacent settled edge* is considered in section 2.3.4 to define the scope of the landscape appraisal to the south east. There are however certain views of the site from the canal towpath which should have been considered in the assessment (see photograph below). The rowing club in the foreground of the image also has views of the site. The adjacent Hempsted Meadows Car Boot and market site also has clear views of the site and is a popular venue open to the public.



By omitting views from the canal towpath and adjacent publicly accessible areas from the LVA, the true effect of the development of the site on views and landscape is unlikely to have been properly assessed (see also 6.8, 6.23 and 6.32 below).

6.4 Section 4.1.7 includes a number of relevant excerpts from the NCA Profile for the Severn and Avon vales area. Amongst the *Statements of Environmental Opportunity* listed are:

- the safeguarding and enhancement of the pattern of field boundaries
- visual integration of new settlements to the existing urban edge and surrounding landscape
- well designed green infrastructure increasing permeability of the urban landscape to biodiversity.

It is not clear how the pattern of the existing field boundaries in the development could be described as safeguarded or enhanced given that the development proposes to remove substantial lengths of hedgerow. The pattern of field boundaries could at best be described as *changed* by the development.

The development would not be visually integrated with *the existing urban edge and surrounding landscape* given that the development is on a steep slope and that very little screening is proposed around and within the body of the estate.

A well-designed green infrastructure is not apparent in the proposals. The removal of the existing hedges is likely to *decrease* permeability to biodiversity.

6.5 In section 4.1.13, the LVA quotes faithfully from the Landscape character Area W (Hempsted) section of the JCS Landscape Characterisation Assessment and Sensitivity Analysis (2013) in stating that large industrial units and the abandoned MOD site detract and lend an industrial feel to the north to the area, and in plan it would seem that this would be the case. However, the reality on the ground is that these elements are absent in almost all views of the site except those from elevated land at a distance (Robinswood Hill etc). Whilst this is only part of the baseline evidence, it is worth noting that the experience of receptors is quite different from the baseline description.

6.6 Similarly, in section 4.1.23 the LVA again quotes from the LCS document in suggesting that the G37 (Hempsted and Sewage Works) area relates to the city rather than the rural environs. Again, the evidence on the ground is different with many views presenting a well-vegetated scene with houses on the edge of Hempsted as the only buildings clearly visible in many views, even those along the A430 (see photo below and in 3.8 above and *context of photoviews 1-5* in the LVA).



6.7 The LVA refers to the Landscape Analysis of Potential Development Sites by WSP in sections 4.1.31 to 34. The proposal to develop the site for housing is clearly at odds with the findings of the landscape analysis: the majority of the site (the central and western fields) is identified by WSP as *unsuitable for development*. The findings of the LVA do not make a convincing argument to dispute this idea.

6.8 The LVA describes PROWs near to the site in 4.2.4 and 5. In 4.26 it lists *other notable nearby PROWs* but fails to specifically mention the cycleway along the Gloucester and Sharpness canal, a very well-used route for cyclists and pedestrians alike which passes within 110m of the site and has clear views of it (see photo in 6.3 above). As part of the National Cycle Network (National Route 41) this should not have been omitted from the study. (see also 6.3, 6.23 and 6.32).

6.9 Section 4.3.3 suggests that *when canopy coverage is at a minimum, the assessment will reflect a worst case scenario*. No further mention of a worst-case scenario is made in relation to winter leaf loss. It would seem likely that the effect of the development on a number of the views considered in the LVA would change in winter, in particular photoview 6 where screening depends to a large part on roadside or individual trees and hedges.

6.10 Section 5.1.3 states that the proposed development retains existing field boundary hedgerows and trees wherever possible. This is not correct: two substantial lengths of hedge (H8 and part of H3) are shown as being removed despite it being clearly possible to retain them.

The softening of built development suggested by the planting of a new hedge would be close to negligible given the topography (see also photo in 3.8 above).

6.11 Whilst it is agreed that the impact during construction touched on in section 5.2.1 would be transitory, it is stated as spanning *6 years* in the application letter. This lengthy construction period with associated, generally heightened, adverse effects requires much greater consideration.

6.12 Section 5.2.5 suggests that the development

is well related to the adjacent settlement edge and would provide a proportionately extensive landscape buffer within the Study Area between the proposed residential development edge and the adjacent largely undeveloped agricultural landscape.

Whilst in plan the development appears well related to the adjacent settlement, on the ground this is not the case: the site does not read as part of the village above it and the development would be likely to appear to be similarly separate.

The proposed *landscape buffer* is not considered to be *extensive*. The site at present is part of what the assessment describes as *the adjacent largely undeveloped agricultural landscape*. The *landscape buffer*, after development, would also be viewed as part of the *largely undeveloped agricultural landscape* as it would be largely unchanged. The apparent landscape buffer, would in views, amount to the hedge along the southwestern boundary of the proposed housing estate and a small number of trees. This could not be considered *extensive*.

6.13 Section 5.2.8 states that *The Study Area and its setting are typical of the ‘Settled Unwooded Vale’ LCT, with its limited tree cover*. The area of woodland in the Hempsted and Sewage farm area is atypical: significant screening tree belts and woodland are prominent elements in the local landscape especially around the sewage farm and to the southwest and northwest of Hempsted.

6.14 Section 5.2.9 states that *views are typically urban in nature*. This is clearly not the case in the majority of views, including those featured in viewpoints 1-7 of the LVA, which show scenes *dominated* by trees, hedges and fields. Such scenes are atypical of an urban scene.

6.15 Section 5.2.10 proposes the introduction of *a greater length of new hedgerows with trees than would be lost as a result of implementing the scheme.*

Given that a long section of the hedgerow along Hempstead Lane would almost certainly need to be removed to allow for the creation of a vehicular access and associated visibility splays and that hedgerow H8 would be removed in its entirety and that a substantial part of H3 would be removed, it is not clear that a *greater* length of hedge is proposed on the Illustrative Masterplan. The proposed hedge is more likely to approximately *match* the length of hedgerow that would be removed.

The section goes on to describe this as a *beneficial* effect. This is far from the case given that this approximately equal length of newly planted hedge would take many years to exceed the existing wildlife habitat provided by the removed hedges and the screening provided by the Hempstead Lane hedge.

6.16 Section 5.2.11 states that LCA X Hempstead encompasses land around LCA W to the west of the Severn. It does not: it is entirely to the *east* of the Severn. The section also describes the western portions of LCA X as being in *closest* proximity to the study area. They are not. They are *furthest* from the study area.

6.17 Section 5.2.12 states that the, *construction impacts on the wider LCA are considered to result in a low magnitude and a Slight Adverse, and on completion of the scheme the magnitude of impact would be Negligible to Low and of Slight Adverse level of effect. On establishment of the landscape proposals over time, the long term operational indirect effects are assessed as being Negligible to Slight Adverse.*

This is not clearly established: on the contrary, a higher magnitude and a higher level of adverse effect would be expected should the site be developed.

6.18 Table 1 (section 5.2.14) states in *Representativeness* that the landscape value is Low/medium on the basis that hedgerows are partial or absent. Given that it is typical in most other respects, a value of *medium* would seem more appropriate.

In *Scenic quality* it is stated that the site is of low/medium value. Again this is not clearly established and a value of *medium* would seem more appropriate.

In *Recreational Value* it is stated that the site is not accessible to the public and then goes on to say that there is a public right of way *inside* the eastern boundary thus making it, clearly, accessible to the public. Again a value of *medium* would seem more appropriate than the *low/medium* assigned.

The *Overall Landscape Value* is said to be low/medium. In the light of the above, a value of medium would be more appropriate.

6.19 Section 5.2.16 states that the east and west portions of the site *share relative elevations*, seemingly to imply that the WSP study's position that the eastern side of the site is more suitable than the west for development is flawed. This does not take into account aspect: the eastern field faces south whilst the central and western fields face southwest. This makes a substantial difference in visibility of the site from G38 etc.

6.20 Section 5.2.18 states that the *form of development on the residential edge would be of a lower density*. This is not obvious in plan and would be unlikely to appear of a low density in views should the site be developed in this way. The *visual permeability* would be unlikely to be noticeably different from any other modern housing estate.

6.21 Section 5.2.21 states that magnitude of impact during construction would be medium and, following completion, low to medium. Similarly, it states that the level of effects would be moderate adverse during construction falling to slight to moderate upon completion and in the long term, slight.

The magnitudes of impact and levels of effect seem too low, especially the reduction in the long term to slight adverse.

Given that the development will mean that the *character of the landscape of the Study Area will change from settlement/urban edge farmland, to a developed one* and given the inadequacy of the proposed screening, this is very optimistic and the adverse effect is likely to be higher.

6.22 Section 5.3.4 states that

Where footpaths cross the floodplain (including sections of the Gloucester Way and Severn Way long distance trails) visibility is typically curtailed to the short distance and no views towards the Study Area were identified.

This is clearly at odds with what can be seen on the ground. This is well illustrated by the photograph in section 3.3 above (taken from the Severn Way as it crosses the floodplain), the photograph below (taken from Glevum Way) and from the LVA's photoview 6. The site is clearly visible in all three images. See also 6.30 below.



The same section also states that views of the development *are only predicted from short sections of the Severn Way*. This also appears to contradict the statement that *no views towards the Study Area were identified*. It is clear on the ground that the sections of the footpaths crossing the floodplain from which *the site* is visible, amount to sections *several hundred metres in total length*, clearly not a *short* section.

6.23 The list of primary receptors in 5.3.6 does not list all of those likely to be subject to effects. It omits users of the National Cycle Route 41 (Gloucester and Sharpness Canal towpath) and users of the Severn Way and Glevum Way footpaths west of the site.

It seems clear that the National Cycle Route has not been noticed either in the initial deskwork or the site visit as it not mentioned anywhere in the LVA or DAS.

It appears that receptors using footpaths west of the site have been excluded from the list on the basis of the questionable arguments in Section 5.3.4. They should clearly be included in the list of primary receptors likely to be subject to effects.

The omission of these two important groups of receptors brings into question the subsequent conclusions of the LVA. (see also 6.3, 6.8 and 6.32).

6.24 Section 5.3.7 notes the screening effect of vegetation along the northern boundary and its particular effect on the properties which back directly onto the site and those along Hempsted Lane.

No mention is made of the changes to screening in winter where this is very likely to have a substantial effect on screening density. Section 4.3.3 suggests that *when canopy coverage is at a minimum the assessment will reflect a worst case scenario*. In reflecting this worst case scenario of no leaves on deciduous trees and shrubs, it could be expected that effects on such residents would be likely to be greater than the *slight to moderate adverse* level suggested.

The section also suggests that properties along Hempsted Lane *facing* the site will experience a moderate to adverse effect on their views during construction reducing to moderate adverse *once proposed open space and planting is established*. This appears to be optimistic. The adverse effect on residents directly opposite the proposed entrance is likely to be *substantial* during the lengthy construction period (stated as 6 years in the application letter). The initial adverse effect on views of the wide opening likely to be formed by the proposed vehicular entrance is unlikely to be much reduced by the eventual establishment of planting either side of it or by the establishment of open spaces, and is thus likely to remain substantial or only reduce to moderate-substantial.

Section 5.3.11 assesses the adverse effect on road users with a similar degree of optimism. It is likely that the slight to moderate adverse effect suggested would also be greater.

6.25 Section 5.3.8 suggests that *Some residents at High View with rear aspects facing towards the Study Area would have views of the proposed development from first floor windows*. This appears to imply that some residents would *not* have views of the development. The photograph below appears to show that *all* of the properties described have very clear views of the *site* at present from first floor windows. Thus all would almost certainly have views of the *development*. Furthermore, given the proximity of proposed buildings along this part of the northern boundary and that at least one of the properties appears to have a view of the *site* from its *ground floor* at present, it is likely that views of the development would not be restricted to the first floor.

The medium magnitude and moderate adverse effect assigned to these properties again seems rather optimistic. A more realistic assessment might suggest a moderate-substantial or substantial adverse effect.



6.26 Section 5.3.9 states that residents of Rea Lane adjacent to the site would focus their views on the POS and that the proposed housing estate would be viewed only obliquely. This appears to imply that residents views are orientated in the same direction as their properties. This is not likely to be the case and views of the site from the gardens, given its elevation are likely to be clear.

The statement that *New dwellings closer within the view would replace current views of existing dwellings* seems to equate the (existing) dozen or so houses currently viewed at a distance of more than 240m with the (proposed) several hundred houses as close as c.50m. The two scenarios are clearly very different.

The residents of Rea Lane have no direct access to the proposed POS. The conversion of a field used for agriculture into a field used for recreation would not significantly change views from the properties: both have their pros and cons but are still, in terms of views, fields. Overall, the long-term slight adverse effect assigned to these properties seems optimistic and could more realistically be described as moderate or moderate-substantial.

6.27 The *slight to moderate adverse* effect assigned to views from the field access on Rea Lane in section 5.3.10 is very optimistic: the superimposition of a very large housing estate onto the attractive scene presented in photoview 3 is difficult to imagine without having an adverse effect less than moderate-substantial. The estate itself would cross almost the whole width of the image and would extend up the slopes to Hempsted Lane. The apparent setting of Robinswood Hill in the view would change from predominantly rural to predominantly urban.

6.28 The section of the A430 from which the site is clearly visible extends as far south as the road bridge over the canal c.900m southsoutheast of the centre of the site. This is a very busy road. Views of the site are likely to be experienced more profoundly than might be expected, as there is a set of traffic lights c.550m southsoutheast of the centre of the site, from which users approaching from the south and from the east may view the site for extended periods whilst stationary (see photo below). In the light of this, the slight to moderate adverse effect on views stated in section 5.3.12 seems optimistic.



6.29 The *moderate adverse* effect assigned in section 5.3.14 to views from the footpath running parallel to the southwestern boundary of the site is optimistic. Given the topography and given that the proposed landscape planting would provide an inadequate screen, the likely long term effect would be likely to be moderate-substantial or substantial.

6.30 The *slight adverse* effect assigned in section 5.3.16 to views from the Severn Way is very optimistic and the likely long term effect would be substantially greater. See also 3.3 & 6.22 above.

6.31 In line with many of the detailed assessments in the LVA discussed above, the summary and conclusions related to landscape character within section 6.2 of the LVA appear overly optimistic.

Section 6.2.6 states that *The proposals are not uncharacteristic within the immediate area*. Whilst the development would not introduce elements that are not already present in the immediate area, the size and location of the proposed estate is clearly not characteristic of an area that is at present predominantly rural and green. Study of the context of photoviews section in the LVA clearly reinforces this observation. Any beneficial effects of the proposed POS and landscape would be close to negligible given the proposed removal of established hedgerows, very limited numbers of proposed trees, limited length of new hedgerows and restricted area of meadow. The effect on landscape character in the long term is likely to be in excess of the *slight adverse* suggested.

6.32 In line with many of the detailed assessments in the LVA discussed above, the summary and conclusions related to visual effects within section 6.3 and in the tables accompanying the photoviews appear overly optimistic.

Section 6.3.3 states that *The number of visual receptors is relatively limited*. This is not the case. The A430 is a very busy road, very well orientated to provide clear views of the site, and many of the PROWs near to the site are well used, long-distance or national trails. (see also 6.3, 6.8 and 6.23).

6.33 It would be very useful to consider the cumulative effects of the proposed development north east of the site at Rea Lane (19/0068/FUL).

7.0 Conclusions and summary

7.1 The conclusion in 6.3.4 of the LVA that there are no *unacceptable or overriding landscape or visual effects that should preclude the development of the Study Area as proposed* is flawed.

7.2 Should the site be developed for housing, the edge of Hempsted village would be significantly extended to the south and its apparent and actual size significantly increased. The proposed development would be prominent in views of the landscape where the existing village is not. This would be likely to have considerable adverse effects on users of the A430, Hempsted Lane, Rea Lane, Severn Way footpath ZGL64, footpath ZGL71, bridleway ZGL148, National Cycle Route 41 and on residents of High View Estate and others.

7.3 The site could not be developed without a considerable adverse effect on landscape character and on views. It is very unlikely that these effects would be substantially reduced over time as the POS and landscape established. It is unlikely that any likely proposed measures or features would be able to fully mitigate the likely adverse effects of the development of this site for housing. In principle, the proposed development is not suited to the site in landscape terms and its development would not be supported.

Peter Quinn CMLI
Landscape Architect

3rd June 2020

Good morning,

Wales & West Utilities plans should now be obtained from LSBUD (<https://www.linesearchbeforeudig.co.uk/>).

If you are working on behalf of a utility company, local authority or contractor working on behalf of a local authority and would still like to continue receiving asset information directly from WWU's Plant Protection Team, an administration fee of £36.00 + VAT will now be applicable.

If you would like to proceed with your request, please let us know whether you will be paying by card or cheque and we will process your request.

Please note that your request will not be processed until we receive payment.

Regards

Scott Johnson
Plant Protection

Dear Joann,

20/00315/OUT - archaeology:

I have reviewed the desk-based assessment and geophysical survey submitted by the applicant. I would make the following observations:

- The northeast of the site may be situated on terrace gravels – these can sometimes contain Palaeolithic material which is of archaeological interest;
- The southern part of the site may contain alluvial deposits associated with the River Severn – elsewhere similar deposits have been shown to contain heritage assets of archaeological interest; and
- The geophysical survey has identified features which may be archaeological.

The site therefore has the potential to contain heritage assets with archaeological interest and those assets may be damaged or destroyed by the proposed development. Therefore, in accordance with the NPPF paragraph 189, (and also in accordance with the relevant SALA assessment and the pre-application consultation mentioned below) I advise that the applicant be asked to provide the results of an archaeological evaluation prior to the determination of this application.

The evaluation would need to consist of a mix of trial trenching and geoarchaeological borehole survey. I would be happy, on request, to provide the applicant with a brief outlining the requirements of that investigation.

Kind regards,

Andrew Armstrong
Archaeologist

Apologies Joann,

I forgot to say also that the desk-based assessment flagged up some historic hedgerows on this site – I've asked for clarification on which hedgerows are historic from the consultant but worth yourself and Justin being aware.

All the best,

Andrew

Andrew Armstrong
Archaeologist

Dear Joann,

I refer to the above application and have the following comments from a public rights of way point of view.

1. The application acknowledges the existence of nearby public rights of way, which is to be welcomed. Bridleway ZGL/148 runs along the northern boundary of the site and can be used by people on foot, horseback and bicycle. I would want to see improvements made to this path as a condition of planning permission. Although equestrian use is likely to be low/minimal in the future, the surface of the path should be upgraded for use by cyclists and for reduced mobility users and people with childrens' buggies etc. I would be happy to advise further as necessary. The installation of street lighting should also be considered. Anti-vehicle barriers will probably be necessary at each end of the path.
2. Footpath ZGL/71 runs along the eastern site boundary and the surface of this path should also be upgraded as appropriate as a condition of planning permission.
3. I note that a permissive path is indicated between ZGL/71 and Secunda Way (outside the site boundary). I would like to know why this is proposed as such and not as a full legal public right of way?
4. I would like to request that the applicant makes a contribution towards improving public access along ZGL/71 (or another nearby public footpath) where appropriate and subject to the landowner's consent. I am primarily thinking of paying for new pedestrian/kissing gates on one of these paths, in place of existing stiles, to improve access for less able users. Also, contributing towards improvements to the footbridge on ZGL/71 on the south-eastern corner site boundary, as appropriate, to include making provision for walkers with reduced mobility.

I look forward to discussing my comments above with you and with the applicant in due course.

Kind regards

Suzanne

Suzanne Hopes
Public Rights of Way Officer

Gloucester City Council
Herbert Warehouse
The Docks
Gloucester
Gloucestershire
GL1 2EQ

Your Ref 20/00315/OUT

Our Ref CRTR-PLAN-2020-29849

Wednesday 27 May 2020

Dear Ms Meneaud

Proposal: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access

Location: Land at Hill Farm, Hempsted Lane, Gloucester

Waterway: Gloucester & Sharpness Canal

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is the following general advice:

The site is not directly adjacent to the towpath of the Gloucester & Sharpness Canal; however it is close by with easy access to the towpath at Hempstead bridge. The towpath, which is also part of a National Cycle route at this point, provides a direct off- road route into the heart of the city centre for shopping, commuting and recreational purposes and, in the opposite direction, provides a free route towards open countryside for leisure, well-being, and health purposes.

The applicant identifies the towpath as a sustainable cycling and walking route into the city centre in section 5 of the Transport Statement, although the canal is erroneously called a river.

The Trust wish the Council to consider whether it would be appropriate for the development to make a contribution towards the towpath improvement project in the vicinity of the site. The towpath in the area has recently been resurfaced however as the towpath is recognised in both Local Planning and Transport Policy as an important route, particularly for cycling there is an aspiration to continue the improvements in the future to include other improvements such as interpretation boards and wayfinding signage.

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

We would welcome a discussion with the Case Officer and highway authority on whether it would be appropriate to make a formal request for a S106 contribution.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Jane Hennell MRTPI
Area Planner

Jane.Hennell@canalrivertrust.org.uk
07747 897793

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

Canal & River Trust

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T 0303 040 4040 **E** canalrivertrust.org.uk/contact-us **W** canalrivertrust.org.uk

20/00315/OUT. Hill Farm, Hempsted Lane. Outline application to build 245 homes, with access from Hempsted Lane and including public open space, a balancing pond, planting and landscaping for Gladman Developments of Congleton.

The south slope of the hill, rising up to the line of mature trees along the brow and the mature houses and gardens of the “village” of Hempsted, provides a pleasant approach or gateway to the city from the south, and a buffer between open countryside and the city limits. It would be a retrograde step for the highly visible, sloping pasture to be developed and the city to sprawl down the hill in the fashion proposed.

The proximity of the very large, main Gloucester Sewage Treatment Works and the inevitable smells when things go wrong, makes the scheme unacceptable. The “cordon sanitaire” report by BLBB attempts to make the case for the odours being at acceptable levels, but past development of housing at Quedgeley, on the other side of the works, led to many complaints despite Severn Trent's assurances that the problems could be solved by new technology. The prevailing wind is from the west/south west and puts the Hill Farm site in line to receive the most of any smells. The panel believes the site will always have a stigma and is not suitable for residential development.



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Regional Director,
Operations Division: South West Region
Highways England
planningsw@highwaysengland.co.uk

To: Joann Meneaud, Gloucester City Council

CC: transportplanning@dft.gsi.gov.uk
growthandplanning@highwaysengland.co.uk

Council's Reference: 20/00315/OUT

Referring to the outline planning application validated on 29 April 2020 concerning M5 J12 and the A40 Over Roundabout: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access on land at Hill Farm, Hempsted Lane, Gloucester, notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, via transportplanning@dft.gsi.gov.uk.

Signature: *Oliver Lowe*

Date: 28 May 2020

Name: Oliver Lowe

Position: Assistant Planning
Manager (Highways Development
Management) – South West
Operations

Highways England:

Brunel House, 930 Aztec West, Bristol, BS32 4SR

Oliver.Lowe@highwaysengland.co.uk

Annex A **Highways England recommended Planning Conditions /**
~~Highways England recommended further assessment required /~~
~~Highways England recommended Refusal.~~

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard to the planning application (App Ref – 20/00315/OUT) and has been prepared by the Assistant Planning Manager for Gloucestershire.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current guidance of the Secretary of State as set out in DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the MHCLG National Planning Policy Framework (NPPF), being advised on this matter by our consultants, Jacobs.

Statement of Reasons

Highways England has undertaken a review of the Transport Assessment (TA) dated January 2020, as prepared by Stirling Maynard Transportation Consultants (SMTc) on behalf of the applicant. A Framework Travel Plan and Planning Statement have also been reviewed and accompany the outline planning application submission.

Highway England interests relate to the operation and safety of the SRN, which in proximity to the site includes M5 Junction 12 and the A40 Over Roundabout. Our comments are set out below.

Policy Context

The Land South of Hempsted Lane does not form an allocation in the Joint Core Strategy, and the development is positioned just outside of Gloucester City’s administrative boundary,

The site has no relevant past planning applications and currently forms open land in Hempsted.

Development Proposals

The development comprises up to 245 residential dwellings and a new vehicular access on to Hempsted Lane, Gloucester. The applicant advises that up to 20% of this housing is intended to be affordable.

Trip Generation

The SMTC TA presents trip generation from vehicle trips rates derived from TRICS. The two-way vehicle trip rates include 0.475 (AM) and 0.463 (PM). The TRICS outputs included in Appendix 6 of the TA shows 11 sites have been manually removed from the TRICS selection citing that these sites include bungalows, flats and retirement housing and therefore are unsuitable for comparison purposes.

Highway England has undertaken its own TRICS comparisons and believes the trip rates presented in the TA are low. These are believed to underestimate the traffic potential of the site. As such, Highway England has calculated its own trip rates and trip generation for the purpose of considering development traffic impacts on the SRN.

Trip Distribution / Assignment

Trip distribution has been identified from 'journey to work' census data for the Middle Super Output Area (MSOA) – Gloucester 004. This MSOA covers the sites location and has been used as a proxy to determine trip origins and destinations to / from the site to locations further afield. Trip assignment has been identified as being the shortest route between trip origins and destinations.

Development trips have not been assigned to the SRN and has only been undertaken for a few localised junctions surrounding the site. Highways England has utilised the SMTC distribution results presented in Appendix 7 of the TA and compared this to trip distribution / assignment results that Highways England has sight of, from the consideration of other similar nearby planning application submissions. This has allowed Highway England to identify development trips envisaged to impact on the Cross Keys Roundabout and M5 J12.

Traffic Impact

The SMTC TA does not include capacity assessments for the SRN.

In terms of M5 J12, since 2017 we have become aware that capacity issues at the junction have become more acute, particularly in regard to the M5 southbound off-slip. At present, surveys and observations suggest the southbound off-slip at M5 J12 has been shown to queue back onto the mainline during weekday peak hours. In accordance with paragraphs 9 and 10 of DfT Circular 02/2013, Highways England takes the view that any development which results in an increase in demand for trips on an off-slip which then results in mainline queuing; or extends an existing mainline queue; and/or increases the frequency at which a mainline queue occurs, is an unacceptable/severe road safety impact.

Highways England has previously recommended Grampian conditions requiring improvement schemes to the M5 J12 southbound off-slip and the B4008 Cross Keys Junction to be in place prior to the occupation of other development applications with an influence on M5 J12. This is identified to be necessary mitigation to offset what would otherwise be an unacceptable/severe road safety impact on the SRN.

An improvement scheme to the B4008 Cross Keys junction has recently been implemented and an improvement scheme at J12 to widen the southbound off-slip is currently scheduled to begin later this year.

Highways England is satisfied that the proposals will not result in a severe or unacceptable impact on the SRN, assuming the improvement scheme identified for the M5 Southbound off-slip is in place. As such, Highways England requests that the LPA includes a planning condition preventing occupation of the site until the improvement scheme identified for the M5 Southbound off-slip is in place.

Recommendation

Highway England has undertaken a review of the transport documents accompanying the planning application submission. Highways England recommends a condition be applied to any planning permission granted (Ref: 20/00315/OUT):

Highways England Condition

No development hereby approved shall be brought into use, unless or until the improvement scheme identified for M5 Junction 12, as shown in the PJA Drawing ref: 02644-01-1 Rev B titled 'M5 Junction 12 Interim Mitigation Scheme – General Overall Layout' has been completed to the satisfaction of the Local Planning Authority (in consultation with Highways England) and is open to traffic.

Reason: To off-set development traffic impacts at M5 J12. To ensure the safe and efficient operation of the SRN.

I trust the above is clear. Please do not hesitate to contact me should you wish to discuss any further issues.

Joann Meneaud
Gloucester City Council

Please reply to:
Direct line: 01905 822799
e-mail: wrsenquiries@worcsregservices.gov.uk
Our ref: 20/04843/PLAN

1st June 2020

Dear Joann Meneaud

Application No: 20/00315/OUT at Land At Hill Farm Hempsted Lane Gloucester Gloucestershire GL2 5LG

Please find below comments made by Worcestershire Regulatory Services on the above application.

Consultation:

Contaminated Land

WRS has reviewed the following documents and records in respect of potential contaminated land (PCL) issues at the above application site.

- Enzygo (Aug 2019) Phase 1 Geo-Environmental report ref: CRM.1132.021.HY.R.002.A

Please be aware that WRS are unable to comment on the geotechnical aspects of the submitted report, the comments made below relate solely to contaminated land risk assessment.

Report summary

The represents a Phase 1 Desk Study including findings from a site walkover, photographic evidence, groundsure report and historical maps.

Currently the site is agricultural fields, with residential offsite to the north-east, agriculture south-west and north-west, a vehicle repair shop beyond the A430 and 68m to the south-east is closest source of potential contamination.

continued....

Worcestershire Regulatory Services

Wyre Forest House, Finepoint Way, Kidderminster, Worcestershire, DY11 7WF
General Enquiries: 01905 822799 wrsenquiries@worcsregservices.gov.uk www.worcsregservices.gov.uk

History - on site always been agricultural fields. A reservoir existed 1m west from at least 1883 to latest 1938 and a canal is situated 125m east.

Geology - Kidderminster Station Member (sand and gravel, secondary A aquifer) and Tidal Flat deposits (clay silt sand) overlying Blue Lias and Charmouth Mudstone bedrock.

Landfill – nearest (historic) landfill identified approximately 222m south-east, no listed waste type. WRS note the report states 'not considered to pose a risk due to distance'. The accompanying Groundsure report confirms licensed between Dec 1970-Dec 1971 by Ashville Properties Ltd and licensed by the Environment Agency.

A Conceptual Site Model is presented. Notes ground gas from landfill and potential for unforeseen Asbestos, metals and hydrocarbons as possible sources of contamination but overall negligible risk.

Recommendations – a Phase 2 site investigation is recommended.

WRS Comments

WRS concur with the report recommendations to undertake a Phase 2 investigation. Given the nature of the superficial geology identified, age of the Bristol Road landfill, considering the distance is within 250m of the proposed development and WRS experience of similar aged landfills, WRS recommends that an appropriate gas risk assessment including monitoring is undertaken on site.

WRS recommend the following condition wording is applied to the application, should any permission be granted to the development, to ensure PCL issues on site are appropriately addressed.

Air Quality

WRS Land and Air Quality Team have reviewed the following report provided in respect of air quality (during Development Operation) concerns:

- Wardell Armstrong (Jan 2020) AQA ref:GM10710

Report summary

The report presents a detailed dispersion model of potential impacts using ADMS Roads considering a baseline year of 2018, opening year of 2025 and 2029 with and without development scenarios and an appropriate sensitivity test to account for slower than expected improvements in air quality emissions from traffic in future years.

The emissions impacts at 13 sensitive receptors have been modelled including 3 inside nearest AQMA (Priory Rd) 2.6km north of the development.

Appropriate model verification, adjustment factor and model sensitivity has been undertaken.

The sensitivity test indicates all modelled pollutants (NO₂, PM10, PM2.5) are well below air quality objectives at modelled sensitive receptors outside current AQMA with negligible impacts from proposed development in all scenarios.

Report recommends mitigation measures, outlined in 5.3.17, in accordance with best practice are incorporated into the development including Electric Vehicle chargepoints, low Nox boilers, a green travel plan and encouraging active travel and public transport initiatives.

WRS comments

The report is considered an appropriate assessment of operational impacts of the development. WRS concur with the report recommendations for best practice mitigation measures.

Below are our standard recommendations for a development of this size to mitigate the *cumulative* impact on local air quality from all development operational impacts. Comments with respect to impacts on air quality from constructional activities may follow separately.

Recommendations:

Contaminated Land

Knowledge of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented.

Condition - Tiered Investigation

Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.
3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

A note on pre-commencement conditions

Pre-commencement conditions for contaminated land risk assessment are considered necessary for the following reasons:

- There is potential for contamination to exist on the site. The degree and extent of contamination is currently unknown. More information relating to ground conditions is required to determine whether or not remediation will be required (prior to any construction work commencing).

- Where remediation is necessary, this remediation may involve work/techniques that need to be completed before any development is commenced, for example the removal from site of contaminated soils/underground structures, the design and incorporation of gas protection measures in any buildings etc. To carry out such work after construction has started/been completed, may require potentially expensive retro-fitting and in some cases the demolition of construction work already completed.

Paragraph 178 of the NPPF requires development to be suitable for its proposed use taking account of ground conditions, any risks arising from contamination, and any proposals for mitigation, including land remediation. Paragraph 178 goes on to state that after remediation, as a minimum, land should not be capable of being determined as Contaminated Land under Part 2A of the Environmental Protection Act 1990.

Air Quality

National Planning Policy Framework (NPPF) Paragraph 181 states: 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.'

It is recommended the applicant incorporate mitigation measures as part of the development to minimise impact from the development on local areas of poor air quality and assist in alleviating pollution creep arising in the general area. Additionally, where deemed necessary and indicated, it is recommended that an Air Quality Assessment is undertaken to determine the impact from the proposed development and any additional mitigation measures that may be required. WRS therefore make the following recommendations in accordance with NPPF Paragraphs 102, 103, 105, 110, 170, 180, 181:

Secure Cycle Parking

It is recommended that secure cycle parking facilities are incorporated into the design of commercial developments and domestic plots without sufficient exterior space to allow for secure cycle storage. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be provided.

Condition - Secure Cycle Parking

Secure cycle parking facilities must be provided at the development as determined by Worcestershire County Council Design Guidance. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be submitted to and approved by the local planning authority prior to the first occupation of the development.

Reason:

NPPF Paragraph 102 and 103 state; 'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued' and 'Significant development should

be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.'

Electric Vehicle Charging - Domestic Development

The provision of more sustainable transport modes will help to reduce CO₂, NO_x and particulate emissions from transport. In order to make the properties ready for EV charging point installation, appropriate cable provision and isolation switches must be installed that can be adapted to an appropriate dedicated socket for electrical vehicles to be charged in the garage, driveway or allocated car parking space. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development.

Condition - Electric Vehicle Charging Points for Domestic Properties

Appropriate cabling and an outside electrical socket must be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking). The wiring must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building. The cable and switches should be installed such as they can be adapted to an EV chargepoint that complies with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 in the future. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development. The charging point must comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. As a minimum, chargepoints should comply with Worcestershire County Council Design Guide which requires 7kw charging points for residential developments.

Reason:

NPPF Paragraphs 105 and 110 of the NPPF state; 'If setting local parking standards for residential and non-residential development, policies should take into account the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles' and 'Applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

Low Emission Boilers

Boiler NO_x emissions from building heating systems contribute to background NO_x concentrations and the following condition is recommended to alleviate impact from new buildings.

Low Emission Boilers Condition

Details shall be submitted to and approved by the local planning authority prior to the first occupation of the development for the installation of Ultra-Low NO_x boilers with maximum NO_x

Emissions less than 40 mg/kWh. The details as approved shall be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason:

In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

If you have any further queries regarding this matter or information provided in support of the application requiring comment by the Land and Air Quality Team, please do not hesitate to contact us via enquiries@worcesterservices.gov.uk or 01905 822799 quoting the above reference number.

Yours sincerely

Land and Air Quality Team
Technical Services
Worcestershire Regulatory Services

Gloucester City Council

Application Consultation Memorandum

To: Development Management

Planning Officer: Joann Meneaud

From: Charlotte Bowles-Lewis, Principal Conservation Officer

Date: 03.6.20

Planning Reference: 20/00315/OUT

Location: Land At Hill Farm Hempsted Lane Gloucester

Proposed: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

Dear Joann,

Legislation and Policy

The site is located adjacent the Hempsted Conservation Area wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. This duty is required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 16 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 192 states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also notes that significance can be harmed through alteration or development within the setting. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a

development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

The Pre-Submission version of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

The adopted Joint Core Strategy has been produced in partnership between Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council, and sets out a planning framework for all three areas. Policy SD8 in the Joint Core Strategy concerns the historic environment.

Proposals and Comments

This site is located within the parish of Hempsted and the Hempsted Conservation Area is located approximately 125m to the north. The site is a rural location consisting of open fields and to the north of the site are modern residential dwellings which form part of the village fringe. The site is highly prominent with key views of the site from the A430 (Secunda Way) when approaching Hempsted and from the public right of way between Rea Lane And A430 (Secunda Way). Hempsted is surrounded by open fields to the south, west and north east, and has several other fields on the eastern side. These fields form a protective green belt around the village and have been designated as a Landscape Conservation Area. The application seeks to provide 245 dwellings and my comments are as follows -

The adopted Conservation Area Appraisal and Management Recommendations for Hempsted were adopted in September 2007 as interim planning guidance. As part of this formal review policies have been formulated in relation to new development this is to ensure that the rural character of the conservation area is preserved. The key characteristic of the conservation area is the distinctive rural character and low-density housing, with several farmsteads and former farmhouses within its boundaries, as well as a number of agricultural fields. While it is located close to major through roads, a landfill site, flood defences and industrial estates lining the former docks and the Gloucester and Sharpness canal, Hempsted has successfully retained a separate identity and has not been affected by industrial and suburban sprawl. A key issue identified within the Conservation Area Appraisal and Management Recommendations is notably that of “Development pressures” section 1.2.2 whereby *“Fields and gardens within the village are already subject to development pressure. Such development is judged to be detrimental to the setting of the conservation area.”*

Hempsted preserves its separate identity as a village on the south-western side of the city. The fact that it has escaped being swamped by suburban sprawl is all the more remarkable given its

proximity to Gloucester: the centre of Hempsted is only 2.3km from Gloucester Cross, marking the centre of the city, and yet in appearance and character Hempsted is more like the Severnside villages further south and west than it is like nearby suburbs, such as Tuffley and Quedgeley. While the site proposed for development is located beyond the conservation area boundary the application site does contribute to the rural setting of the village as identified within the Hempsted Conservation Area Appraisal and Management Recommendations.

The NPPF definition of significance is *"The value of a heritage asset to this and future generations because of its heritage interest. That interest may archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."* Setting is defined as *"the surroundings in which a heritage asset is experienced."* Also setting does not depend on public rights of way or the ability to access it; it is the pastoral character which makes a positive contribution to the rural setting and significance of the village character.

I do have concerns regarding this proposal as such development would further compromise the remaining rural settlement of Hempsted by providing further development resulting in the loss of green fields which contribute to the character of the conservation area, being a key characteristic within the conservation area appraisal. The Appraisal states *"It has a distinctive rural character, with several farmsteads and former farmhouses within its boundaries, as well as a number of agricultural fields"* Therefore to develop agricultural fields that are an integral part of the rural character of Hempsted to provide 245 residential dwellings would be harmful to the character of the conservation area itself and lead to a denser village character.

Conclusion

Therefore, based on the above comments together with both national and local planning policy guidance this application would result in harm to the setting of the Hempstead conservation area by virtue of the loss of the rural character of the conservation area. The rural and village characteristics are integral to the character and appearance of the conservation area and help to preserve the sense of separation from Gloucester. As such the proposals to provide 245 residential dwellings would fail to preserve or enhance the character or appearance of the Hempsted Conservation Area as required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This harm has been identified as being of less-than-substantial and would need to be weighed against any resultant public benefits.

Section 16 of the NPPF states that proposals should sustain or enhance the significance of heritage assets which includes the architectural and historic interest and setting of designated heritage assets and the character and appearance of designated Conservation Area. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. It is assessed that the harm of the proposal is that of less-than-substantial-harm. Paragraph 196 states that where a development proposal will cause harm to the significance of a designated heritage asset that is less-than-substantial-harm, that harm is weighed against the public benefits of those works.

The proposal is also contrary to Policies SD8 of the JCS whereby the development fails to have regard to valued and distinctive elements of the historic environment. The policy goes on to state 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”*

Regards,
Charlotte

Charlotte Bowles-Lewis IHBC
Principal Conservation Officer

Gloucester City Council
The Docks
Gloucester GL1 2EQ
www.gloucester.gov.uk
Tel 01452 396855 Fax 01452396668
Email Charlotte.Bowles-Lewis@gloucester.gov.uk

Good Day,

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- . The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- . The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Note that the proposal is within the councils cordon sanitaire and that it is therefore possible that the development could be adversely affected by odour from the sewage works.

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days. Alternately you can call the office on 0345 266 7930

If your query is regarding drainage proposals, please email to the aforementioned email address and mark for the attention of Rhiannon Thomas (Planning Liaison Technician).

Kind regards,

Asset Protection Team
Severn Trent



| | |
|---------------------------------------|--|
| GCC M&W reference: | MWPRR/2020/0073/PAP |
| Alternative reference: | 20/00315/OUT Outline application for 245 dwellings at Land at Hill Farm, Hempsted Lane, Gloucester |
| Response date: | 10th June 2020 |
| To: | Joann Meneaud, Gloucester City Council |
| Responding GCC M&W Officer | Lorraine Brooks |

Summary of recommendation:

| | |
|---|-------------------------------------|
| No comments / observations | <input type="checkbox"/> |
| Comments / advice offered without a recommendation (see comments section) | <input type="checkbox"/> |
| Further information is required (see comments section) | <input checked="" type="checkbox"/> |
| No objection subject to conditions / informatives (see comments and conditions section) | <input type="checkbox"/> |
| Refusal or objection if details remain unchanged (see comments section) | <input type="checkbox"/> |

Response by topic: (more than one topic can be selected)

| | |
|---|-------------------------------------|
| Non-minerals and / or waste development proposal (M&W Infrastructure safeguarding) | <input type="checkbox"/> |
| Non-minerals and / or waste development proposal (Mineral resource safeguarding) | <input checked="" type="checkbox"/> |
| Non-minerals and / or waste development proposal (Waste Minimisation Statement) | <input checked="" type="checkbox"/> |
| Minerals and / or waste development proposal | <input type="checkbox"/> |
| Specific local development plan document consultation (DPDs, SPDs, AAPs, NDPs, SCIs) | <input type="checkbox"/> |
| Duty to Cooperate-related consultation | <input type="checkbox"/> |
| Non-DPD policy-related document consultation (including LAAs) | <input type="checkbox"/> |
| All other general enquires | <input type="checkbox"/> |



Minerals and Waste Policy officer comments

All of the details set out within this section are made by officers on behalf of Gloucestershire County Council in its capacity as the Mineral and Waste Planning Authority (MWPA): -

Officers understand the proposal is for the development of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and a vehicular access point from Hempsted Lane. The proposal is in outline and reserved matters will follow except for the means of vehicular access. Full access details are included in the application

Officers can confirm that the proposal site is located a designated Mineral Consultation Area (MCA) and is also less than 1km from several waste management infrastructure sites. The nearest and most significant waste management infrastructure sites are Hempstead Landfill and Netheridge Sewage Treatment Works.

Waste Management Infrastructure Safeguarding

Hempstead Landfill Site (and Household Recycling Centre – HRC) lie to the Northeast of the proposal site. Netheridge Sewage Treatment Works is located to the South. Both of these infrastructure developments are safeguarded under policy WCS 11 (Safeguarding Sites for Waste Management) of the adopted Gloucestershire Waste Core Strategy. Furthermore, the proximity of waste infrastructure to the proposal site means that paragraph 8 of the National Planning Policy for Waste (NPPW) is a potentially valid material consideration alongside paragraph 182 of the National Planning Policy Framework (NPPF).

It is strongly advised that the case officer satisfies themselves that the proposed housing development will not prejudice the ability of safeguarded waste infrastructure to implement the waste hierarchy by way of carrying out their permitted activities. In addition, careful consideration must be given to a reasonable degree of future sustainable development (e.g. reconfiguration, expansion etc.) which would contribute to ensuring waste is handled efficiently and effectively to the standards set by evolving regulation and policy. A specific consultation with the waste management infrastructure providers on this matter is encouraged at this time.

Officers consider it wholly reasonable for the applicant to be asked to provide specific supporting information / evidence to assist the case officer in their consideration. It is acknowledged an odour assessment has been already been carried out. Specialist advice from environmental health (EHO) and the Environment Agency (EA) may be necessary. There should be a strong focus on ensuring a satisfactory level of amenity / health would be achievable for any future residents of the proposal site **without** having to impose new / upgraded restrictions to existing waste infrastructure.

Mineral Resource Safeguarding

The site is located within a designated Mineral Consultation Area (MCA) and Mineral Safeguarded Area (MSA). This means consideration should be given to the requirements of adopted Minerals Local Plan for Gloucestershire policy MS01. The proposal should ideally be accompanied by a site-specific Mineral Resource Assessment (MRA) (see the supporting text to policy MS01 of the adopted MLP). This must be sufficient to assist the case officer in determining whether underlying resources would be at risk of needless sterilisation. Highlighting potential underlying mineral resources – particularly those usable in



construction, provides an opportunity for their effective utilisation on-site to take place. Officers would encourage the applicant to consider on-site use should there be any evidence of underlying mineral resources. British Geological Survey (BGS) data advises that the site has potential underlying sand and gravel resources.

All safeguarded sites / areas can be viewed on the County Council's Proposals Map

<https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/policies-proposals-map/>

Achieving sustainable development – Resource efficiency and waste minimisation

It is acknowledged that the applicant has submitted a dedicated Waste Minimisation Statement to support the proposal. Its content is noted and would indicate that some initial consideration has been given to this matter. However, firmer and deeper commitments should ideally be sought even at the outline stage as these should be setting the parameters for the more detailed reserve matters. For example it would not be unreasonable at outline for commitments to be made around standardisation of components; space provision for waste management and recycling at the occupation stage; and a minimum level of secondary / recycled material usage (securable through procurement process). Nevertheless, should the case officer and / or the eventual decision maker conclude that the issue of resource efficiency and waste reduction could be adequately dealt with through the use of planning conditions, officers respectfully request that consideration be given to the following: -

Condition:

No below or above ground development shall commence until a site waste management plan has been submitted to and approved in writing by the local planning authority. The site waste management plan must identify the type and amount waste materials expected to be generated from the development during the construction phases and set out what specific measures will be employed for dealing with such materials so as to: - minimise their creation, maximise the amount of re-use, and recycling on-site; maximise the amount of off-site recycling of any waste unusable on-site; and reduce the amount sent to landfill. In addition, the site waste management plan must clearly set out the envisaged level of materials with a recycled content and how such a level will be attained. The detailed site waste management plan shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason:

To ensure the effective implementation of waste minimisation in accordance with adopted Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction; adopted Minerals Local Plan for Gloucestershire Policy SR01 and paragraph 8 of the National Planning Policy for Waste (NPPW).

Condition:

No above-ground development shall commence until full details of the provision made for facilitating the management and recycling of waste generated during occupation have been submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. Provision must



not prejudice the delivery of the local authority's waste management targets and all details shall be fully implemented as approved unless the local planning authority gives prior written permission for any variation.

Reason:

To ensure the effective implementation of waste minimisation in accordance with Gloucester, Cheltenham, Tewkesbury Joint Core Strategy Policy SD3 – Sustainable Design and Construction; Gloucestershire Waste Core Strategy: Core Policy WCS2 – Waste Reduction; and paragraph 8 of the National Planning Policy for Waste (NPPW).

Important Note:

If you have any further queries with this consultation response please **do not** contact the responding GCC M&W officer direct. All queries must arrive through m-wplans@gloucestershire.gov.uk

Our Reference: 19/00864/PREAPP

Proposal: Pre-application relating to Outline application for residential development, public open space, landscaping and sustainable drainage system (SuDs) and vehicular access point from Hempsted Lane. All matters reserved except for means of access.

Location: Land At Hill Farm Hempsted Lane Gloucester

16/06/2020

Dear Joann

Please find my response below.

EIA Screening

From an ecology perspective due to the size of the development proposed and its potential impact on ecological features both on and off site, an Ecological Impact Assessment (ECIA) is required. I note that the applicant has submitted one and comment on that below. Should advisers from other disciplines feel that an EIA is required then the ECIA could form the Ecology Chapter of this.

Habitat Regulations Assessment (HRA)

Due to the nearness of the development to Cotswold Beechwood SAC (6.6km from the site) and Severn Estuary SPA/SAC/Ramsar (11km from the site), a shadow Appropriate Assessment is necessary. This particularly needs to address recreational pressures and consider the impact on Alney Island LNR (1.7km from the site), which has some degree of functional link with the Severn Estuary SPA. The applicant has provided a shadow Appropriate Assessment to assess the impact of the development on these sites (except Alney Island LNR, however, the impact on this site is considered adequately in the ECIA).

The shadow Appropriate Assessment concluded that due to the large net increase in residential properties and in combination with other projects nearby, it was considered possible that there could be a significant effect (particularly in terms of recreational pressures) from the development on these nearby nature conservation sites. The inclusion of considerable amounts of public open space and footpaths in the proposed development is considered to compensate for the potential increase in recreation pressure on the Natura sites by providing new residents with facilities for recreation within the development. The open space areas comprise:

- 4.81ha Public Open Space (informal recreation) to include footways and a proposed trim trail;
- 0.87ha of incidental greenspace, habitat enhancement and meadow-grass margins;
- 0.04ha of Local Equipped Area for Play; and
- 0.1ha of Neighbourhood Equipped Area for Play.

While the creation of considerable public open space will reduce the likelihood of residents visiting the Natura sites (including Alney Island LNR and Netheridge Reserve), it is also recommended that a Home Owner Information Pack (HIP) is produced to highlight local green spaces in the development and near to it plus foot/cycleways and public transport links, and also provide guidelines on how the public should behave to avoid damaging local wildlife and habitats (e.g. keeping dogs on leads at nearby Netheridge Reserve and Alney Island LNR, recommendations to keep cats in at night to lessen hunting pressure) as well as relevant legislation under which wildlife protected. Specific recommendations should be made for sensitive sites such as Netheridge Reserve, Alney Island LNR, Cotswold Beechwood SAC and Severn Estuary SPA, SAC and Ramsar. Providing that the development proceeds in accordance with the submitted plans and all public open space and footpaths are included, it is considered that the development is unlikely to have significant impact on the Natura sites and functionally linked sites nearby.

Ecology

I have reviewed the ecology documents that I have been provided with, however, I still have not been able to see the badger document. In order to finalise my comments, I will need to be sent this information. I am concerned that insufficient survey effort has been undertaken for great crested newts, as the pond found on site that was dry in July but could be used as a breeding pond during the wetter spring months. If this is the case following further survey effort for newts, then the requirement for a European Protected Species mitigation licence needs to be re-considered.

The ecology surveys will enable any ecological features to be identified and mitigated for in the form of a Construction Ecological Management Plan (CEMP). This information will also inform landscaping and ecological enhancement recommendations for the site in the form of a Landscape and Ecological Management Plan (LEMP). A site lighting plan will be welcomed to ensure that site lighting is designed in a bat-sensitive manner, and this should be included in the CEMP.

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017)) Context:

- NPPF Para 170 – 177 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework
- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

Wildlife legislation context:

- Wildlife and Countryside Act 1981 (as amended)
- Conservation of Habitats and Species Regulations 2017
- Natural Environment and Rural Communities Act 2006

Conclusion & Recommendations

1. Until I can see the badger document, which needs to be submitted to the planning authority for me to review prior to determination, I have made the following precautionary recommendations:
 - No earthworks within 30m of any setts on site;Lighting required during construction work must be tuned off at night to not disturb badgers foraging;
 - Trenches will be covered at the end of the working day;
 - Any pipes will be covered or capped to prevent badgers gaining access;
 - Any excavations (e.g. trenches or deep pits) within the construction site that need to be left open overnight will be provided with an escape ramp; and
 - If badgers or signs of sett excavation are encountered on site at any time during construction, the project ecologists should be contacted in the first instance.
2. I am concerned that insufficient survey effort has been undertaken for great crested newts, as the pond found on site that was dry in July but could be used as a breeding pond during the wetter spring months. Therefore, I recommend that eDNA surveys or traditional bottle trapping surveys are undertaken on this pond during the spring newt survey season. The recommendations for GCN and the need for a mitigation licence need to be updated in light of GCN surveys of the pond on site and if deemed necessary surrounding ponds with suitability for GCN. These updated recommendations should feed into the CEMP and LEMP.
3. I am concerned that insufficient survey effort has been undertaken for foraging bats. It appears that static detectors were only left in place for one day rather than BCT recommended 5-day period during bat activity monitoring. This and the fact that bat activity was only monitored for a few months of the year contrary to BCT guidelines means that protection and enhancement of bat habitat as well as the bat sensitive site lighting scheme should be undertaken on the assumption that the area could support an even higher diversity and abundance of bats than recorded currently. These updated recommendations should feed into the CEMP and LEMP.
4. The mitigation measures in the report should be expanded on in the form of a Construction Ecological Management Plan (CEMP).
 - Ecological wildlife features to include water voles, bats (both foraging and roosting in case oak tree does need to be removed – bat licensed ecologist should oversee tree removal), great crested newts (GCN) (i.e. GCN RAM to form part of this and GCN licensed ecologist needed to oversee works that could affect this species) and toads, hedgehogs (include recommending installing fencing with 13x13cm hedgehog passes at base to allow hedgehogs to use area effectively), reptiles, badgers- ensure in body of report, nesting birds (both on arable land and in hedgerows and trees – clarify that vegetation removal restrictions in nesting season applies to arable land too).
 - Ecological habitat features to include hedgerows and trees, pond and stream (the latter ties into water vole protection). This should include reference to the SUDs

- and a bat sensitive lighting plan to show types of lighting proposed and lux levels map. Tree/hedgerow protection measures should also be included.
- The CEMP needs to be submitted to the local planning authority for approval prior to determination.
 - A copy of the approved CEMP needs to be given to the contractors on site to ensure that everyone involved is aware of the requirements to protect wildlife and habitats.
5. The enhancement measures in this report need to be expanded on in the form of a Landscape Ecological Management Plan (LEMP) with should be applicable for a minimum period of 10 years and include monitoring regime to ensure habitats establish well and animal shelters remain in good state.
- Responsible person/organisation needs to be stated and method by which protection of created habitats/open spaces will be secured.
 - The LEMP needs to include water vole enhancements (e.g. suitable planting around pond for water vole and ensuring stream vegetation managed to be suitable for water vole), enhancements of landscape for bats (e.g. promote retention of oak tree for bats, retention of hedgerows and planting of native hedgerows with more mature specimens to native shrubs and trees to enable quicker establishment), birds, reptiles, amphibians and hedgehogs (e.g. bat & bird boxes to be installed on retained trees and buildings, reptile & amphibian shelters, separate hedgehog shelters). LEMP to include specification of hedgehog passes (13x13cm gaps at base of fences) to be cut into fencing across the site to make development more permeable to this species.
 - The LEMP needs to be submitted to the local planning authority for approval prior to determination.
6. Homeowner Information Packs must be given to all residents at the proposed development. These packs must contain information to make new residents aware of the sensitivities of nearby sites of nature conservation concern including Netheridge Reserve, Alney Island LNR, Cotswold Beechwoods SAC and Severn Estuary SPA, SAC, RAMSAR and how to act responsibly to avoid disturbing wildlife (including: residents should be advised to keep dogs on leads at the aforementioned sites and recommendation to keep cats in at night to reduce hunting pressure on wildlife). In addition, a map of alternative public open spaces including those in the development and their foot/cycleway links plus public transport links needs to be included along with guidelines on wildlife gardening and leaving the pre-cut 13x13cm hedgehog tunnels in fences to allow their movement across the estate. A sample Homeowner Information Pack must be submitted to the Local Planning Authority to review and approval be obtained prior to first occupation and delivery to new homeowners of the development.
7. The development needs to show a positive Biodiversity Net Gain, which can be calculated using the DEFRA Metric.

I trust this information is helpful.

Kind regards

Elizabeth

*Dr Elizabeth Pimley CEnv CIEEM
Planning Ecological Adviser*

TOWN AND COUNTRY PLANNING ACT 1990

Our Reference: 20/00315/OUT

Proposal: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

Location: Land At Hill Farm, Hempsted Lane, Gloucester

04/07/2020

Dear Joann

Please find my updated response below.

Ecology

I have reviewed the badger report that I have been provided with and am reassured that the developmental impact on badgers will be minimal. One outlying sett on the northern boundary will need to be closed under licence to Natural England (if it remains in use) and further monitoring will be required to assess whether it remains in use and if so to inform the licence application. Badgers should be considered in the CEMP to ensure that any impact on the local population is minimal. Mitigation measures to include placing ramps into any pits/trenches excavated to ensure that badgers can escape.

I am still concerned that insufficient survey effort has been undertaken for great crested newts, as the pond found on site that was dry in July but could be used as a breeding pond during the wetter spring months. If this is the case following further survey effort for newts, then the requirement for a European Protected Species mitigation licence needs to be re-considered.

The ecology surveys will enable any ecological features to be identified and mitigated for in the form of a Construction Ecological Management Plan (CEMP). This information will also inform landscaping and ecological enhancement recommendations for the site in the form of a Landscape and Ecological Management Plan (LEMP). A site lighting plan will be welcomed to ensure that site lighting is designed in a bat-sensitive manner, and this should be included in the CEMP.

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017)) Context:

- NPPF Para 170 – 177 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework
- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

Wildlife legislation context:

- Wildlife and Countryside Act 1981 (as amended)
- Conservation of Habitats and Species Regulations 2017

Conclusion & Recommendations

1. Badger mitigation measures to be added to CEMP, including sett closure methodology. It should be noted that monitoring of the sett is necessary for several months to determine whether it remains in use by badgers or prove that it has fallen into disuse. Should the sett appear to fall into disuse, a careful method of closing the sett is still necessary as a precaution and badger monitoring/sett closure methodology needs to be submitted to and approved by the local planning authority as part of CEMP prior to determination.

Example Badger precautionary recommendations:

- *No earthworks within 30m of any setts on site (unless sett not in used or closed under licence);*

Lighting required during construction work must be tuned off at night to not disturb badgers foraging;

- *Trenches will be covered at the end of the working day;*
- *Any pipes will be covered or capped to prevent badgers gaining access;*
- *Any excavations (e.g. trenches or deep pits) within the construction site that need to be left open overnight will be provided with an escape ramp; and*
- *If badgers or signs of sett excavation are encountered on site at any time during construction, the project ecologists should be contacted in the first instance.*

2. I am concerned that insufficient survey effort has been undertaken for great crested newts, as the pond found on site that was dry in July but could be used as a breeding pond during the wetter spring months. Therefore, I recommend that eDNA surveys or traditional bottle trapping surveys are undertaken on this pond during the spring newt survey season. The recommendations for GCN and the need for a mitigation licence need to be updated in light of GCN surveys of the pond on site and if deemed necessary surrounding ponds with suitability for GCN. These updated recommendations should feed into the CEMP and LEMP.
3. I am concerned that insufficient survey effort has been undertaken for foraging bats. It appears that static detectors were only left in place for one day rather than BCT recommended 5-day period during bat activity monitoring. This and the fact that bat activity was only monitored for a few months of the year contrary to BCT guidelines means that protection and enhancement of bat habitat as well as the bat sensitive site lighting scheme should be undertaken on the assumption that the area could support an even higher diversity and abundance of bats than recorded currently. These updated recommendations should feed into the CEMP and LEMP.
4. The mitigation measures in the report should be expanded on in the form of a Construction Ecological Management Plan (CEMP).
 - Ecological wildlife features to include water voles, bats (both foraging and roosting in case oak tree does need to be removed – bat licensed ecologist should oversee tree removal), great crested newts (GCN) (i.e. GCN RAM to form

part of this and GCN licensed ecologist needed to oversee works that could affect this species) and toads, hedgehogs (include recommending installing fencing with 13x13cm hedgehog passes at base to allow hedgehogs to use area effectively), reptiles, badgers- ensure in body of report, nesting birds (both on arable land and in hedgerows and trees – clarify that vegetation removal restrictions in nesting season applies to arable land too).

- Ecological habitat features to include hedgerows and trees, pond and stream (the latter ties into water vole protection). This should include reference to the SUDs and a bat sensitive lighting plan to show types of lighting proposed and lux levels map. Tree/hedgerow protection measures should also be included.
 - The CEMP needs to be submitted to the local planning authority for approval prior to determination.
 - A copy of the approved CEMP needs to be given to the contractors on site to ensure that everyone involved is aware of the requirements to protect wildlife and habitats.
5. The enhancement measures in this report need to be expanded on in the form of a Landscape Ecological Management Plan (LEMP) which should be applicable for a minimum period of 10 years and include monitoring regime to ensure habitats establish well and animal shelters remain in good state.
- Responsible person/organisation needs to be stated and method by which protection of created habitats/open spaces will be secured.
 - The LEMP needs to include water vole enhancements (e.g. suitable planting around pond for water vole and ensuring stream vegetation managed to be suitable for water vole), enhancements of landscape for bats (e.g. promote retention of oak tree for bats, retention of hedgerows and planting of native hedgerows with more mature specimens to native shrubs and trees to enable quicker establishment), birds, reptiles, amphibians and hedgehogs (e.g. bat & bird boxes to be installed on retained trees and buildings, reptile & amphibian shelters, separate hedgehog shelters). LEMP to include specification of hedgehog passes (13x13cm gaps at base of fences) to be cut into fencing across the site to make development more permeable to this species.
 - The LEMP needs to be submitted to the local planning authority for approval prior to determination.
6. Homeowner Information Packs must be given to all residents at the proposed development. These packs must contain information to make new residents aware of the sensitivities of nearby sites of nature conservation concern including Netheridge Reserve, Alney Island LNR, Cotswold Beechwoods SAC and Severn Estuary SPA, SAC, RAMSAR and how to act responsibly to avoid disturbing wildlife (including: residents should be advised to keep dogs on leads at the aforementioned sites and recommendation to keep cats in at night to reduce hunting pressure on wildlife). In addition, a map of alternative public open spaces including those in the development and their foot/cycleway links plus public transport links needs to be included along with guidelines on wildlife gardening and leaving the pre-cut

13x13cm hedgehog tunnels in fences to allow their movement across the estate. A sample Homeowner Information Pack must be submitted to the Local Planning Authority to review and approval be obtained prior to first occupation and delivery to new homeowners of the development.

7. The development needs to show a positive Biodiversity Net Gain, which can be calculated using the DEFRA Metric.
8. It is also recommended that the comments made by Natural England on 25/06/2020, especially those relating to provision of green infrastructure with the site, be addressed in the LEMP. Various schemes can be used to ensure appropriate green infrastructure is built into developments which benefits wildlife and the local community (e.g. Building with Nature is one such scheme).

I trust this information is helpful.

Kind regards

Elizabeth

*Dr Elizabeth Pimley CEnv CIEEM
Planning Ecological Adviser*

City Growth and Delivery Memorandum

**From: David Durden
Housing Strategy Officer**

**To: Joann Meneaud
Principle Planning Officer**

Date 08 Jan 2020

Copy to: Mella Macmahon; David Ingleby.

Re: Land At Hill Farm, Hempsted Lane, Gloucester,

Ref: 20/00315/OUT

Housing Strategy (Affordable Housing) Comments

All the following comments are caveated by the overall suitability of development on this site, it is NOT an allocation within the City Plan and currently the site lies within the Cordon Sanitaire and would not be deemed suitable for development. The applicant themselves highlight within their Affordable Housing Statement the City Council's ambitions is "The delivery of sufficient affordable housing, of the appropriate types in the appropriate places". Allied to this as this document sets out the applicant has not, in my view, demonstrated compliance the JCS nor City Plan policies in this application.

The following comments are premised on this fact and reflects comments on the generality of housing and affordable housing in the City and should not be considered as supporting development of this particular site.

1. The need for Affordable Housing and current supply

The applicant sets out a strong argument for the provision of affordable housing which is well understood by both officers and members of the City Council. There is substantial need for housing and in particular Affordable Housing in the City and County as a whole and the recently adopted Joint Core Strategy has tested the evidence base in relation to the objectively assessed housing need and affordable housing requirements. The applicant makes reference to the Local Housing needs Assessment of which the final iteration indicates for Gloucester that out of its annual housing requirement a split of 64% market housing to 36% Affordable Housing. It is important to note the distinction between rented need and AHO. The evidence base has now identified that 40% of the Affordable homes should be Social rent with 26% as Affordable Rent total rented requirement of 66% of the

affordable housing the remainder being affordable homeownership. The LHNA also breaks the requirement down in terms of the sizes of homes required. The long-term view of the LHNA need to be set against the immediate need evidenced within the waiting list.

The Council's current position is set out in SD11 in terms of meeting local needs and so the applicants needs to be mindful of the latest evidence relating to tenure, type and size of accommodation required. This includes market and as well as Affordable.

SD11 requires suitable homes to meet locally arising need and the City Plan will detail this in terms of adaptable and adapted homes, the plan has detailed a 50% position on category M4(2) homes i.e. adaptable homes and 4% of the Affordable housing should be provided as Category M4(3) homes (wheelchair standard).

In terms of need there is a justification for a higher position as set out within the Local Housing Needs Assessment 2020, the City Plan viability appraisal has identified that a 50% position will ensure the City Plan is deliverable.

JCS Policies SD11 and SD4 provides a justification for taking this approach now. The City plan just provides more detail and a reasoned justification for this detail.

The provision of M4(2) and M4(3) standard homes should be conditioned to ensure Building Control confirm that the relevant standards have been met.

Any applicant should show how the development will meet the need of an aging society in particular how the homes will encourage older persons in the development, over and above the part M requirements stated above. Any stated approach will need to show compliance with SD11 and design requirement stated the JCS SD4. Since these comments were made in pre-application advice this issue has not been addressed.

SD12 sets out a 20% minimum contribution of affordable housing and is clear on what action need to be taken if this cannot be achieved. It also states that some site may deliver higher levels of Affordable Housing than the minimum.

The City Plan viability report indicates that 25% is achievable across our allocated sites and also provides a stronger position in relation to but this will have limited weight.

It should be noted that this site is not allocated within the City Plan and is sited with in a higher value area of the City.

The Table below sets out the conclusion of the latest revision of the Local Housing Needs Survey It should be noted that a range of open market units are required,

| After Figure 86 LHNA May 2020 : Overall need for Affordable Housing (including households aspiring to home ownership) and Market Housing by property size (Source: ORS Housing Model. Note: Figures may not sum due to rounding) Affordable Housing Need Planned | | | | | | | |
|--|------|------|------|------|--------|------------|----------------|
| | Beds | | | | Totals | | |
| | 1 | 2 | 3 | 4+ | | % Of AH | % of all Homes |
| Social Rent | 87 | 874 | 645 | 215 | 1821 | 40% | 14% |
| Aff. Rent | 170 | 554 | 376 | 119 | 1219 | 26% | 10% |
| Shared Ownership | 39 | 796 | 641 | 91 | 1567 | 34% | 12% |
| Total | 296 | 2225 | 1661 | 425 | 4606 | | 36% |
| Market Housing | 100 | 1066 | 5139 | 1816 | 8121 | | 64% |
| Total | 396 | 3291 | 6800 | 2241 | 12728 | | 100% |

Whilst the applicant has eloquently stated the case for affordable homes this application cannot be considered compliant with either City Plan nor JCS Policy SD11 in that it provides no indication of the mix of affordable tenures nor does it provide an indication of the types and sizes of home to be provided on the site. The above evidence alongside the Housing Register provide clear indication that compliance with 10% Affordable Home Ownership set out in paragraph 64 of the NPPF would "significantly prejudice the ability to meet the identified affordable housing needs of specific groups".

SD11 applies to all homes not just the Affordable Homes. Should this site been considered appropriate for residential development it is critical that the homes built meet the evidenced needs of Gloucester. Clearly setting this out at Outline stage through master plans and schedules of house types and tenure will demonstrate policy compliance, ensuring the appropriate legal agreement and planning conditions support the in-principle decision which is then likely to be delivered by following reserved matters application.

As it stands the application does not set out the housing offer in enough detail to even allow an analysis of its compliance with SD11. With reference to the Affordable Housing quantum, the offer of 20% is inadequate in light of the City Plan viability appraisal and the permissions at Newark Farm and Land to the East of Hempstead. The adopted JCS Policy states a minimum of 20% in Gloucester.

4. Affordability

The applicant needs to be aware of the issue of increase in open market values leading to Affordable Rents being higher than the Local Housing Allowance, in these circumstances the Council would expect the rents to be below the 80% level in order to ensure tenants in receipt of Housing benefit can afford the homes. Any four bed or larger homes would be expected to be rented at Social Rent levels.

The applicant also needs to be aware of the entry level to open market housing in the City as set out in the SHMA. Open market values on the site will impact upon the affordability of Affordable Home Ownership and in particular the level of shared ownership tranches on initial sale and any discounted housing sales values. Any Section 106 agreement will set out requirements relating to rent levels and affordability and initial sale tranches of Affordable Home Ownership products

The tenure and value of affordable homes to ensure a policy complaint application will impact on the land value. The National Planning Policy Guidance provides clarity that land values should reflect the delivery of policy compliant proposals.

5. Design of Affordable Housing

The latest City plan policy identified the Nationally Described Space Standards as the expected size standard for housing within the City. The Requirement of 50% of all housing to Category M(4)2 standard housing should be demonstrated via auditable drawings or be conditioned.

As part of the Joint Core Strategy Affordable Housing Partnership advice has been sought from the Preferred Providers on the specification items they would require, above building regulation compliance, for affordable housing units.

Individual Preferred Providers may negotiate specification upgrades above the partnership standard, which would be assumed to be at their cost. The design and specification of Affordable Housing is critical to the homes being fit for purpose and a Housing Association Registered Provider being willing to contract on the homes provided.

The applicant was provided with the JCS –AHP Guidance Note that is used to support the Section 106 and application of affordable housing planning policies. No reference is made to any standard within the Planning Statement and the Affordable Housing Statement. Ensuring the standard of design meet the requirements of Housing Association Registered Providers is key to effective provision of on site Affordable Housing and long term effective management.

As already stated providing 50% of all units category two reflects both the LHNA evidence, if founded upon policies SD11 and SD4 as well as the emerging City plan. In addition to this 4% of the Affordable Housing units should be built to Category M4(3) standard i.e. suitable for a wheelchair user. Such homes can be house and or flats. The evidence for this provision is now set out within the latest version of the LHNA

6. Density of Affordable Housing

It would be expected to have clusters of no more that 6 to 8 Affordable Units in a cluster, subject to the quantum being delivered on the site and design requirements for example blocks of flats. A suitable clause within the S106 agreement will detail this requirement. A master plan of the site would show how this could be achieved to ensure the development is mixed and balanced community.

7. Liaison with Registered Providers


It is not known if any discussions have occurred with providers. This is of particular importance with regard to suitability of design and space standards to ensure the developer can contract on the homes once built, ensuring that the units are fit for purpose is a key element of ensure the homes will be suitable affordable housing in perpetuity. The council has a list of preferred providers as part of the Joint Core Strategy Affordable Housing partnership and is recommended that the applicant approaches some or all of these Housing Associations Registered Providers to discuss the suitability of their proposals.

8. Off Site Contributions

The National Planning Policy Framework identifies that planning authorities should seek on site contributions. The National Planning Policy Framework identifies that planning authorities should seek on site contributions. Any agreement to an off-site contribution needs to be robustly justified. There would not appear to be any reason for off-site contributions on this site.

It is the Council's position that appropriate design, mix and location of affordable housing in addition to discussion with Registered providers at an early stage will ensure that a Housing Association Registered Provider will contact the owner/developer on the Affordable Housing. As such no cascade mechanism for a commuted sum will be entered into.

Yours sincerely



David Durden
Housing Strategy Officer

Date: 25 June 2020
Our ref: 317448
Your ref: **20/00315/OUT**



Gloucester City Council

For the attention of Joann Meneaud

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Joann

Planning consultation: Outline application for the erection of up to 245 dwellings with all matters reserved except for means of vehicular access

Location: Land At Hill Farm Hempsted Lane Gloucester

Thank you for your consultation on the above dated 19 May 2020 which was received by Natural England on the same day. We are sorry for the delay replying.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) and land functionally linked to the Severn Estuary Special Protection Area (SPA) <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Cotswold Commons & Beechwoods Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

Mitigation as set out in the submitted 'shadow' Habitats Regulations Assessment (HRA) Appropriate Assessment and further consolidated in the Council Ecology adviser's report dated 16.6.20 must be secured.

- (i) Provision of a suitable Homeowner Information Pack – we provide advice on format below.
- (ii) A suitable Constriction and Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) so as to ensure high quality green infrastructure is secured as part of the informal recreation and biodiversity mitigation measures.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

Natural England notes that the Habitats Regulations Assessment (Including stage 2 - Appropriate Assessment) has not been produced by your authority, but by the applicant. We note that the Council's ecology adviser has offered further relevant commentary in their report dated 16.6.20 and we therefore take this as an addendum to the shadow HRA. We provide the advice enclosed taking account of both sources of information and on the assumption that your authority intends to adopt both documents to fulfil your duty as competent authority.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

In order to ensure that subsequent detailed or reserved matters applications deliver the safeguards described in the appropriate assessment Natural England draws the Council's attention to the need for an holistic approach.

(i) On site informal recreation space

The proposed on site open space provides the means to secure a range of multi-functional green infrastructure benefits (please refer to separate advice re GI below). These include provision of informal recreation space for new homeowners in order to offset additional recreation pressure on the European sites named above. In order to deliver a fit for purpose Landscape and Ecology Management Plan (LEMP) suitable arrangements for long term management, maintenance and funding of the measures e.g. through a management company, should be secured.

(ii) Homeowner Information Packs (HIP)

We note and agree with the Council's ecology adviser comments on the objectives and content to be addressed in the HIP.

In terms of format the Homeowner Information Pack should present information describing informal recreation opportunities in the following sequence:

- Public space on your doorstep
- A short drive by car or bus
- Further afield – e.g. The Cotswolds, the Severn Estuary, the Forest of Dean.

The proposed HIP leaflet for Hunts Grove, Quedgeley (produced by Crest Nicholson. Gloucester City Council and FPCR provides a useful example).

Sites of Special Scientific Interest (SSSI)

SSSIs with public access also exist between the application site and the Cotswold Beechwoods SAC. These include:

- Hucclecote Meadows
- Range Farm Fields
- Cotswold Commons and Beechwoods

The Homeowner Information Pack (see above) should be designed to contribute to the package of mitigation focused on recreation in respect of both statutory designated sites and also non-statutory ones. The HIP should be designed to help avoid disturbance to wildlife and encourage awareness of these sites' sensitivities. Provided this holistic approach is taken we do not anticipate adverse effects on these SSSI's notified features.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Green infrastructure

Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

Adopted Joint Core Strategy policy INF3 and the JCS Councils' Green Infrastructure Strategy 2014 refer. Emerging Gloucester City Plan [policy E5](#) is also relevant.

The application site lies close to the Gloucester & Sharpness Canal, with a number of nearby green infrastructure related enhancements of relevance to the application site's location:

- *'Promote and enhance the Gloucester & Sharpness Canal as a sub-regional corridor' :*
 - C2 – *'Improve pedestrian/cycle links between Podsmead - providing pedestrian crossing over Bristol Road and making use of Hempsted bridge'.*
 - C3 - *Provide new woodland on mounds beside Secunda Way and fields around Hempsted Meadows.*
- Cy3 – *Strategic cycleways/Sustrans Routes – 'Improve facility South beyond Lower Rea to link up with canal tow path'.*

Consideration should be given to what opportunities exist to integrate green infrastructure delivery with measures that serve to offer alternative walking, running and cycling routes for new residents. Such measures may form part of a package that positively manages additional recreation pressure on local resources such as Alney Island LNR.

We also draw the Council's attention to the role the proposed LEMP has in helping to deliver both optimal green infrastructure and biodiversity resources for this scheme in their own right while also contributing to a high quality of design that supports the Council's appropriate assessment conclusion (i.e. the scheme's secured details allow the council to ascertain that the integrity of the European Sites named above can be safeguarded).

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on 07554 452 459.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Yours sincerely

Antony Muller
Lead Adviser – West Midlands Planning for a Better Environment Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Hi Jo

Apologies for the delay in responding.

Wardell Armstrong has carried out a noise assessment (dated January 2020) to accompany an outline planning application for a proposed residential development on Land at Hempsted Lane, Gloucester.

The noise sources which will potentially affect the residents of the proposed residential development are road traffic on the A430 and the Gloucester Car Boot and Flea Market. However it should be noted that since this report was submitted the market no longer has an association with this site as the contact with the operator expired I believe at the end of March 2020. The operator is now seeking another site locally to operate from.

As a result of the noise survey it has been determined that road traffic noise from the A430 is the main source of noise at the proposed development site. It is noted that noise was not audible from the commercial units to the south east of the A430 which I believe to be the BT depot. In terms of potential impact on the proposed development from the BT depot under its current use I do not believe to be significant although, I am aware the site was recently advertised for rent. I would ask if the DC team are aware of any future use/development that may be in the pipeline for this site as it may impact upon the content of the noise report in addition to my final comments.

The assessment has indicated the proposed dwellings closest to the A430 are likely to experience an adverse noise impact due to road traffic, although further into the site noise levels will be reduced therefore the potential for an adverse noise impact will be less.

Outline noise mitigation measures have been identified for proposed dwellings in the eastern part of the site, closest to the A430. The assessment indicates that for these dwellings, gardens could be located on the screened side of dwellings, to provide noise screening from road traffic. The façades of dwellings closest to the A430 would require enhanced glazing and an alternative means of ventilation to ensure that noise guideline levels are met within habitable rooms whilst maintaining adequate ventilation. Mitigation requirements can be confirmed as a reserved matter, on a plot by plot basis, once a detailed design layout is available.

This approach is acceptable and in order to ensure this is completed and further information submitted in support of a RM application with regard to the noise from the local road network I would recommend the below condition be imposed upon any outline consent;

- Development shall not begin until a scheme for protecting the proposed dwelling units (internal/external amenity space) from noise from the local transport network has been submitted to and approved by the local planning authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.

Point to note – With regard to external amenity areas exceeding 55dB LAeq,16h mitigation in the form of barriers (fence panels) are mostly constructed of timber and there was an assumption basic timber fences could be used as adequate barriers against road traffic and other noise sources, for example imperforate 19mm close boarded fences. Such simple designs have been proven to be mostly ineffective, due to inadequate account being taken of the density of different species of timber, leading to selection of timbers which warp, with gaps widening under hot weather conditions along with general deterioration of the material over time.

Where reasonably practicable I would expect the use of higher density materials/products to surround gardens identified as exceeding 55dB LAeq,16h so as to minimise the amount of units affected by noise from local transport network. A robust justification for not using higher density materials should accompany any decision to use, for example, imperforate 19mm close boarded fences. I would ask that should any external amenity areas exceed 55dB LAeq,16h a 1dB contour plan shall be provided to demonstrate the variation of noise level at these locations.

In addition to the above I would also recommend the following conditions be imposed either at outline or RM stage so as to protect the local amenity from the outset of preparatory groundworks through to completion of construction;

- **Approved hours of construction**

During the construction (including demolition and preparatory groundworks) phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

N.B. with the current 12 month government relaxation of construction hours this condition may require amending, dependent upon groundworks commencing prior to August 2021.

- **White noise reversing alarms**

Prior to the commencement of development a scheme shall be submitted to and approved in writing by the local planning authority that covers the following; during the construction (including demolition and preparatory groundworks), no mobile plant or vehicles shall be operated on the site other than those with a "white noise" type reversing warning alarm system, or an alternative system approved in writing by the Local Planning Authority.

- **Construction Impact Assessment – Dust Management Plan**

Detailed measures relating to the minimisation and control of dust emissions from the preparatory groundworks, demolition and construction phases, in accordance with Guidance on the assessment of dust from demolition and construction - Institute of Air Quality Management (2014), shall be included an Dust Management Plan (DMP). The DMP shall be submitted and approved in writing by this Authority prior to any groundworks/construction commencing and shall specify mitigation measures in respect of minimisation and control of dust emissions from the proposed development site.

If you have any further queries on the above, please do not hesitate to contact me at your earliest convenience.

Kind Regards,

Matt

Matt Cloke

City Centre Improvement Officer



| | | | |
|--|--|---|--------------------------------------|
| | | Highways Development Management Shire Hall Gloucester <u>GL1 2TH</u> | |
| Joann Meneaud Gloucester City Council Planning Shire Hall Westgate Street Gloucester GL1 5TG | | Email: Stephen.hawley@gloucestershire.gov.uk | |
| Our Ref: G/2020/045291 | | Your Ref: 20/00315/OUT | |
| Date: 2 July 2020 | | | |
| Proposal: | Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access. Land At Hill Farm Hempsted Lane Gloucester | | Received date: 19 May 2020 |
| Recommendation: | No objection | | No objection (Subject to conditions) |
| | Refusal | X | Further information |
| Document(s), drawing(s) and reference(s): | | Planning history ref(s): | |
| Details of recommendation: | <p>This application has been submitted in outline with all matters reserved except for access. The land is not allocated in the adopted development plan consequently all transport demands this site generates will be over and above that anticipated.</p> <p>The proposal has been submitted with a transport assessment (TA) and a travel plan (TP) to allow the consideration of any impact and mitigation. The Highway Authority has considered these documents alongside the other submissions, and has used expert opinion from within the Authority to appraise the suitability of the application.</p> <p>In the view of the Highway Authority the submitted details are not acceptable,</p> | | |

the reasoning for this is detailed below.

Active Travel

Whilst it is acknowledged the site is close to off road cycle infrastructure along side the A430 and the canal. The site fails to provide to genuine transport choices or maximise sustainable transport solutions. The level of transport infrastructure provide is only the immediate connection to Hempstead Lane, this does not provide suitable connections to the A430 cycleway. A proposal of this scale will generate a significant level of walking and cycling trips, however no assessment of the anticipated level of demand has been undertaken. Key destinations have been identified but the routes to reach these destination are not appraised, a proposal of this nature should provide a WCHRA should be provided, this would ensure that the routes were suitable for future residents. The level of assessment undertaken is considered to be below that required for a development of this scale in a location that is not an adopted land allocation.

Public Transport

The application confirms that there are frequent public transport services on the A430 and stops are nearby. The application does not consider the distance from front door to bus stop, and whilst this is an outline application the indicative layout shows development long distances from bus stops. The walking distance to bus stops will be limiting factor on the extent of the built form.

Travel Plan

The applicant has submitted a travel plan which indicates a 5-10% single occupancy vehicle trip reduction in trips. This plan is not considered to be sufficiently ambitious given the applicants suggestion that this is a sustainable location. The plan should be revisited with the objective of a more progressive plan and measures to achieve this. The applicant has referenced GCC's travel plan guidance and therefore should be aware that a travel plan bond of £53,275 is required in the event of default. The plan in its current form is not acceptable, it does not maximise the suitable transport opportunity or mitigate for the additional demands the proposal brings.

Vehicle Impact

Trip Rates. These are considered to under estimate the likely vehicle impact. Whilst a TRIC's analysis has been provided this should be validated against a local donor site, consequently these are not accepted.

Distribution. The indicated vehicle assignment has been based on Journey to Work data based on the 2011 census. Local data collection from 2019 confirms that this assignment is no longer suitable and as such the traffic impact on the surrounding junctions is not representative of the anticipated impact.

Cumulative Impact. The TA has assessed local junctions based on a 2025

assessment year. This is not acceptable in the considering the local plan period. Any assessment should match the local plan period as such the assessment does not address the entirety of the planned growth.

Junction Modelling. Errors have been identified in the geometric criteria the junctions have been assessed on, these errors result in an over estimation of capacity and consequently do not represent a robust assessment.

Access Design. The level of visibility splay has not been justified. Whilst it is accepted that the junctions proximity to the A430 will have a significant impact on vehicle speeds, however the applicants design arbitrarily applies a 43m splay line without explanation, the application of manual for streets requires actual speed data to be used rather than the posted speed limit.

Permeability. The proposal provides a singular point of access and additional pedestrian connections to the public right of way along the site boundary. Manual for Streets advocates a permeable network to encourage walking and cycling as well as spreading vehicle impact. This proposal is not permeable and consequently does not encourage active travel, it extends the walking distances to bus stops and does not make a resilient transport network.

Indicative Master Plan. The applicant has provided an indicative masterplan in the design and access statement. This shows a car dominated layout including long lengths of straight roads, it also demonstrates a significant number of cul-de-sacs which again fails to provide for a well connected development. This is not a reason for refusal in its own right, but should permission be granted the Highway Authority would require major alterations to the layout and would ask that no condition is imposed requiring the layout to be in accordance with the masterplan.

Conclusion

The proposal places additional demands onto the Highway network which has not been mitigated. The TA does not correctly appraise the impact and cannot be relied on. The Highway Authority considers that the lack of mitigation will result in a severe impact on highway capacity when considered cumulative with the planned growth. The proposal also fails to address the needs of pedestrians, cyclists and to a lesser extent public transport users through the absence of suitable appraisal and integration into existing infrastructure. The travel plan is not ambitious and fails to maximise the sustainable transport offer.

The application conflicts with policies SD4, INF1, and INF6 of the Joint Core Strategy 2015-2031, PD4 of the Local Transport Plan and paragraphs 91, 102, 103, 108, 109, and 110 of the National Planning Policy Framework, it is therefore recommended that this application is refused.

| | | | | |
|-----------------------------------|--|--|-------------------------|--|
| | Stephen Hawley BSc (Hons) IEng MCIHT FIHE MTPS Cert(mgmt)open Highway Development Management Team Leader Highways Development Management Communities Infrastructure | | | |
| Required consultation: | ITU | | Highways Records | |
| | Rd Safety | | Fire Service | |
| | PROW | | Structures | |
| | LHM | | Police | |

From: [Joann Meneaud](#)
To: [Paul Roberts](#)
Subject: FW: Land at Hempsted Lane - Gladmans 20/00315/OUT
Date: 06 July 2020 11:52:49
Attachments: [21099_01_230_02_drainage_strategy.pdf](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Paul,
Comments from our Drainage Adviser area set out below. You will note the request for some further information and clarification.
Regards
Joann

The key points are:

- An intercept ditch / swale is required along the top of the development to protect it from overland runoff from the north.
- A review of QBar (permissible discharge rate) and the attenuation volume is needed. These could have an impact on the space required for the basin.
- More commitment to SuDS provision is needed.
- Basin too rectilinear (man-made) looking.
- Sections through the basin are required so we can see if it can be accommodated, in an acceptable manner, into the space allocated.
- The basin may need reconfiguring to produce an acceptable design (no large bund).
- The culverted watercourses should be opened up.

The EA is a statutory consultee and should provide bespoke comments on this application.

Flood Risk At The Site

Flood maps show that the application site includes flood zone 2 and flood zone 3 areas.

However, no built development is proposed in the flood zone 2 and 3 areas, and so I don't have any concerns about fluvial flood risk at the site.

My only comment on flood risk from other sources is that due consideration will need to be given to surface runoff arriving at the development site from the uphill areas to the north. Due to the sloping site and the clay soils this could be significant. We would expect to see an intercept ditch/swale at detailed design stage.

The sequential test can be considered as passed by virtue of the fact a sequential approach has been taken to site layout and all development is within flood zone 1. The exception test does not need to be addressed ('more vulnerable' development in flood zone 1).

Please note that the EA will make their own evaluation over flood risk at the site, which may differ from my comments.

Impact Of The Development On Flood Risk Elsewhere

- Surface Water Runoff Rates

It is accepted that infiltration is not viable.

In line with GCC/LLFA guidance, surface water runoff is to be attenuated to QBar.

I have some questions over the discharge rate / attenuation volume calculations.

A QBar value for the site of 17.3 l/s has been calculated based on a developable area of 6.3 ha.

However, the attenuation volume calculations seem to have been calculated based on the smaller (impermeable) area of 3.52 ha, with no allowance for the permeable areas.

The runoff from the permeable areas has to go somewhere. It will either:

1. Be captured by the on-site drainage - in which case that area can be include in the QBar calculations, but the attenuation volume calculations will need to make allowance for the runoff.

or

2. Not be captured by the on-site drainage – in which case that area should not be included in the QBar calculations.

Where runoff volumes are being calculated for a defined area of impermeable surfacing (as they are here), we would normally expect the cv value to be 0.95. Here, Cv values of 0.75 / 0.84 (summer / winter) have been used. Clarification is sought.

N.B. There are some small discrepancies between (developable / impermeable) areas quoted in the different sections / plans but these can be ironed at detailed design.

SuDS

On a large Greenfield site such as this we expect to see a very good level of above ground SuDS provision. As well as source control and attenuation, we would expect to see SUDS included for conveyance (for example, swales instead of pipes). Please see the attached SuDS layout for another development site which demonstrates the inclusion of SuDs for surface water conveyance. The FRA does say that swales and filter strips are options applicable to the development however, we require to see more commitment that these will actually be incorporated. For example, the FRA should include text along the lines of, '*swales, filter strips, water butts and permeable paving will be incorporated into the development*', and where possible, some commitment to the extents of these SuDS. For example, '*where practicable, every dwelling shall be fitted with a water butt*'. Also, where possible, indicative positions/extents

should be shown on the drainage layout plan (swales for example).

It is particularly important that SuDS attenuation basins are well designed and well integrated. Basins should be as naturalistic as possible with varying side slopes (max 1 in 4). If they are to form part of public open space / play space they should have good access. Low flows should be channelled within a shallow swale within the basin so the basin is kept as accessible (dry) as possible for as much of the time as possible, unless the basin is designed as a wet pond. The photo below shows the style of basin preferred. A permanently wet area is good for wildlife.



Further notes on attenuation basins:

- Basins to incorporate a 3.5 m wide safety / maintenance bench around the perimeter.
- Basin sides to have varying gradients (max 1 in 4)
- Inlets and outlets to be finished in pitched stone rather than RC concrete
- Key clamp railings to be avoided
- Basin topography to be as naturalistic as possible. In particular, unnatural looking bunds and 'perched' basins are to be avoided

Whilst we do not need to see the full detailed design of the basin as part of outline planning application it needs to be demonstrated that the attenuation volume required can be comfortably, and safely, accommodated within the space allocated. With this in mind, an outline planning application should include a few indicative sections. I would like to request that these are submitted.

Looking at the drainage layout plan, and with reference to the guidance above, a few comments spring to mind:

The basin has rather man-made rectilinear layout; this should be softened.

I suspect that the layout shown involves a tall bund on the downslope side, although until we see sections it is hard to tell. As set out above, perched basins and large bunds are to be avoided.

They look unnatural and also pose a risk in the sense of presenting a potential breach (bank failure) opportunity.

A more linear basin, working with contours, would sit better.

The applicant should indicate how the SuDS features will be maintained. Subject to acceptable design, and an agreed commuted sum, the City Council may agree to take on the responsibility for the maintenance of certain above ground SuDS features in public open space. Where an application does not include a SuDS maintenance schedule, a condition to this effect will be required.

From a water quality perspective, the water quality objectives set out in the publication CIRIA C753 should be met. Please note that traditional gullies/slot drains and interceptors alone, will not meet the objectives. All vehicular areas need to meet the required standards. Here, the basin in conjunction with the swales and permeable paving should deliver adequate water quality provision.

All SuDS proposals will need to be reviewed by the archaeologist.

Watercourses

Gloucester City Council requires that an 8 m corridor be kept free of development to each side of watercourses (measured from top of bank). This is achieved for Hempsted Brook (Black Ditch) as there is no development in this area. The 4 m corridor (4 m to each side) proposed for the smaller on-site watercourses is considered acceptable here.

These on-site watercourses currently have culverted sections due to previous infilling by the landowner. We require that these culverted sections are removed and the watercourses / ditches reinstated. This is in line with sections 3.5.39 and 3.5.40 of the City Plan. Currently, if the culverted sections block, the repercussions are minimal as flood would simply flow across the fields to the Hempsted Brook. However, in event that the site is developed, blockages could have more serious consequences.



Hi Jo,

I have read Peter Quinn's detailed response in respect of the impact on the landscape setting and fully agree with his conclusions. Therefore, these comments are provided on the understanding that the fundamental principle of whether housing development on this site is appropriate or not is of course the first priority.

Please see my thoughts below re: provision of POS on this site. I have copied in Mr Gooch re: the provision of formal sports facilities. Hempsted area lacks formal public grass sports pitches (there is just the one at Hempsted Rec, with no changing rooms, and private fields at Gordon League, so some form of new formal playing field or sports provision on this development would help address this imbalance. Having said that, the Playing Pitch Strategy draws together the more complex issues of playing field availability/current and future needs across the city and it may be considered that providing a formal sports pitch (with associated changing rooms) would not be necessary here and an off-site contribution to improve other existing sites would be more appropriate.

For a development of 245 units, the council would wish to see on site formal sport and play provision, in accordance with the council's previously adopted POS SPG. This would be in the form of a NEAP, a LEAP, a MUGA, formal full size winter playing pitch (football/rugby) with pitch drainage/changing rooms and a tennis court or equivalent. The number of units (estimated mix – see attached) generates a requirement of 2.87 hectares of open space. The nature of the site (lower parts within the flood plain) means that there is a larger percentage of the site proposed to be set aside for open space (4.81ha informal POS, plus 0.04ha LEAP, 0.1ha NEAP) and 0.87ha incidental green space, which would probably fall outside of the POS calculation (due to lack of size and suitability for POS).

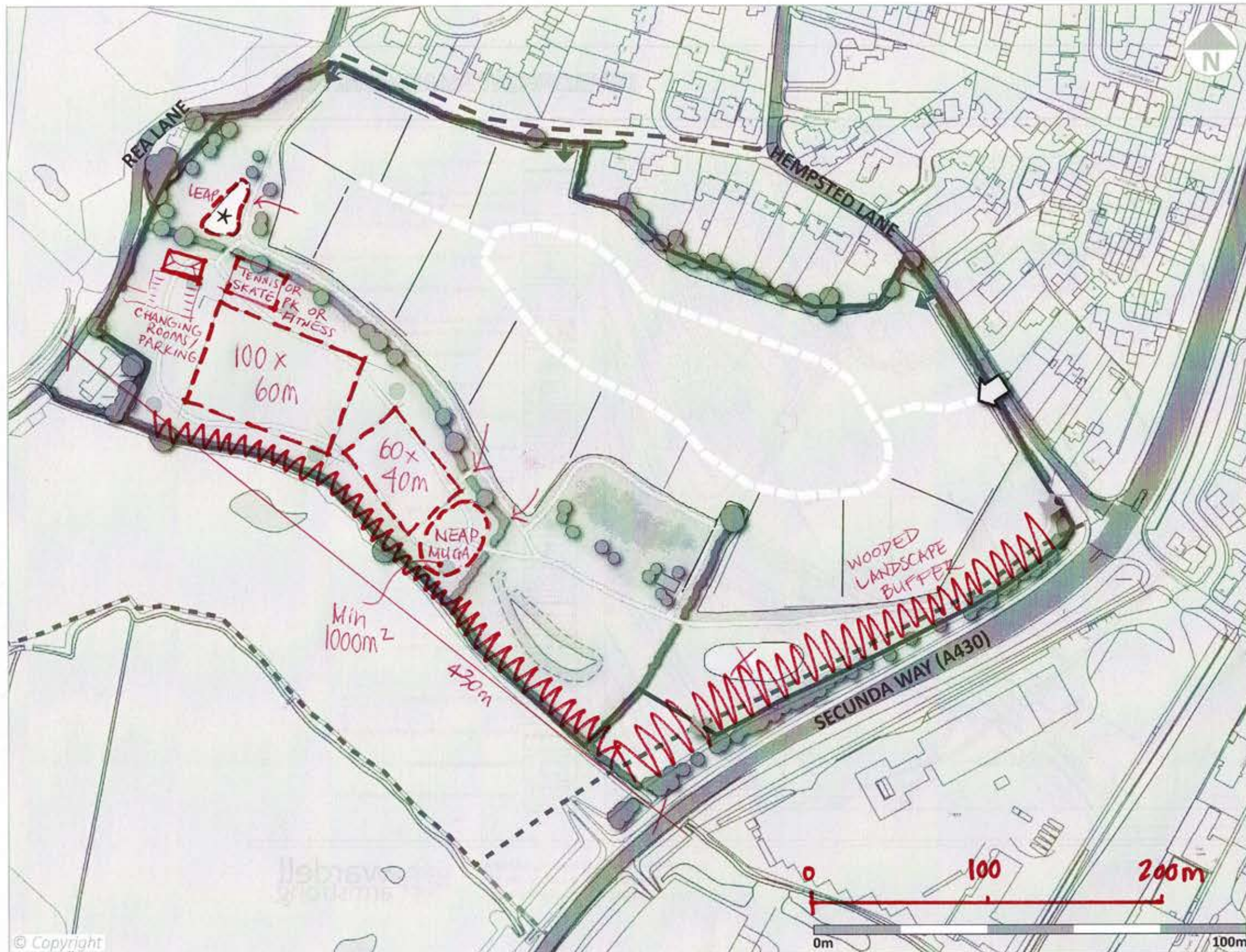
The indicated position of the NEAP, close to the Hempsted Bypass, is not acceptable and the NEAP (with associated MUGA) should be moved further towards the centre of the site's green space, away from the A430 traffic noise. A formal full-sized sports pitch (and mini pitch) could be accommodated on the western field (changing rooms would need to be positioned out of the flood zone). There should be some on-site parking provided for pitch users as well. I would be happy to provide more detailed comments, but they may not be necessary at this stage.

Please note: the linear scale bar on the Framework Plan is inaccurate. The site measures around 430m across at the bottom of the site – see marked up plan attached. The plan is to scale 1:2500@A3, but the linear scale on the plan is wrong. I have indicated how sports pitches could fit onto the site. If the development were to be given consideration I would like to see the eastern site boundary to the A430 have a deep wooded landscape buffer planted, to screen views across the site (and for ecological benefits too).

Happy to discuss further as necessary.

Regards,

Kay



KEY

- Site boundary (12.22Ha)
- Proposed development (6.4Ha) up to 245 dwellings @38 dph
- Local Equipped Area for Play (0.04Ha)
- Neighbourhood Equipped Area for Play (0.1Ha)
- Public open space: Informal recreation (4.81Ha)
- Incidental greenspace, habitat enhancement and meadow grassland margins (0.87Ha)
- Existing hedgerows and trees
- Proposed hedgerows and trees
- Proposed drainage basin
- Existing drainage basin
- Proposed footways
- Proposed vehicular access
- Proposed pedestrian access
- Proposed primary vehicle route
- Secondary street and lanes / private drives
- Public Right of Way: Bridleway
- Public Right of Way: Footpath
- Permissive path
- Retained agricultural access
- Vehicular access to proposed pumping station
- Proposed pumping station
- Proposed trim trail (stations indicative only)

PARKS AND ENVIRONMENTAL SERVICES

Calculation of Public Open Space requirements - in accordance with Gloucester Local Plan Supplementary Planning Guidance June 2001

With inflation added to April 2019 including 15% design and management fees

PLANNING APP. No. - 20/00315/OUT LOCATION - Land at Hempsted (estimated mix, 245 units) June 2020

DRAWING No. - DEVELOPER -

| | <u>NUMBER OF UNITS</u> | <u>SPORT</u> requirement per unit (metres sq) | <u>total amount</u> <u>of land</u> <u>required</u> | <u>PLAY</u> requirement per unit (metres sq) | <u>total amount</u> <u>of land</u> <u>required</u> | <u>GENERAL</u> requirement per unit (metres sq) | <u>total amount</u> <u>of land</u> <u>required</u> | <u>TOTAL</u> <u>(metres sq)</u> |
|---------|------------------------|--|--|---|--|--|--|------------------------------------|
| elderly | 0 | 17 | 0 | 0 | 0 | 11 | 0 | 0 |
| 1-bed | 0 | 34 | 0 | 0 | 0 | 22 | 0 | 0 |
| 2-bed | 12 | 51 | 612 | 21 | 252 | 12 | 144 | 1008 |
| 3-bed | 185 | 68 | 12580 | 28 | 5180 | 16 | 2960 | 20720 |
| 4-bed | 40 | 85 | 3400 | 35 | 1400 | 20 | 800 | 5600 |
| 5-bed | 8 | 102 | 816 | 42 | 336 | 24 | 192 | 1344 |
| 6+ beds | 0 | 119 | 0 | 49 | 0 | 28 | 0 | 0 |
| | | | 17408 | | 7168 | | 4096 | 28672 |

| | | <u>SPORT</u> requirement per unit | <u>sport</u> contribution | <u>PLAY</u> requirement per unit | <u>play</u> contribution | <u>GENERAL</u> requirement per unit | <u>general</u> contribution | <u>TOTAL - £</u> |
|---------|-----|---|------------------------------|--|-----------------------------|---|--------------------------------|------------------|
| elderly | 0 | 1038.61 | 0 | 0 | 0 | 365.44 | 0 | 0 |
| 1-bed | 0 | 2066.01 | 0 | 0 | 0 | 385.06 | 0 | 0 |
| 2-bed | 12 | 3101.51 | 37218.12 | 1140.04 | 13680.48 | 397.58 | 4770.96 | 55669.56 |
| 3-bed | 185 | 4135.34 | 765037.9 | 1520.1 | 281218.5 | 531.52 | 98331.2 | 1144587.6 |
| 4-bed | 40 | 5214.67 | 208586.8 | 1900.1 | 76004 | 664.46 | 26578.4 | 311169.2 |
| 5-bed | 8 | 6203.00 | 49624 | 2280.15 | 18241.2 | 797.29 | 6378.32 | 74243.52 |
| 6+ beds | 0 | 7236.82 | 0 | 2497.3 | 0 | 930.16 | 0 | 0 |
| | | | 1060466.82 | | 389144.18 | | 136058.88 | 1585669.88 |

Joann Meneaud
Gloucester City Council
North Warehouse
The Docks
Gloucester
GL1 2EP

Our ref: SV/2020/110673/01-L01
Your ref: 20/00315/OUT
Date: 29 July 2020

Dear Jo

OUTLINE APPLICATION FOR THE ERECTION OF UP TO 245 DWELLINGS WITH PUBLIC OPEN SPACE, STRUCTURAL PLANTING AND LANDSCAPING, SURFACE WATER FLOOD MITIGATION AND ATTENUATION AND VEHICULAR ACCESS POINT FROM HEMPSTED LANE. ALL MATTERS RESERVED EXCEPT FOR MEANS OF VEHICULAR ACCESS - LAND AT HILL FARM, HEMPSTED LANE, GLOUCESTER,

Thank you for consulting us on the above application which was received on 24 June 2020. I apologise for the delay in responding which has been caused by the current Coronavirus situation.

Having reviewed the information submitted, the Environment Agency has no objections to the proposed development, but wishes to make the following comments, and recommends that if planning permission is granted the following conditions are imposed:

FLOOD RISK

Further to the Flood Risk Assessment (FRA) submitted by Enzygo dated December 2019 in support of the above proposed development, we have the following comments to make:

The FRA correctly identifies the extent of flood risk on the site as shown on our Flood Map for Planning (Rivers and Sea) and defined in Table 1 of sub-section 25 within the Flood and Coastal Change section of the National Planning Practice Guidance (NPPG).

The proposed use has also been correctly determined as 'more vulnerable' as defined in Table 2 of sub-section 25 within the Flood and Coastal Change section of the NPPG.

Within the FRA Executive Summary there appears to be a willingness to locate all built development, including the surface water attenuation features within Flood Zone 1, which we fully support.

The FRA has based the current impacts of flooding on the Environment Agency Severn Tidal model using the correct node information as shown in table 4.2.

It is understood further assessment has then been carried out to assess the impacts of climate change using the upper end scenario outlined in our guidance at the time.

In December 2019 new climate change guidance in relation to sea level change was released from DEFRA / the EA, forming part of the NPPG, which would potentially impact on the tidal element of the model.

The Environment Agency have recently completed a re-run of the original model incorporating the most up to date tidal and fluvial climate change guidance.

Whilst the tidal climate change result is marginally higher for the 35% (Higher Central) increase than the fluvial, for the 70% (Upper End) scenario we concur that the fluvial impact is still dominant and the Environment Agency's results are almost identical to those provided within the FRA in table 4.3 of 11.00 metres Above Ordnance Datum (Newlyn) (mAOD(N)).

Environment Agency
Riversmeet House, Newtown Industrial Estate, Northway Lane, Tewkesbury, Gloucestershire, GL20 8JG.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

However, **the report should also consider the potential impacts of climate change on Flood Zone 2 over the lifetime of the development**, if the principle is to be adopted to locate all development in Flood Zone 1. We recommend that this work is undertaken to inform the detailed layout of the proposed development.

Based on the Environment Agency's latest modelling we can confirm that even with the 70% (Upper End) scenario run the extents shown on plan CRM.1132.021.HY.D.011 would be unlikely to change significantly, based on a level of 11.58m AOD(N).

As part of the mitigation measures mentioned within the report it is recommended that the finished floor levels of all new dwellings upon the site are set a minimum of 300mm above the 1% Annual Exceedance Probability (AEP) Fluvial 50% AEP Tidal model flood level including the 70% climate change allowance of 11.00m AOD, this would be approximately 530mm above the worst-case tidal 35% climate change scenario.

Whilst not under our direct jurisdiction we would also recommend that as part of the existing mitigation the section of ditch currently culverted as described within section 3.6.6 of the FRA be restored to an open watercourse and along with the other channel be incorporated as a drainage/ landscape feature within the development.

The easement proposed would be a matter for your drainage department to advise upon, and we would look to you to encourage an appropriate layout that prevents properties from 'turning their backs' on these open water features. They should be incorporated in areas of open space with properties overlooking the area, indeed the features themselves could be improved visually to provide greater environmental enhancement as part of the overall development.

It is clear that safe dry access from and to the site can be provided via existing transport connections located within Flood Zone 1.

In conclusion based on the above constraints we have no objection to the proposals in principle at an outline stage based on the following conditions being attached to any permission granted by your authority:

CONDITION:

Floor levels should be set a minimum of 300mm above the 1% Annual Exceedance Probability (AEP) Fluvial 50% AEP Tidal model flood level including the 70% climate change allowance of 11.00 metres above Ordnance Datum (Newlyn).

REASON:

To protect the development from flooding.

CONDITION:

There shall be no temporary storage of any materials, including soil, within that part of the site liable to flood, as defined by the ground level of 10.50metres Above Ordnance Datum (Newlyn) (mAOD(N)). Nor shall there be any permanent raising of ground levels on ground below the 11.00m AOD(N) contour shown on the ground level survey drawing referenced Topo_01_2D within Appendix 1 of the Enzygo Flood Risk Assessment dated December 2019.

REASON:

To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

NEARBY WASTE MANAGEMENT ACTIVITIES

The Environment Agency regulates certain waste management activities under the Environmental Permitting Regulations (EPR). There are two Permitted waste management Cont/d..

sites within 400 metres of the proposed development that are currently active. Both deal with metals (Synetiq Limited, Permit reference EAWML 48221 and European Metal Recycling (EMR) Limited, Permit reference EAWML 48239). Depollution activities at both sites take place within buildings, however we are aware that EMR often has large piles of scrap metal, engines and waste electrical and electronic equipment (WEEE). These are moved around site by front loaders and a large crane with grab arm; moving of metals around site may result in loud banging and crashing noises. There have not been noise related issues for these sites in recent years, however this does not mean there will be no risk of noise in future.

Further information on the above Permitted sites can be found online at <https://environment.data.gov.uk/public-register/view/index>.

In addition, the **Hempsted landfill site** is located nearby. Hempstead landfill site is no longer accepting waste, but it is not yet in 'closure' as it is not fully compliant with emissions limits and as such still Permitted as an active landfill. The site is an old landfill and has been operational since the 1960's, with the permitted landfill sited on-top of historic landfill areas which pre-date EPR and the Landfill Directive, and operate on a 'dilute and disperse' principle (i.e. they are not contained and were not engineered to minimise environmental pollution).

There are some ongoing non-compliant emissions of methane from some areas of the site which the operator considers is influenced by the presence of historical deposits of waste made prior to the current landfill development.

We have not had odour complaints from the landfill in recent years, but it is worth noting that we can only ask that the operator manages operations onsite in accordance with Best Available Techniques, which will not necessarily guarantee that odour will not be released from the landfill.

We make the above points in the understanding that the proposed development is not down wind (prevailing wind) of the landfill, but it should be noted that during pressure inversions commonly seen in winter (i.e. cold frosty mornings) any odour generated from the site will not be dispersed and can 'hang around' until air pressure changes, an issue commonly seen at landfills country wide.

The landfill is undergoing capping and restoration at the moment, which will entail some vehicle movements and noise until complete. The current use of the capped landfill area is for grazing/fields, however this may not necessarily remain the case in future.

In light of the above comments, you may wish to consider the issues of **noise and odour** and any potential amenity risks these issues may pose to a residential development of this scale in close proximity to an established industrial area. The applicant should ensure they have due regard to noise and odour when considering detailed layout and design.

I trust the above will assist in your determination of the application. Please do not hesitate to contact me if you have any queries. A copy of the subsequent decision notice would be appreciated.

Yours sincerely

Ms Ruth Clare

BA (Hons), MSc, MRTPI, PIEMA

Planning Specialist – Sustainable Places

Direct dial 0203 025 1560

Direct e-mail ruth.clare@environment-agency.gov.uk

End



Review of Odour
Assessment
Land off Hempsted Lane
August 2020

Review of Odour Assessment -

Land off Hempsted Lane

June 2019

Document Control:

| Project no. | Project |
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| 8693C | Odour Assessment Review: Land off Hempsted Lane |

| Client | |
|-------------------------|--|
| Gloucester City Council | Gloucester City Council, Shire Hall, Westgate Street Gloucester, GL1 2TG |

| Report No. | Version | Prepared by | Checked by | Authorised by | Date of issue |
|------------|---------|-------------|------------|---------------|---------------|
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1. Introduction

- 1.1 Phlorum has been commissioned by Gloucester City Council (GCC) to review the odour assessment (reference GM10710/FINAL) undertaken by Wardell Armstrong (WA), on behalf of Gladman Developments Ltd, for a proposed residential development at Land off Hempsted Lane, Gloucester (Planning reference: 20/00315/OUT).
- 1.2 Phlorum undertook the Cordon Sanitaire Evidence Base Study on behalf of GCC in 2019, to help inform Policy C6 of the emerging City Plan. The purpose of this study was to present GCC with an understanding of the current odour climate around the Netheridge Sewage Treatment Works (STW) and to explore how this might change throughout the life of the City Plan. The drafted Cordon Sanitaire Policy, which was based on this analysis includes the parcel of land known as 'Land Off Hempsted Lane' within its boundaries.
- 1.3 This review focusses on the odour assessment work undertaken by WA in support of the planning application for Land off Hempsted Lane. Whilst it is understood additional submissions have been made in response to the City Plan (Pre-Submission) consultation, these will be considered at the forthcoming Examination in Public and are not considered in this response.

2. Methodology

Guidance

- 2.1 The odour assessment was undertaken in line with appropriate guidance from the Environment Agency, the Institute of Air Quality Management (IAQM) and The Scottish Environmental Protection Agency.

Consultation

- 2.2 Consultation was undertaken with GCC and attempts were made by WA to agree the scope of work; however, the report is not clear as to whether the scope was in fact agreed.

Methodology









Qualitative Risk Based Assessment

- 2.3 WA attempt to justify completing a *“qualitative desk-based assessment of the STW”*, based on separation distance and their concerns about the Cordon Sanitaire Evidence Study. They mention that there have been upgrades to the works *“which will reduce odour levels emitted from the STW”*; however, WA makes no attempt to quantify what changes these upgrades might make to the modelled odour contours in Phlorum’s assessment.
- 2.4 WA later state in their qualitative risk assessment that there is a *“moderately effective pathway”* for odours from the STW to impact the site; however, given that they have attempted to use separation distance to justify a qualitative approach this seems to be somewhat contradictory.
- 2.5 The qualitative risk-based assessment is based on analysis of five years’ worth of meteorological data obtained for the Gloucester Meteorological station and four sniff tests. The use of multiple years of meteorological data is good practice.
- 2.6 However, with regard to the sniff tests, IAQM guidance¹ states that *“as an absolute minimum, the IAQM recommends sampling on three separate days, provided the observed Pasquill stability categories (based on observed sunshine, cloud cover and wind) account for at least 70% of conditions typically experienced over the course of a year”*.
- 2.7 Four surveys (one more than the absolute minimum) were undertaken with the wind blowing toward the application site and in low wind speeds. The sniff tests were also spread out throughout the day in an assumed effort to account for potential changes in source activity and differences due to time of day.

¹ IAQM (2018) Guidance on the assessment of odour for planning

- 2.8 Although an effort has been made to make the sniff tests representative of a longer survey period, limitations still exist and it should be noted that IAQM guidance recognises that monitoring *“cannot cover all receptor locations under every meteorological condition over a typical year”* and that monitoring is *“probably” “only likely to characterise normal operations of the odour source, whereas it is known that unexpected events (e.g. breakdowns) and abnormal operations at some facilities can account for a significant proportion of high odour episodes”*.
- 2.9 Furthermore, as the sensitivity to odour differs from person to person, it would be helpful if the level of acuity, in accordance with BS EN 13725, of the two assessors is provided. It is stated that this is *“known”*. This information would help GCC understand whether the assessors are representative of the average population.
- 2.10 It would also be helpful to know whether the following safeguards, outlined by the IAQM, have been taken into account to ensure the quality of the sniff test:

“The following are additional factors to safeguard the quality of sensory assessments:

-  *The odour assessor should not carry out the assessment if they have a cold, sore throat, sinus trouble, etc.*
-  *The odour assessor should not be hungry or thirsty.*
-  *The odour assessor should not work within half an hour of the end of their last meal.*
-  *The odour assessor should not smoke or consume strongly flavoured food or drink, including coffee, for at least half an hour before the field odour survey is carried out, or during the survey.*
-  *The odour assessor should not consume confectionery or soft drinks for at least half an hour before the field odour survey is carried out, or during the survey.*
-  *Scented toiletries, such as perfume/aftershave should not be used on the day of the field odour survey.*
-  *The vehicle used during the field odour survey should not contain any deodorisers.*
-  *If the odour assessor has had to travel a long distance, then a rest period should be taken before starting the survey.*

- ☞ *To reduce the likelihood of odour fatigue, assessors should always carry out the field odour survey before making any works site visit, inspection or walk-through survey.*
- ☞ *For sources with a diurnal odours release pattern there may be a need to conducting more than one set of sniff tests during each site visit day; the assessor should removes themselves to a place well away from the odour source for the hours between sniff tests.”*

FIDOL Assessment

- 2.11 The FIDOL assessment followed IAQM guidance and concluded that there is likely to be a moderate adverse effect at the closest point of the southern boundary to the STW and a slight adverse effect towards the centre of the site.
- 2.12 Whilst it is agreed that there will be a moderate adverse effect at the closest point of the southern boundary to the STW, WA provide no evidence to support the change in the effectiveness of the odour pathway from moderately effective to ineffective between the edge of the site and the centre of the site (a distance of 120m). Nor do they explain where this change from moderately effective to ineffective pathway occurs. This information should have been set out in Table 8.

3. Discussion / Conclusions

- 3.1 WA compile data from the sniff tests, qualitative risk assessment (FIDOL assessment), meteorological data analysis and complaints history, and conclude that the overall impact of odour on the site overall is *“not significant”*.
- 3.2 WA rightly points out that the overall judgement of significance should be based on the findings of numerous assessment tools, which can help build a *“weight of evidence”*.
- 3.3 It is also noted that the guidance states that *“considerable weight should normally be given to the observational findings of community-based tools (complaints analysis, community surveys and odour diaries) and sensory assessments (such as sniff tests).”* As such, WA have put considerable weight on the results of their four sniff tests.
- 3.4 In paragraph 7.17 WA, state *“that the assessed moderate adverse likely odour effect predicted in the qualitative assessment is a worst-case effect for the areas of the proposed development situated closest to the STW”*, whilst offering no further reasoning for this statement. It is assumed that the results of the sniff test have been used, in part to justify this. Further reasoning for this statement is required as a moderate adverse effect would be considered *“significant”* under IAQM guidance.
- 3.5 Importantly, the IAQM recognises that different tools have their own inherent strengths and weaknesses, which should help frame the overall judgment of significance.
- 3.6 Although, WA have attempted to minimise the inherent weaknesses with sniff tests (i.e. through multiple surveys and undertaking the surveys at different times of day), it is our professional opinion that the residual weaknesses are not thoroughly discussed or considered in the conclusions.
- 3.7 Sniff tests only provide a snapshot of the odour climate at a particular location, at a particular time and four surveys (two of which were undertaken on consecutive days, where the magnitude of odour and the weather conditions are likely to be similar) cannot be used, in isolation, to conclude that there is an absence of adverse impacts. Nor can it be used to discount the results or value of other assessment techniques (e.g. the qualitative risk assessment, or dispersion modelling).
- 3.8 It is recognised that these surveys were undertaken at times when the wind speed was low and blowing towards the application site (WA call this worst-case wind conditions). However, it is not discussed whether the sniff tests occurred when odour emissions from the STW were likely to be high (e.g. during abnormal operational conditions or as a result of an unexpected event). As such, it is our professional opinion that they cannot be relied on heavily, in isolation from other analysis.

- 3.9 Furthermore, the analysis of the complaints data, which supports the “*not significant*” conclusion is problematic as there is significant development to the south of the STW, close to it, and little/no development to the north of the site, until Hempsted.
- 3.10 The absence of complaints in this case does not necessarily indicate an absence of offensive odours, but an absence of receptors. In contrast to WA conclusions, the presence of complaints to the south of the site, where winds infrequently blow and at distances greater than 300m, suggests that the STW is likely to cause annoyance at similar (and if not greater) distances to the north-west in the direction of the prevailing wind.
- 3.11 It should also be noted that the sensitivity to odours can change over time with new residents more likely to complain than residents who have become desensitised/ or have learnt to live with the smells.
- 3.12 As such, a key metric used to help build a “*weight of evidence*” is missing and the assessment is over reliant on the results of the sniff tests, which were unlikely to have picked up on the worst-case conditions.

Conclusions

- 3.13 WA conclude that “*the potential for odour impact from the Netheridge STW at the proposed development site is ‘not significant’ based on the points raised in Section 7 of this report and in accordance with IAQM guidance*”
- 3.14 Throughout the report WA recognise that there is a risk of odour effect to the site’s southern boundary. Both the qualitative risk assessment and the sniff tests suggest that strong odours can be detected there.
- 3.15 A moderate adverse effect, as predicted at the site’s southern boundary in the qualitative assessment, would have a “significant” effect on residential receptors and although it is recognised that odour effects will likely reduce with increased distance from the site, given the limitations of the assessment set out above, it is not considered that there is sufficient information to conclude that the overall odour impact of Netheridge STW is “not significant”. Further assessment is, therefore, recommended.
- 3.16 With regard to the weight that a potential significant effect would carry, IAQM guidance states:
- “Concluding that an effect is significant should not mean, of itself, that a development proposal is unacceptable and the planning application should be refused; rather, it should mean that careful consideration needs to be given to the consequences, scope for securing further mitigation, and the balance with any wider environmental, social and economic benefits that the proposal would bring.”*
- 3.17 Considering the above, if further assessment concludes that significant odour effects are likely across large sections of the site, the proposals should incorporate mitigation measures to limit their effects.

Recommendations

- 3.18 To help build this “*weight of evidence*”, it is recommended that further assessment is undertaken. For the reasons discussed above, it is recommended that a detailed dispersion modelling assessment, providing “*wider temporal coverage than observations alone*” be undertaken to provide additional evidence to support the conclusions. IAQM guidance states that atmospheric dispersion modelling has “*a very important role*”, in appropriate situations. This analysis would add significant value to the assessment as it would allow WA to better define areas of risk across the application site and provide greater temporal coverage.
- 3.19 It is recommended that this assessment be undertaken using appropriate library data to minimise the uncertainty that can be associated with the variability of emission factors that are derived from olfactometric sampling, which can vary considerably within short periods of time.
- 3.20 It is also recommended that any such dispersion modelling assessment should include appropriate sensitivity tests to account for the variable operational conditions at the STW that could lead to significant peaks in odour emissions.
- 3.21 It is recognised that detailed dispersion modelling has its own inherent weaknesses and therefore, the results of this analysis should be integrated into the existing odour assessment.
- 3.22 On-site design/layout solutions to reduce the effectiveness of the odour pathway would also be welcomed.

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From: [Joann Meneaud](#)
To: [Paul Roberts](#); [Christien Lee](#)
Subject: Hill Farm, Hempsted
Date: 05 April 2022 09:33:53

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello

Comments set out below from our advisers.

Phlorum has conducted a review of WA's report, its methodologies and conclusions. The review principally assesses whether the assessment was carried out in line with best practice IAQM guidance¹. This review is necessary to ensure that users of the proposed development would not be exposed to unacceptable odours, and to ensure that Severn Trent Water are not unreasonably constrained by new receptors in the vicinity of their plant.

Review

Upon reviewing WA's odour assessment, it is Phlorum's opinion that further information is necessary to robustly assess the impact of odours on the proposed development. At this stage, Phlorum does not consider WA's report to offer sufficient evidence to disprove the findings of Phlorum's Cordon Sanitaire Evidence Base, which helped define the conditions that sensitive development should meet when it is proposed in proximity to NSTW.

The key items to be addressed are summarised under the headings below.

Robustness of Emissions Rates

Unless evidence is provided to the contrary, the precautionary principle should be applied when estimating emission rates – i.e. if robust data are not available, then worst case emissions should be considered.

WA acknowledges that since Phlorum's Cordon Sanitaire Evidence Base Study, Severn Trent Water has upgraded NSTW's Primary Settlement Tanks (PST) and installed a Gravity Belt Thickener (GBT), which is connected to a new Odour Control Unit (OCU). WA use this to justify their use of lower emission rates than those included within Phlorum's study; the new emission rates proposed were not objected to by Severn Trent Water during WA's consultations with them.

However, Phlorum has also consulted with members of Severn Trent Water, who agreed that higher emission rates were appropriate, specifically for the PST and Final Settlement Tanks (FST). There appear to be discrepancies or uncertainties regarding which emission rates are suitable. Severn Trent Water themselves likely do not carry out their own Olfactometric Sampling at NSTW, so they might not be able to offer an empirically evidenced response as to how the plant upgrades have influenced odour emission rates. As such, where uncertainty remains, the precautionary principle ought to apply, and more conservative (i.e. higher) emission rates ought to have been considered by WA.

NPPF Paragraph 187 highlights that it is the developer's responsibility, as the "*agent of change*", to ensure that the operation of NSTW would not be

unreasonably constrained by potential odour impacts resulting from the applicant's proposed development. As such, at this stage, it is recommended that measurements of odour emissions from NSTW be carried out by the applicant, to amend or support the emission rates used in WA's assessment.

New OCU Emissions

Due to an absence of available information regarding odour emission rates from the new OCU, emissions from the OCU are not modelled by WA. Instead, emission rates from the previous 'Sludge Thickening Building Vents' were used, as detailed within Phlorum's Cordon Sanitaire study.

This is considered to be a potentially major omission in WA's model. OCU's release their emissions from tall stacks at much higher exit velocities than would be expected from building vents. This means that potentially much larger volumes of odorous emissions are released from NSTW's OCU than WA has modelled.

Phlorum recommends that the OCU emissions are investigated further by the applicant in order to determine the suitability of the dispersion modelling results WA has reported.

Planning Policy

A key odour policy refers to NPPF Paragraph 187, where the "*agent of change*" principal is discussed, and that existing development (i.e. NSTW) should not have unreasonable restrictions placed on them as a result of new developments.

Methodology

Phlorum has also previously spoken with Severn Trent Water about emissions from NSTW (during work on defining the cordon sanitaire) and they agreed that higher emission rates for PSTs and FSTs were appropriate. Phlorum understands that Severn Trent Water agreed that there had been operational improvements at NSTW and accepted WA's rationale for using reduced emission rates in WA's report for the applicant. There is, therefore, a discrepancy between Severn Trent Water's apparent acceptance of emissions rates for the PSTs and FSTs.

To Phlorum's knowledge, Severn Trent Water has not undertaken olfactometric sampling to support their statement made to WA. As such, we suggest that all Severn Trent Water can reasonably agree to is that there have been improvements to the plant since 2009, which have likely improved odour emissions. The degree to which these improvements have influenced emissions is still uncertain and, therefore, the precautionary principle ought to be applied, unless more robust data can be obtained.

Odour assessments and the inputs for dispersion models are often not fully

Predictive Dispersion Modelling

understood by process engineers. As such, wastewater engineers are not technical specialists in odour dispersion. It might therefore be the case that during consultations with WA, Severn Trent Water might not have appreciated the implications of agreeing emissions factors with WA that might have been unreasonably low.

The use of NWP meteorological data is supported in this case, and five years of modelling is acknowledged as good practice.

It is understood that Severn Trent Water is considering closing another local Sewage Treatment Works, which could lead to further emissions of odour from NSTW in the future. This is uncertain, but it could have been considered in WA's assessment. However, it is understood that in order to accept any increased water treatment volumes, Severn Trent Water would seek to adopt necessary measures to prevent odour emissions from increasing beyond the current baseline.

The new OCU was not included in WA's assessment, which is potentially a large source of emissions that are unaccounted for and which reduces confidence in the robustness of WA's dispersion model. The emission rates from the sludge thickening building would very likely not exceed the emissions from the OCU, which is understood to be located in a different area of NSTW. Emissions from the *measured* OCU on-site was measured to be 14,523 Ou/s, whilst the sludge buildings have a rate of 52.6 Ou/s.

It is also not clear whether the values for point sources in Table 3 of WA's assessment report refer to emissions in Ou/s or Ou/m²/s. The Cordon Sanitaire assessment presented emissions from point sources in Ou/s.

All point sources within Table 3 have uncharacteristically large diameters, which suggests the data might be incorrect. For the sludge building vents, for example, these are small vents, so they should not have diameters of up to 89.6m².

With regard to the storm tanks, Phlorum has in the past been informed that the dried sludge at the bottom of storm tanks can be as odorous as effluent. Regardless, the storm tanks are considered to be a relatively minor sources within NSTW and, therefore, the approach is considered acceptable.

There is a septic influent depot at NSTW, which was out of action, pending a permit from the Environment Agency. It is understood that this could become operational in the future, thus changing the site's emission rates and hence the model results.

Site Visits

The site visits were commented on as part of the previous review, and it was concluded that they provided useful evidence. However, it cannot be concluded with any certainty that the sniff tests captured worst case conditions. Instead, it was understood that odours associated with the WwTW could regularly be detected close to the southern boundary of the WwTW.

The site visits also detected odours with

Predicted Effects and Their Significance

hedonic scores of -3, which could arguably be considered as highly offensive, as opposed to moderately offensive. Treated waste waters generally have a more earthy character as opposed to the more faecal smells associated with primary settled sludges, anaerobic digestion and coarse filter rag and other wastes.

The complaints data is not supported as good evidence due to the potential to put new receptors, less desensitized to these odours, in a more 'at risk' location where currently there are no receptors to lodge reasonable complaints. Instead, the data could be interpreted as showing that strong offensive odours can be detected off-site and therefore they would also be detected at similar distances to the NE of NSTW.

Overall, at this stage, there are still gaps in the applicant's assessment. Phlorum's Cordon Sanitaire Evidence Base takes a conservative and robust approach to identify an area at risk. If WA's assessment intends to deliver results that would indicate a lower risk for sensitive development closer to the NSTW, it cannot be based on less robust data than was used to develop the cordon sanitaire.

Phlorum cannot currently see how this can be achieved without undertaking olfactometric sampling to measure sources that were not modelled by WA (the OCU, in particular) and give greater certainty to emissions from the PSTs and FSTs. Due to the scale of emissions from these sources, large uncertainties associated with the emissions factors used by WA should not be considered acceptable.

Conclusions

The change in layout is supported, given the odour risk. However, as permission for the outline application would appear contrary to the City Plan's Cordon Sanitaire, the level of evidence required to support the application needs to be much more robust than it currently is.

Regards
Joann

Joann Meneaud
Principal Planning Officer

My normal working days are Monday, Tuesday and Thursday

Gloucestershire County Council Community Infrastructure Planning Application Representations

| |
|--|
| Date: 18 th November |
| To: <u>Joann Meneaud</u> |
| From: GCC Developer Contributions Investment Team |
| Application Ref: <u>20/00315/OUT</u> |
| Proposal: Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access. |
| Site: Land At Hill Farm Hempsted Lane Gloucester |
| Summary: Contributions will be required to make the development acceptable in planning terms |

SECTION 1 – General Information

This application has been assessed for impact on various GCC community infrastructure in accordance with the “Local Development Guide” (LDG). The LDG was updated in March 2021 (following a targeted consultation which took place in Spring 2020). The LDG is considered a material consideration in the determination of the impact of proposed development on infrastructure.

<https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-local-development-guide/>

The assessment also takes account of CIL Regulations 2010 (as amended)

In support of the data provided please note the following: -

Education

Following a recent Planning Appeal Decision, Gloucestershire County Council (GCC) has undertaken to review its Pupil Product Ratios (PPRs) which are used to calculate the impact of new development on school capacity and in turn justify the developer contributions being sought towards the provision of additional education infrastructure.

GCC is committed to undertaking a full review of its Pupil Product Ratios (PPRs), which will subsequently be consulted upon. In the meantime, GCC has reviewed its PPRs, taking account of comments made by the

Planning Inspector in the above appeal, and, using information that is currently available adjusting its calculations per 100 dwellings. This information can be found in the Interim Position Statement on PPRs which was published by Gloucestershire County Council in June 2021. The Interim Position Statement (IPS) is available on Gloucestershire County Council's website which you can access on the below link.

<https://www.gloucestershire.gov.uk/education-and-learning/school-planning-and-projects/gloucestershire-school-places-strategy-and-projects/>

The latest School Places Strategy 2021 – 2026 is also available on the Gloucestershire County Council website (see the link above). The School Place Strategy (SPS) is a document that sets out the pupil place needs in mainstream schools in Gloucestershire between 2021-2026. The SPS examines the duties placed upon GCC by the Department for Education (DfE) and it explains how school places are planned and developed. The 2021-2026 update was approved by Cabinet on 24 March 2021 and came into effect on 1 April 2021.

Cost Multipliers - The DfE has not produced cost multipliers since 2008/09, so in the subsequent years GCC has applied the annual percentage increase or decrease in the BCIS Public Sector Tender Price Index (BCIS All-In TPI from 2019/20) during the previous 12 months to produce a revised annual cost multiplier in line with current building costs, as per the wording of the s106 legal agreements. GCC calculates the percentage increase using the BCIS indices published at the start of the financial year and uses this for all indexation calculations during the year for consistency and transparency.

This assessment is valid for 1 year, except in cases where a contribution was not previously sought because there were surplus school places and where subsequent additional development has affected schools in the same area, GCC will reassess the education requirement.

Any contributions agreed in a S106 Agreement will be subject to the appropriate indices.

Libraries

- Under the provisions of the Public Libraries and Museums Act 1964, Gloucestershire County Council is a Library Authority and has a statutory duty to provide a comprehensive and efficient library service for all persons desiring to make use of it. This duty applies not only to the existing population of the County, but also to new residents generated through new development which add to the demand on a specific library which those new residents can be expected to use.
- New development will be assessed by the County Council to determine its likely impact on existing local library services and the scope of resultant mitigation works that are required.
- Consideration will be given to the existing capacity of the library using the national recommended floorspace benchmark of 30 sq metres per 1,000 population (as set out in the *Public Libraries, Archives and new development: A Standard Charge Approach, 2010*).
- Planning obligations required towards improving customer access to services within the footprint of an existing library will be in the form of a financial contribution, and calculated using the County Council's established per dwelling charge of £196.00.
- Planning obligations required towards new library floorspace and fit out (i.e. extension to an existing building or construction of a new library building) will be considered by the County Council on a case-by-case basis.

SECTION 2 – Education and Library Impact - Site Specific Assessment

SUMMARY: Developer Contributions for: **20/00315/OUT Land At Hill Farm Hempsted Lane Gloucester**

A summary of the likely contributions (note these figures can be subject to change over time because of for example; updated multipliers and education forecasts) are found below.

Education: SUMMARY: Developer Contributions for 20/00315/OUT Land At Hill Farm Hempsted Lane Gloucester

| Phase of Education | Name of closest non-selective school and/or the education planning area. | No of qualifying dwellings (QD) | Multipliers | Total Pupil Yield from QD | Contribution Requested (£) | Number of places requested |
|--------------------|--|---------------------------------|-------------|---------------------------|----------------------------|----------------------------|
| Primary | Hempsted Primary school and the Linden Primary Planning area | 245 | | 94.33 | £0.00 | 0 |
| Secondary 11-16 | Gloucester secondary planning area. | 245 | | 41.65 | £804,344.80 | 41.65 |
| Secondary 16-18 | Gloucester secondary planning area. | 245 | | 14.70 | £0.00 | 0 |

Calculation: Multiplier x Pupil Yield = Maximum Contribution

GCC has included the planning area for each of the phases of education as without further investigation of the schools; an appropriate project may not be achievable on a particular site.

Please see further clarification of this education summary below.

Clarification in relation to education summary on previous page regarding 20/00315/OUT Land At Hill Farm Hempsted Lane Gloucester

Outline application for the erection of up to 245 dwellings with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access point from Hempsted Lane. All matters reserved except for means of vehicular access.

The site will impact on the following education planning areas: -

- 9161950 Linden Primary Planning Area
- 9162600 Gloucester Secondary Planning Area

Primary Places Impact

- **The proposal is for 245 dwellings. This number of dwellings would be expected to generate an additional demand for 94.33 primary places. Gloucestershire County Council is not currently requesting primary contributions**
- There are 11 primary schools within the acceptable 2 mile statutory walking distance, all have been considered in the assessment.
- The nearest Primary School is Hempsted Primary. This school is regularly over subscribed however space currently is forecast to be available in the wider planning area.
- There are a number of developments expected to produce a significant cumulative yield which would be applied to some the schools listed and the wider Gloucester area, we would expect to allocate spare capacity to developments of a first come first served basis.
- Schools should be considered to be full at 95% capacity to allow for some flexibility for in-year admissions; see Local Development Guide <https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-local-development-guide/> page 14, pt. 56.

| | Planning Area Schools | All Schools Total |
|--|------------------------------|--------------------------|
| Total Capacity | 1470.00 | 3605.00 |
| 95% | 1396.50 | 3424.75 |
| Forecast year 2023/24 for school(s) | 1302.00 | 3088.00 |
| Surplus places available to credit to development | 94.50 | 336.75 |
| Primary Yield from proposed development | 94.33 | 94.33 |
| Number of places requested | 0.00 | 0.00 |

- When assessing forecast surplus or shortfall we look to the penultimate year of forecasts as they are calculated using NHS GP data; therefore the final year of forecasts will not include all births for that year.
- When considering the relevant forecast data and the schools within the scope we can determine 95% of the relevant forecast year to ascertain the level of surplus/deficit of places in order to calculate whether there are places to credit to a development. However we must also be mindful of yields from earlier consultations already credited with surplus places.

Secondary (age 11-16) Places Impact

- **The proposal is for 245 dwellings. This number of dwellings would be expected to generate an additional demand for 41.65 11-16 secondary places. Gloucestershire County Council is seeking a full secondary age 11-16 contribution of £804,344.80 towards the provision of places in the Gloucester Secondary Planning Area.**
- This development site falls within the 9162600 Gloucester Secondary Planning Area. There is a total of 7 secondary schools within statutory walking distance of 3 miles. Three of these schools have selective admission policies and as such have historically taken pupils from a wider area.
- As with primary, we review based on 95% capacity being considered to be full to allow for some flexibility.

| | All Selective Schools | Non Total Schools |
|--|--------------------------------------|----------------------------------|
| Total Capacity | 10097.00 | 14066.00 |
| 95% | 9592.15 | 13362.70 |
| Forecast year 2027/28 for school(s) | 9643.00 | 13919.00 |
| Surplus places available to credit to development | -50.85 | -556.30 |
| Secondary Yield from proposed development | 41.65 | 41.65 |
| Number of places requested | 41.65 | 41.65 |

Post 16 Places Impact

- The proposal is for 245 dwellings. This number of dwellings would be expected to generate an additional demand for 14.70 secondary age 16-18 places. Gloucestershire County Council is not currently seeking a secondary age 16-18 contribution.

Section 2: Library Impact - Site Specific Assessment

The nearest library to the application site, and the library most likely to be used by residents of the new development, is **Gloucester**.

The new development will generate a need for additional resources at this library, and this is costed on the basis of £196.00 per dwelling. A financial contribution of **£48,020** is therefore required to make this application acceptable in planning terms.

The financial contribution will be put towards **improving customer access to services through refurbishment, reconfiguration and upgrades, improvements to stock, IT and digital technology, and increased services.**

SECTION 3 – Compliance with CIL Regulation 122 and paragraphs 54 and 56 of the NPPF (2021)

Regulation 122(2) of the Community Infrastructure Levy Regulations, 2010 provides that a planning obligation may only be taken into account as a reason for granting planning permission where it meets the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

As a result of these regulations, Local Authorities and applicants need to ensure that planning obligations are genuinely 'necessary' and 'directly' related to the development'. As such, the regulations restrict Local Authorities ability to use Section 106 Agreements to fund generic infrastructure projects, unless the above tests are met. Where planning obligations do not meet the above tests, it is 'unlawful' for those obligations to be taken into account when determining an application.

Amendments to the Community Infrastructure Levy Regulations 2010 were introduced on 1 September 2019. The most noticeable change of the amendment is the 'lifting' of the 'pooling restriction' and the 'lifting' of the prohibition on section 106 obligations in respect of the provision of the funding or provisions of infrastructure listed on an authority's published 'regulation 123 list' as infrastructure that it intends will be, or may be, wholly or partly funded by CIL (as a result of the deletion of Regulation 123).

Any development granted planning permission on or after 1 September 2019 may now be subject to section 106 obligations contributing to infrastructure that has already benefited from contributions from five or more planning obligations since 6 April 2010 and authorities are allowed to use funds from both section 106 contributions and CIL for the same infrastructure. However, the tests in Regulation 122 continue to apply.

The Department for Education has updated its guidance in the form of a document entitled “Securing developer contributions for education (November 2019), paragraph 4 (page 6) states:

“In two-tier areas where education and planning responsibility are not held within the same local authority, planning obligations may be the most effective mechanism for securing developer contributions for education, subject to the tests outlined in paragraph 1 [the 3 statutory tests set out in 1.3 above]. The use of planning obligations where there is a demonstrable link between the development and its education requirements can provide certainty over the amount and timing of the funding you need to deliver sufficient school places. We recommend that planning obligations allow enough time for developer contributions to be spent (often this is 10 years, or no time limit is specified)”

Regulation 122 test in relation to education contributions required for 20/00315/OUT Land At Hill Farm Hempsted Lane Gloucester

The proposal is for 245 residential dwellings all of which are considered qualifying for education. The education contribution required for this proposed development is based on up to date pupil yield data and the Interim Position Statement on Pupil Product Ratios. The required contribution as stated in this document is necessary to fund the provision of the additional 41.65 secondary age 11-16 places that are proposed to be generated by this development. Gloucestershire County Council is seeking a contribution of £804,344.80 towards these places arising from this development. This contribution would be allocated and spent within Gloucester secondary planning area.

The secondary age 11-16 contribution that would be required for this proposed development is directly related to the proposed development in that the contribution has been calculated based on specific formulas relative to the numbers of children generated by this development.

This developer contribution is fairly and reasonably related in scale and kind to the development. The contribution requirement has been calculated using an up to date formula related to pupil yields data and the scale of growth and based only on the numbers of additional pupils arising from the proposed qualified dwellings.

Regulation 122 test in relation to the library contributions required for 20/00315/OUT Land At Hill Farm Hempsted Lane Gloucester

The contribution is **necessary** to make the development acceptable in planning terms as it will be used on improvements to existing library provision to mitigate the impact of increasing numbers of library users arising from this development.

The contribution is **directly related to the development** as it is to be used at the library nearest to the application site which is Gloucester and is based on the total number of new dwellings generated by the development (245 dwellings).

The contribution is **fairly and reasonably related in scale and kind** to the development as it is calculated using GCC's established per dwelling tariff (£196). The calculation for library contributions is £196 multiplied by the total number of proposed dwellings (in this case 245 dwellings x £196 = £48,020).

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| SECTION 4 – CIL/S106 Funding Position |
|--|

There are currently no mechanisms or mutually agreed financial arrangements in place between the LPA as CIL Charging Authority and GCC to fund GCC strategic infrastructure from the CIL regime to mitigate the impact of development as it occurs.

The level of CIL charged on a development does not cover the amount of developer contributions that would be required to contribute towards the strategic infrastructure necessary to mitigate the impact of that development.