

## **DCC Report S.21/2579/OUT ANNEX A – REPRESENTATIONS**

### **Haresfield Parish Council (26/01/2024):**

Consultation on revised Hybrid Planning Application S.21/2579/OUT by Tritax Symmetry for B8 employment development (storage and distribution) J12 of the M5 on the Javelin Park site

The Parish Council has been consulted on the revised application for this site. Our comments and recommendations made in the original consultation still stand. We remain deeply concerned about the impact of increased traffic on M5 Junction 12 and the B4008. At peak times of the day there are already long queues of traffic trying to access the M5 and any increase prior to the planned upgrade of Junction 12 will exacerbate the current issues. We do not believe that the proposed mitigation for the increased traffic by widening a short section of the B4008 will be sufficient improvement to offset the increased levels of traffic. carried out. A high percentage of road users approaching Junction 12 from the B4008 go straight across the junction towards Gloucester. Allowing a filter to access the southbound M5 will make very little difference to the traffic flow. Over the past year the length of queues on the B4008 and at the junction of Mount Lane and the B4008 have increased to an unacceptable level.

We urge the council not to allow this development to go ahead before the full planned upgrade of Junction 12.

### **Hunts Grove Parish Council (16/12/2021):**

Hunts Grove Parish Council's representation as follows:

#### **M5 Junction 12**

This proposal by Symmetry Tritax for distribution and warehousing units at M5, J12 could be a good source of local employment on land already identified in the draft local plan assuming the concerns of surrounding parishes and other statutory consultees are fully addressed. The proposer points out that the site will accommodate up to 1,300 jobs when complete. This is a considerable traffic load on the local network, especially as the primary means of travel to the site will be via motor vehicles. In addition, the commercial HGV traffic to serve the site will also be significant. The answer, we feel, is that this is the right proposal, in the right place, but not at the right time. I attach an excerpt from the Stroud District Council commissioned traffic report by Mott McDonald from March 2021:

The findings of this report match the evidence on the ground experienced by road users in this area. Junction 12 is at capacity, with mainline queuing in peak hours sometimes several miles to the north creating a huge road-safety issue as high-speed traffic encounters a standing queue of traffic trying to leave the motorway at J12. The report notes that enhancements and optimisation of the current junction arrangements have been exhausted with the signalisation and slip road enhancements already delivered. The next step, and identified scheme, for J12 is replacement with a full two-bridge junction. It would be foolish to add this substantial traffic load to this junction without capacity improvements being made. HGPC hope that National Highways and Gloucestershire Highways use the power of their statutory role to respond with a hold notice on planning permission until such time the identified scheme is operational.

#### **B4008**

The B4008 exiting M5, J12 will also require widening and improvement works to safely handle the proposed vehicle movements surrounding the uses in this congested area, i.e., incinerator, St. Modwen, Gateway 12 units currently under construction, Dobbies Garden Centre and now Symmetry Park. As Standish Parish pointed out in their consultation response, this is already one of the busiest B-roads in the county. The B4008 also has a

weight limit of 7.5t we understand. This is not suitable for the HGVs that will service this site. At the consultation event with the applicant (August 26th) HGPC asked regarding any measures to control HGV traffic flow in and out of the site to ensure that traffic is not using the B4008 / Stonehouse / M5 J13 stretch and using J12. HGPC would like to see a scheme secured by planning condition) whereby the applicant implements a scheme of ANPR fixed cameras to monitor traffic flows in and out of the site both during the construction phase and when fully commissioned. A Symmetry representative confirmed they have done this at other sites.

### **Standish Parish Council (21/04/2023):**

#### **1. General position:**

The Parish Council (PC) is generally against the application. The allocation within the Stroud Local Plan is unsound as insufficient public consultation was undertaken by the applicant. There has not been sufficient justification for the use of the site or for the need of the distribution warehousing at the Javelin Park location over that of existing development sites and previously developed land in the M5 corridor between Bristol and Worcester. The size and scale of the scheme is not in keeping with the surrounding area, with the impact on the Almonry gateway and St Nicholas's church being poorly assessed. The B4008 is one of the busiest B roads in the country, with the frequency and general speed of traffic now being unsafe and unsustainable. It should be noted that there are no close by population centres for employment and no prospective tenants for the proposed buildings. Junction 12 of the M5 is cited in Stroud District Council's Infrastructure Delivery Plan (IDP) as being at capacity and requiring mitigation to increase capacity for any future development at the proposed site.

The PC is supportive of well thought out development though in this case we have some serious concerns about the safety and operation of Junction 12 of the M5 and the B4008 should the proposals be granted planning permission.

#### **2. Transport**

The National Planning Policy Frameworks States in paragraph 111:

*"Development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the **residual cumulative impacts** on the road network would be severe."*

The proposed site forms part of "*The Gloucester Fringe*" area allocated for employment in the Draft Stroud Local Plan as plot PS43. Additional traffic modelling was undertaken following the evolution of the SDLP growth strategy with the Traffic Forecasting Report being updated in April 2022. The updated modelling identified that additional mitigation would be required for the B4008 south of the M5 J12 owing to the expansion of the Javelin Park allocation (ref. PS43).

There are two significant requirements of the local plan policy for PS43 being:

- *Development will provide sustainable transport measures to link site with Gloucester City, Stonehouse and Stroud and **necessary improvements to the existing highway network.***
- With Policy CP6 stating "*Improve non-motorised connections between the City suburbs and the rural hinterland; enhance the existing good transport links and movement corridors and allow good permeability through any new development for walkers and cyclists. **Development must not have a significant detrimental impact on the safe and efficient operation of Junction 12 of the M5***"

The wording of the draft local plan policy is quite clear in that development should not proceed until the necessary highway mitigation is committed to. It is clear from Stroud District Councils IDP that both the B4008 and M5 Junction 12 are not suitable for the utilisation of PS43 as an employment land allocation. The PC hopes that this becomes clear during the Draft Local Plan examination.

Any mitigation designs for Junction 12 and the B4008 are in their infancy and do not form part of the National Highways 3<sup>rd</sup> iteration of their Road Investment Strategy (RIS3) up to 2025. With the spending period for highways improvements for Junction 12 to possibly not be delivered until 2040.

The National Highways consultation response (ref: 93241) states:

*“National Highways therefore recommends that development follows a plan-led approach in accordance with the Town and Country Planning Act and NPPF, to ensure that infrastructure necessary to support planning growth will be delivered in step with development it is required to support, thereby ensuring the continued safe and efficient operation of the strategic road network.”*

National Highways is critical of the draft local plan, in that no timescale for the when the improvements to Junction 12 will be required. Though is clear of the position that to safely accommodate the emerging local plan proposals improvements to junction 12 are a prerequisite.

As such developers for both Land at Stag Holt (PS19a) and Javelin Park (PS43) should make appropriate contributions towards the required highways mitigation to create the additional capacity to allow them to proceed.

**Document reference: EB109 – Transport Funding and Delivery Plan (July 2022);**

*“The dualling of the B4008 has not been included in the M5 J12 package as the need for this mitigation has been identified from the expansion of the Javelin Park allocation and as such it is an appropriate solution for this particular impact is identified and delivered by the Javelin Park site.”*

**Document reference: EB110 – Infrastructure Delivery Plan (IDP) Addendum Report (August 2022).**

*“The Aecom Mitigation Review also identifies that a number of TFR and LTP schemes could be considered as part of a wider M5 Junction 12 package. These include junction improvement at the A38 Cross Keys Roundabout, the signalisation of the B4008 / Stonehouse and the dualling of the B4008 south of M5 J12. **The total cost of these schemes is estimated at £9.4m**”*

*“This includes Junction 12 of the M5, which is likely to be operating at capacity, with pinch-points identified at the B4008 entries and the northbound on-slip. Highway mitigation has been tested in the form of a new all-movements grade-separated junction incorporating two overbridges. This scheme is in its infancy and further work will be required to determine its appropriateness in collaboration with National Highways and other developers within the Gloucester Fringe area of the Local Plan”*

The traffic modelling undertaken for the SDLP and that of National Highways shows trip generation figures significantly less than that of the applicants. With the provision of WSPs Technical Note 1 providing a revised peak average trip generation of 114. This alters the SDLP modelling approach which assumed a B1, B2, B8 land use. Whereas WSP are assuming only a B8 use. Thus, reducing SDLP forecast trip generation from PS43 from 8% to 1%.

The discrepancy between **796 peak movements** in the SDLP forecast and **114 produced** by the applicants' consultants is difficult to reconcile with the schemes claims of creating 1300 direct and indirect jobs.

The applicant in their planning statement cites a hectare to job creation ratio of 12.8. PS43 is circa 27 hectares in size so may produce 345.6 new jobs. Being generous, and saying 33% of those new workers cycle, walk or use public transport to get to work you're still looking at 230.4 people commuting to the site in the morning and leaving the site in the evening. The PC does therefore find the trip generation figures provided in the technical note not robust.

The technical note then goes on to assess likely financial contributions to the Junction 12 improvements. With a figure of 5% being put forward instead of 32% of the £9.4m for the indicative highways improvement works.

The PC would like to point out that 5% of £9,400,000 is £470,000 not the £179,313.00 included within WSPs report. Again this discrepancy casts doubt on the validity of the report and does not represent a "fair and reasonable" contribution.

The PC also notes this figure does not include a contribution towards sustainable transport modes which should also be included within the mitigation proposals for creating additional capacity at Junction 12 and improving highway safety for walkers, cyclists and horse riders on the B4008.

From the information provided by the applicant a severe impact on an already congested and dangerous road and motorway junction cannot be avoided thus the application should be refused until such time that a suitable scheme of mitigation arises with timescale for its implementation put in place. There would undoubtedly be significant impacts on the local highway network during peak periods and a substantial amount of work needs to take place between National Highways, Gloucestershire Highways and the applicant to produce a favourable outcome for all parties.

In relation to possible Conditions, a no right turn restriction for Heavy Goods Vehicles / delivery vehicles over 3.5 tonnes should be put in place to avoid dangerous vehicles travelling down the B4008 towards Standish and Stonehouse.

This is to avoid fatalities of walkers, cyclists and horse riders using the B4008.

As an aside it does not appear the Gloucestershire County Council has provided a response in relation to the proposals from a highway's perspective. Or if this has not been uploaded to the SDC website.

### **3. Net Zero**

The development is not in line with national policy to support the move away from car travel. The NPPF is very clear in that development should offer **genuine choice** of transport modes. Options to achieve this should be explored with the applicant as they appear to be absent within the application.

20% of car parking spaces to receive electric charging points is meaningless with SDC's declaration of a climate emergency. 90% of car parking spaces should allow for electrical vehicle charging.

### **4. Lighting**

The applicant has provided some assessment of lighting though the PC disagrees with the predicted effects on residential receptors. Especially those located on Standish Lane and at Standish Court who would be facing the site at night as well as night time views from within the AONB from Standish Park and Oxlynch.

The PC requests that a lighting impact assessment should be completed now that a more developed building and road design has become known. This is not a significant amount of work and will allow the scheme to be better incorporated into the surrounding landscape. We appreciate that the subject is touched upon briefly in the LVIA though this needs further thought due to the rural nature of the surrounding area and proximity of the AONB and Cotswold National Trail.

We request that the following guidance is reviewed and followed in any further iterations of the

Landscape and Environment Management Plan (LEMP)

- GN01:2011 Institution of Lighting Professionals (ILP) Guidance Note for the Reduction of Obtrusive Light 28
- Lighting and the Environment – A Guide to Good Urban Lighting, Chartered Institution of Building Services Engineers (CIBSE)
- Bat Conservation Trust (2014) Artificial Lighting and Wildlife. Interim Guidance: Recommendations to help minimise the impact of artificial lighting.

We welcome the applicant proffering directional and downward facing lighting as well as landform bunding to reduce light spill from the site though request that an appropriately worded condition be put in place to monitor and control lighting from the site. These commitments should also be included within the LEMP.

There is already significant light pollution from badly designed schemes where there has not been significant consideration of light spill.

The aim of the local plan is to maintain a rural buffer from Gloucester and for the M5 to form a barrier and as such managing light pollution should carry significant weight as a design consideration.

## **5. Air Quality**

The PC is disappointed to further degradation of the air quality of the area with the use of diesel generators on site. The hours of operation and specification are unclear though it should be conditioned that they are Euro VI compliant.

The air quality assessment does not include the Smiths pyrolysis plant at Moreton Valence in its cumulative study and as such is deficient. This should be reviewed and included within cumulative assessment for the proposals.

Dust from the site during construction will need to be controlled with appropriate measures within the Construction Environment Management Plan and appropriate planning conditions provided.

There is no mention of other consents or licences that may be required by the proposals within the application, however, it should be checked that no environmental permit is required for the operation of the combustion plant / diesel generators.

## **6. Energy Centre**

The PC is disappointed by the stance of the developer and claims of the use of renewables. From the material now submitted to accompany the application, the claims are disingenuous. With 5 exhaust stacks it would appear that this is purely a diesel generation building and not something that would incorporate either a hydrogen electrolyser or battery storage.

It is unclear why a UK Power Networks (this is the incorrect network operator as the infrastructure would be provided by National Grid Electricity Distribution) substation is being installed if the energy centre is only providing electricity to the buildings on site. The transformer/substation would only be required if you were connecting to the local electricity network for export. Perhaps this needs clarifying with the applicant.

The applicant has not provided details of the amount of installed capacity for the site though it is unclear why such a large energy centre is needed if it is only for an emergency supply.

The application site is adjacent to a large grid connected generator in the form of the incinerator. As such battery storage with a power purchase agreement with the incinerator operator will negate the need for diesel generators. I understand that the applicant has been in discussions with the incinerator operator to achieve this.

Again in order to achieve net zero the PC cannot understand how fossil fuel generators can be permitted. It also raises the matter that insufficient detail has been provided for the operation of a small scale power station, the environmental impact of which will need to be assessed and cannot be dealt with via a reserved matters application.

## **7. Cultural Heritage**

The PC is still concerned that there will be an adverse effect on the setting of the Almonry Gateway, Church House and Church of St Nicholas. It is welcomed that the applicant has reduced the overall height of the scheme, though the PC requests that photomontages be produced from the viewpoints identified by Historic England and that the development will not be visible from this location.

The PC disagrees with heritage assessment that views out from the Gateway are not significant and do not form part of its setting. The views to the north face the main historic route to Gloucester and visibility of large industrial distribution warehousing directly in front of the main view north would significantly degrade the value of all three heritage assets.

## **8. Public Consultation**

Very limited public consultation has taken place. The consultation event was a combined effort of promoting the site allocation in the local plan and then stating that a planning application would then come forward once the PS43 was included within the SDLP. The descriptions of development were lacking detail and did not convey a clear message on what the development was. Was the applicant promoting the site as part of the draft local plan or carrying out meaningful public consultation? It's unclear.

The link provided to the zoom meeting on the flyer sent out to households was incorrect and the text stated that annual salaries of some "£40" would be offered. As community benefit fund of £120,000 was also offered though no further details have materialised and this has not been secured within the application. A unilateral undertaking should be sought to deliver this community fund.

## **Hardwicke Parish Council (14/02/2022):**

Parish Councillors expressed their concern that the ever increasing delays at Junction 12 were causing motorists to find alternative routes including local lanes. Members also noted

that any transport assessment would need to take account of the emergence of future housing developments.

Members agreed that they would submit an objection to the application and that the focus would be on the transport impact and to support a 'call in' to DCC. Resolved; to Object to the Planning Application, highlighting the impact transport would have on the Parish and to request that the application be referred to Development Control Committee'

### **National Highways (05/01/2024):**

Referring to the notification of a hybrid planning application referenced above, for employment development for B8 (Storage or Distribution) Uses, ancillary offices, energy centre, landscaping, fitness trail and amenity areas and new access. Outline for whole site (with all matters reserved except access), Full application for Units 1, 2 for B8 (Storage or Distribution, at Javelin Park, Bath Road, Haresfield, Stonehouse, notice is hereby given that National Highways' formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);

Highways Act 1980 Section 175B is not relevant to this application.

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

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to [PlanningSW@nationalhighways.co.uk](mailto:PlanningSW@nationalhighways.co.uk)

### **Annex A National Highways recommended Planning Conditions**

National Highways has been appointed by the Secretary of State for Transport as a 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.

### **Statement of Reasons**

The hybrid application seeks permission for 105,000sqm of B8 (Storage or Distribution) uses, ancillary offices, energy centre, landscaping, fitness trail and amenity areas and new access, with outline permission sought for the whole site (all matters reserved except access) and full permission sought for Units 1 and 2 for (B8) and the energy centre. The 27ha site at Bath Road, Stonehouse is located immediately adjacent to the M5 Junction 12 southbound on-slip, and south of the consented Javelin Park development (S.19/2135/FUL).

### **Planning and Policy Context**

The application site known as Tritax Symmetry is located within an existing growth area of Stonehouse, Gloucestershire, with a number of similar B8 developments including St Modwens Park (S.16/1724/OUT) and Javelin Park having recently been consented. In addition, the residential development of Hardwicke and Hunts Grove are also proposed to the north of the M5 Junction 12 (J12). To accommodate its traffic impact the St Modwens Park

development was required to deliver improvements at M5 J12 comprising the widening of the south bound offslip to provide two-lanes for its entire length, which was completed in 2021.

The Tritax Symmetry site is not allocated in the adopted Stroud Local Plan but is proposed for allocation in the emerging Local Plan Review which is scheduled to commence Examination in March 2023. As a Statutory Consultee to the Planning Process under the Town and Country Planning (Development Management Procedure) Order 2015, National Highways has a duty to respond to planning applications at the time of consultation by the Local Planning Authority.

On the basis the application has come forward ahead of the examination and adoption of the Local Plan Review, the applicant has undertaken a cumulative assessment based on growth allocated in the adopted Local Plan. Should the Local Plan Review not be adopted, the infrastructure identified as necessary to accommodate planned growth, including the strategic improvement at M5 Junction 12, may not be delivered or be subject to delay, which may result in an adverse impact on the operation of the strategic road network.

National Highways therefore recommends that development follows a plan-led approach in accordance with the Town and Country Planning Act and NPPF, to ensure that infrastructure necessary to support planning growth will be delivered in step with development it is required to support, thereby ensuring the continued safe and efficient operation of the strategic road network.

### **Local Plan Review – M5 Junction 12**

Modelling undertaken for the Stroud Local Plan review demonstrates that to safely accommodate the cumulative impact of planned growth a strategic highway improvement at M5 Junction 12 will need to be brought forward during the Plan period up to 2040. It should be noted that the Local Plan modelling does not currently identify 'when' this scheme will be required, and further assessment will be necessary to identify the quantum of development that can come forward ahead of the delivery of the required improvement at M5 Junction 12. National Highways would therefore expect all development proposed for allocation within the Local Plan Review and which results in an impact at M5 Junction 12 to provide a proportionate contribution to the delivery of this strategic highway improvement.

### **Previous Planning Responses**

National Highways was originally consulted on application S.21/2579/OUT in November 2021. Following our review of the supporting Transport Assessment (TA) submitted by WSP we issued a holding recommendation on 7 December 2021 requesting additional assessment be undertaken to enable us to determine the impact of the development on the safe and efficient operation of M5 J12, together with the submission of further information relating to drainage, landscaping and acoustic mitigation. This holding recommendation has been subsequently extended to enable completion of the above work and this response should therefore be read in conjunction with our previous responses.

### **Transport Assessment**

To assist the applicant in undertaking the required transport assessment National Highways provided them with M5 J12 Paramics Discovery transport model. This approved National Highways model has been validated to a base year of 2017 and was provided to the applicant under licence for the purposes of assessing of the Tritax Symmetry development. The model includes the now delivered mitigation scheme at the M5 Junction 12 offslip.

The agreed and validated Paramics Discovery Model has been used for the purpose of assessing the impact of the development on the surrounding highway network for the agreed assessment years of 2022 and 2027. The Paramics model does not include Microprocessor



Optimised Vehicle Actuation (MOVA) control, therefore the results of modelling within the TA are considered robust.

Following the issue of the National Highways Paramics model, the applicant's consultants submitted an updated TA dated October 2022 and Paramics model files for our review. The following National Highways observations are made having reviewed the updated October 2022 TA.

### Trip Rates

The TA presents B8 trip rates for warehousing and distribution previously agreed as part of the transport assessments for the neighbouring Javelin Park and St. Modwen developments, as shown Table 1 below:

		<b>Trip Rates (two-way)</b>	
B8 (Warehousing & Distribution)		AM Peak (0800-0900)	PM Peak (1700-1800)
Javelin Park & St Modwen trip rates	B8 Cars/LGVs	0.083	0.086
	B8 HGVs	0.023	0.019
	<b>B8 Total</b>	<b>0.106</b>	<b>0.105</b>
National Highways sensitivity trip rates	B8 Cars/LGVs	0.145	0.148
	B8 HGVs	0.084	0.054
	<b>B8 Total</b>	<b>0.229</b>	<b>0.202</b>

Table 1

Based on these rates the development is forecast to generate a maximum of:

- 111 two-way vehicle trips in the weekday AM (0730-0830) peak;
- 110 two-way vehicle trips in the weekday PM (1630-1730) peak; and
- 1,586 two-way daily trips.

National Highways requested the undertaking of a sensitivity test using National Highways approved trip rates which are significantly higher than those presented for the Javelin Park and St Modwen applications, as set out in Table 1. Based on the National Highways approved trip rates the development is forecast to generate:

- 240 two-way vehicle trips in the AM peak;
- 212 two-way vehicle trips in the PM peak; and
- 2,776 two-way daily trips.

### Trip Distribution

Trip distribution has been established via an origin/destination gravity model previously agreed for the adjacent Javelin Park application. This is considered acceptable by National Highways.

Utilising the National Highways sensitivity trip rates and the origin/destination gravity model, the TA forecasts the development will result in 84 trips routing via M5 J12 in the AM peak period, 56 using the southbound offslip from the north and 28 using the northbound offslip from the south. This equates to less than one additional trip per minute, on average, using the Junction 12 southbound off-slip and less than one trip every two minutes using the northbound off-slip during the 2022 AM peak period.

In the PM peak period, the development is forecast to result in 38 trips routing via M5 J12. Of these, 21 trips are forecast to route from the north using the J12 southbound off-slip with 17 approaching from the M5 south using the J12 northbound off-slip, equating to less than one additional trip every three minutes on average using both off slips. The remaining development trips are dispersed through the wider road network along the B4008.

### M5 Junction 12 Assessment

TEMPRO growth factors as agreed with National Highways have been applied to the model to the forecast years of 2022 and 2027. 2022 Baseline traffic flows have been obtained from the Paramics Discovery Model which represent pre-COVID flows (deemed “worst-case” in the TA).

National Highways has undertaken a detailed review of the Paramics modelling work undertaken by WSP to assess the above findings. The modelling demonstrates that the additional traffic generated by the development will not result in vehicular queues extending beyond the lengths of the offslips at M5 Junction 12 during the network peak periods, with queues forecast to remain within the constraints of the slip roads for the 2027 Do Something scenario.

On this basis we are satisfied that the Tritax Symmetry development in isolation will not result in an unacceptable traffic impact on the safe operation of M5 Junction 12. However, to ensure the cumulative impact of the emerging Local Plan growth can be safely accommodated a strategic improvement at M5 Junction 12 will need to be brought forward during the life of the Plan. Given the Tritax Symmetry site results in a traffic impact at M5 Junction 12 we would expect the development to provide a proportionate contribution towards the delivery of this strategic improvement, and our formal advice to the Local Planning Authority regarding this is set out below.

### **Highway Mitigation – M5 J12 B4008 Widening**

The application proposes improvements to the local highway network comprising the widening of the B4008 northbound approach arm at the southern dumbbell for the M5 Junction 12, as shown on drawing *M5 J12 IMPROVEMENTS B4008 WIDENING 70082079-WSP-XX-SK20 RevP03* dated November 2023.

Based on the proximity of the proposed works to M5 J12 National Highways has requested modelling of the highway mitigation be undertaken to ensure the scheme would not result in an adverse impact on the safe operation of M5 J12. The applicant has provided the following for our review:

- M5 J12 Paramics Discovery models covering 2023 baseline (without mitigation), 2023 baseline + development (without mitigation) and 2023 proposed (i.e. with mitigation).
- A drawing of the proposed mitigation measure *M5 J12 IMPROVEMENTS B4008 WIDENING 70082079-WSP-XX-SK20 RevP03* dated November 2023.
- Technical Note 2 – Symmetry Park Gloucester – M5 J23 Mitigation TN02 dated 10 November 2023

Based on our review of the submitted model files we consider the proposed highway scheme has been coded appropriately and that the mitigation is forecast to improve the delay and reduce the queueing on the B4008 northbound approach for both AM Peak and PM Peak hours in 2032 when compared with the baseline scenario. On this basis National Highways is satisfied that the proposed local highway mitigation works are unlikely to result in an adverse impact on the safe operation of M5 J12.

It is noted the proposed scheme comprises works within the M5 J12 operational highway boundary, which forms part of the National Highways estate and is land over which the applicant has no control. National Highways will therefore require the applicant to enter into a suitable legal agreement to cover the detailed design and construction of the works, with all associated costs being borne by the applicant. Please contact [Thirdpartyworksswarea@nationalhighways.co.uk](mailto:Thirdpartyworksswarea@nationalhighways.co.uk) at the earliest opportunity to discuss the details of the necessary legal agreement(s). These comments imply no pre-determined view as to the acceptability of the proposed scheme or permission to enter into any part of the National Highways estate.

### **Drainage**

National Highways has a boundary drainage ditch which runs parallel with the western boundary of the development site. Following the submission of additional drainage information we are satisfied the development will not result in an adverse impact on our drainage ditch subject to the provision of the below prior to commencement:

- full details of construction controls for all works adjacent to the National Highways boundary
- confirmation that the constructed edges of any new waterbodies will not be located within 5m of the National Highways boundary

National Highways has agreed with the applicant that the above drainage control details will be secured by pre-commencement planning condition.

### **Boundary Treatment and Landscaping**

National Highways has a strip of operational soft estate between the western site boundary and the M5 motorway. The National Highways soft estate must not be relied upon to contribute any mitigation to the development as the management of our estate may from time to time affect any real or perceived benefits. Our soft estate management includes cyclical maintenance and periodic renewal, either of which could involve significant reduction in the screening provision until new planting is well established. We are also needing to consider removal of all dead, dying and diseased trees affected by ash dieback (*Chalara*), where these are on National Highways estate and where they present a safety risk to our assets, neighbours and all road users.

We have concerns regarding the proximity of the Units 3 and 4 to our boundary and the absence of adequate screening mitigation. Proposed buildings should be set back sufficiently from our boundary to provide sufficient space for landscaping, visual and acoustic mitigation and associated maintenance. Landscaping and planting should provide an appropriate degree of screening to buildings to prevent any distraction to road users and any light spill onto the M5 carriageway or risk to highway safety arising from glare.

As such the developer must ensure that all required and desired mitigation is provided within the development or by a site boundary feature proposed as part of the development. Any fences, screening and other structures must be erected on the developer's land, and far enough within the developer's land to enable maintenance to take place without encroachment onto highway land, in line with Annex A of DfT Circular 02/2013. Following a meeting between the applicant and National Highways it has been agreed that a detailed Boundary Treatment Plan for the site boundary with the M5 motorway will be submitted for our approval prior to commencement, to be secured by pre-commencement planning condition.

We would encourage the use of native and naturalised species planting to provide or support visual screening mitigation, with an evergreen component to sustain this all year round. The

Detailed Landscape Proposals plans lists several species which must not be planted within close proximity of our network owing to their non-native or invasive nature. We advise that the following species must not be planted within 10m of our estate:

1. Blackthorn (*Prunus spinosa*)
2. Goat willow (*Salix caprea*)
3. Crack willow (*Salix fragilis*)
4. Dogwood (*Cornus sanguinea*)
5. Italian alder (*Alnus cordata*)
6. Bird cherry (*Prunus avium*)
7. Quaking Aspen (*Populus tremulans*)
8. Wild Privet (*Ligustrum vulgare*)

In addition, the following trees must not be planted in a position where at maturity they would be within falling distance of the carriageway or any significant National Highways asset:

9. Silver Birch (*Betula pendula*)
10. Austrian Pine (*Pinus nigra*)
11. Poplar (*Populus alba*, *Populus hybrid*, *Populus lombardii*)
12. English Oak (*Quercus robur*)

The Arboricultural Impact Assessment indicates that no works are required on trees within National Highways ownership. Should this position change such that tree removals or works are required on trees or vegetation within National Highways estate, then consultation with our Soft Estate Officer will be necessary.

The applicant has agreed to submit a revised Landscaping Plan and associated Planting Schedule for the site boundary with the M5 motorway for our approval prior to commencement. This will be secured by pre-commencement planning condition.

### **Acoustic Assessment**

The Illustrative Masterplan depicts two amenity area locations comprising an 'Activity Hub' and 'Social Space', one being located adjacent to the M5 boundary. These, as set out in the Design and Access Statement are to enhance the well-being of the employees of the park and are located away from the working environment."

For outdoor amenity space to be enjoyed as intended, we would expect noise levels to conform to desirable thresholds specified in British Standard BS8233:2014 which states that 'it is desirable that the external noise level does not exceed 50dB LAeq, with an upper guideline value of 55dB LAeq. The World Health Organisation (WHO) Environmental Noise Guidelines, which are congruent with BS 8233:2014, set out that 'To protect the majority of people from being seriously annoyed during the daytime, it is recommended that the sound pressure level on balconies, terraces, and outdoor living areas should not exceed 55dB LAeq for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor noise level should not exceed 50dB LAeq.'

The Noise Survey Location Plans contained within the Noise Impact Assessment depict the maps inversely, and as such we are unable assess the submitted acoustic modelling. We request that these maps which correctly reflect the site location and environment are submitted to enable us to determine that the development will meet the levels as set out in British Standard BS8233:2014 and WHO guidelines. Should a development propose any exceedance of the above levels, the justification for such should be clearly evidenced including why the recommended levels cannot be achieved and how the 'desirability' of the development

offsets any likely adverse noise impact upon the users of the site. National Highways will not be held liable for any adverse noise impact arising from the operation of the M5 motorway should the development fail to deliver measures which adequately mitigate noise to levels as set out in British Standard BS8233:2014 and WHO guidelines.

Following a meeting between the applicant and National Highways it has been agreed that an Acoustic Assessment will be submitted for our review and approval prior to commencement, to be secured by pre-commencement planning condition.

### **Construction Traffic Management Plan**

To ensure the construction of the development will not result in an adverse impact on the SRN National Highways will require full details of the proposed activities within the construction phase, including any proposed highway mitigation. The applicant should ensure as far as practicable that development construction traffic is managed to minimise traffic movements during the weekend and weekend network peak periods. Full details of the proposed management of construction traffic should be set out in a detailed Construction Traffic Management Plan (CTMP), which should include but not be limited to the following:

- Detailed construction programme including anticipated length of each construction phase
- Daily working hours, and anticipated periods of traffic movements to the site for contractors, plant and deliveries, including during the AM (0800-0900) and PM (1700-1800) network peak periods
- Full details of construction traffic types, volumes and routing to the site including contractors, plant and deliveries.
- Confirmation of any abnormal loads. Should any abnormal loads be required which will route via the strategic road network, full details must be submitted to National Highways for agreement in advance of any scheduled movements.
- Full details of any temporary traffic control to the site
- Measures to ensure that construction vehicles do not deposit mud or other detritus onto the surrounding highway network

National Highways has agreed with the applicant that the above CTMP will be submitted for our review prior to commencement of the development, including prior to any clearance works. We are therefore recommending a planning condition to this effect.

### **Recommendation**

National Highways has no objection in principle to application S.21/2579/OUT subject to planning conditions being attached to any consent the planning authority is minded to grant to the effect that:

1. Prior to the commencement of the development hereby permitted, including any ground/clearance works, details of drainage construction controls shall be submitted to and approved in writing by the local planning authority (in consultation with National Highways). This shall include:
  - Full details of construction controls for all works adjacent to the National Highways boundary to ensure the integrity of the highway ditch system is not compromised
  - Confirmation that the constructed edges of any new waterbodies will not be located within 5m of the National Highways boundary.

The drainage construction controls shall give due regard to the requirements of DfT Circular 01/2022 and shall include a detailed maintenance method statement and schedule. Surface water drainage shall be implemented in accordance with the agreed design be maintained as

such thereafter. **Reason:** in the interest of the safe and efficient operation of the strategic road network, and to protect the integrity of the National Highways drainage asset.

2. Prior to the commencement of the development hereby permitted, a detailed Boundary Treatment Plan for the site boundary with the M5 motorway shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). **Reason:** in the interest of the safe and efficient operation of the strategic road network and to protect the National Highways soft estate.

3. Prior to the commencement of the development hereby permitted, a Landscaping Plan and associated Planting Schedule for the site boundary with the M5 motorway shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). **Reason:** in the interest of the safe and efficient operation of the strategic road network and to protect the National Highways soft estate.

4. Prior to the commencement of the development hereby permitted, a Noise Impact Assessment including full details of the design and construction of any necessary acoustic mitigation shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). **Reason:** To safeguard the operation of the strategic road network and the long term integrity of its assets.

5. Prior to the commencement of the development hereby permitted, including any ground/clearance works, a Construction Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). The measures contained within the agreed Construction Traffic Management Plan will be implemented in full unless otherwise agreed in writing by the local planning authority (in consultation with National Highways). The Construction Traffic Management Plan shall remain in place for the duration of the construction phase. **Reason:** in the interest of the safe and efficient operation of the strategic road network.

### **ADVICE**

The emerging Stroud Local Plan Review identifies that a strategic improvement at M5 Junction 12 is necessary to safely accommodate the cumulative traffic impact of Local Plan growth. It should be noted that the Local Plan modelling does not currently identify 'when' this scheme will be required, and further assessment will be necessary to identify the quantum of development that can come forward ahead of the delivery of the required improvement at M5 Junction 12.

On the basis that the Tritax Symmetry site is proposed for allocation within the Stroud Local Plan Review and results in a traffic impact at M5 Junction 12, National Highways would expect the development to provide a proportionate contribution towards this necessary strategic junction improvement.

We therefore strongly advise that Stroud District Council as Local Planning Authority and Gloucestershire County Council as Local Highway Authority seek proportionate contributions from all developments which result in an impact at M5 Junction 12, including Tritax Symmetry, to ensure the timely delivery of infrastructure necessary to safely accommodate growth set out in the emerging Stroud Local Plan Review.

### **Standing advice to the Local Planning Authority**

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110

advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

**GCC Highways (24/1/2024):**

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions and financial obligations.

This is a major employment development site comprising of B8 land use, located to the south of junction 12 of the M5 motorway and to the south of the existing Javelin Park Energy from Waste incineration plant.

The application is in a hybrid form with the part of the site seeking a full planning permission and the remainder being in outline only.

Very full, frank and extensive negotiations have been held with the developer and their technical advisors and we are now in a position to be able to recommend approval of the development, subject to suitable conditions and a unilateral undertaking, in respect of a Workplace Travel Plan monitoring fee and bond.

The submitted detailed drawings for the site access and surrounding highway network have been scrutinised and following ongoing negotiations are now in a form to be able to receive our recommendation of approval. These highway works have been subject to a road safety audit and are now accepted; the highway works will be covered through a S278 Agreement and will need to be secured through the planning process by an appropriately worded planning condition.

One of the main determining aspects of this development has been the likely impact that the proposed traffic generation will have on Junction 12 of the M5 motorway; to this end, National Highways (NH) have been involved in the consideration of the development. Whilst Junction 12 forms part of the Strategic Road Network, the local road connections are under the jurisdiction of Gloucestershire County Council (GCC) as Local Highway Authority. At the outset, we were concerned at the queue lengths on our network following development during the Stroud Local Plan period so we sought a mitigation package to address this matter.

Detailed discussions were held on the method of determining vehicle trip rates and there was some disparity between GCC and NH; consequently, higher trip rates were used in our assessment based on B8 uses and this then produced a more than robust assessment of the impacts on Junction 12 and our local and broader highway network.

Following a number of reiterations, I am now pleased to report that the extensive traffic modelling that has been carried out and scrutinised by both GCC and NH has demonstrated that with some mitigation and modifications to the Quedgeley Interchange at Junction 12,

there will not be an undue detrimental impact on the operation of the highway network in this location and surrounding area. These mitigation works are shown on the submitted plans supporting the planning application, and again are described in Technical Note 2 and consist of:

- a slight narrowing of the southern dumbbell roundabout island to provide a wider carriageway,
- a further reduction in the island size on the B4008 south approach,
- changes to road markings, specifically the southern dumbbell hatching and centre line,
- there have also been some traffic signal timings amended and with these mitigation measures queues are forecast to decrease over the plan period.

In the previous Technical Note (TN) modelling results for links at the M5 J12 interchange were presented to GCC and NH. Following the most recent meeting it has been requested that the modelling results for all links within the model are presented. The proposed mitigation will bring the benefits outlined in the previous TN including that during the most intensive five-minute period of traffic demand during the AM peak period is forecast to result in the queue lengths on the B4008 South Arm of the intersection presented below:

- 393m in the 2032 Baseline scenario (i.e. with the addition of background traffic growth to the existing junction arrangement, but without the addition of development generated traffic from the proposal).
- 1068m in the 2032 Baseline + Development scenario (i.e. with the addition of background traffic growth to the existing junction arrangement, with the addition of development generated traffic from the proposal).
- 159m in the 2032 Proposed scenario (i.e. with the addition of background traffic growth to the proposed new junction arrangement, with the addition of development generated traffic from the proposal). This is a significant improvement, with a reduction of 234m/60% in queue length against the 2032 Baseline scenario. The most intensive five-minute period of traffic demand during the PM peak period is forecast to result in the queue lengths on the B4008 South Arm of the intersection presented below:
  - 1,225m in the 2032 Baseline scenario (i.e. with the addition of background traffic growth to the existing junction arrangement, but without the addition of development generated traffic from the proposal).
  - 1,908m in the 2032 Baseline + Development scenario (i.e. with the addition of background traffic growth to the existing junction arrangement, with the addition of development generated traffic from the proposal).
  - 325m in the 2032 Proposed scenario (i.e. with the addition of background traffic growth to the proposed new junction arrangement, with the addition of development generated traffic from the proposal). This is a significant improvement, with a reduction of 900m/73% in queue length against the 2032 Baseline scenario.

The applicants technical consultants contend that the proposed package of highway mitigation substantially off-sets the impact of development generated trips on the adjacent B4008 approach to M5 J12 and achieves a position of better than nil-detriment following delivery of the scheme. They say the positive effect of the proposed upgrade results in a betterment to performance of the junction, with the level of overall queuing typically reduced across the wider network.

These works have been accepted by GCC and NH and have been the subject of assessment and further scrutiny. A Road Safety Audit has been undertaken and amendments made to the scheme.



The existing yellow box road markings on junction 12 will be re-established and traffic violation cameras will be incorporated into these locations to ensure the free flow of traffic. A further camera will be installed at the egress from the site with ANPR (Automatic number plate recognition) to prevent HGVs from turning right out of the site and travelling to Stonehouse – a log will be kept for any infringements.

As part of the development proposals, the speed limit along B4008 Gloucester Road will be reduced from 50mph to 40mph, this will enable the appropriate visibility splays to be provided at the simple T junction access; this reduction will also include street lighting along the entire length from the start of the southern visibility splay up to the first dumbbell roundabout on the M5 junction 12. This is intended to make travel by more sustainable means such as walking and cycling more desirable. A dedicated shared use footway/cycleway will be provided from the site to Junction 12 in the sections where this does not already exist. This will require the slight relocation of a bus shelter on the eastern side of the B4008 to ensure the cycleway and footway is not blocked and there will be a mitigation package proposed at the Stonehouse Lane junction to provide a more clearly defined crossing point across the junction.

A turning facility will be provided within the site enable buses to enter and turn within the site and provide a waiting bay; whilst services are currently every 60 minutes, as demand increases this is envisaged to increase to every 30 mins by the bus operator, Stagecoach.

Now turning to the car and HGV parking details; these will need to be in accordance with your Local plan provisions; so, as part of this application is for a detailed approval, these details will need to be shown and approved on the plans for the full planning consent and can be conditioned as part of the outline consent for further details to be submitted at the detailed stage for units 3 and 4.

### **UNIT 1 AND 2 DEVELOPMENT**

Unit 1 will provide a staff car park comprising 130 spaces, whereas SDLP would require 76 spaces of which 8 are designated disabled bays. A total of 26 electric vehicle (EV) bays are also provided at the unit. Cycle parking will also be provided with 48 spaces available at the unit. 44 HGV parking spaces are proposed. The applicants state that access to this car park will be controlled by barriers and gates, with HGVs admitted at allocated times. Space is available on the main spine road to accommodate HGVs that may arrive slightly early, to ensure that all parking is accommodated within the curtilage of the site, although it is anticipated that this would only occur very infrequently and not on the B4008.

Unit 2 will provide a staff car park comprising 196 spaces, whereas SDLP would require 110 spaces, 10 of these will be designated disabled bays with 40 EV spaces provided. A total of 72 cycle parking spaces is also provided. A service area provides access to 42 HGV parking spaces.

### **PARKING PROVISION**

Car parking standards are set out in Appendix 2 of the Adopted SDLP with the expected maximum parking levels for 'strategically significant land uses' as presented in Table 5-1. B8 Warehousing 1/200 sqm. Based on this standard the proposed development of 105,000sq.m (i.e. both the detailed and outline elements of the overall hybrid application) could provide up to 525 car parking spaces (of which around 52 should be designated as disabled bays, based upon the 10% ratio set out in Appendix 2 of the SDLP). The current hybrid proposal seeks consent for 326 car parking spaces at Unit 1 and 2 (i.e. those subject to the detailed element of the application) which is below this maximum threshold. With respect to EV parking standards, there are no minimum thresholds set out in the guidance. A total of 66 EV parking

bays are included for Unit 1 and 2 to encourage sustainable travel to the site and future proof the proposals. The B8 parking ratio includes ancillary office floorspace at the same ratio as included in the proposal.

At this stage, the overall indicative masterplan does indicate that up to 808 car parking spaces could be provided at the overall site. This has been discussed with GCC and NH and is proposed at this level due to the nature of this B8 development which will operate on the concept of 3 daily shifts. When shift changes occur, there is a level of overlap, which for a brief period of time results in a surge in parking demand (i.e. employees associated with the next shift will arrive and park prior to those on the previous shift vacating the premises). In order to maintain the safe operation of the B4008 corridor, the developer proposes to deliver an adequate quantum of parking spaces to ensure that indiscriminate parking does not occur on the surrounding road network either side of shift changeover times. The parking levels proposed are based upon the applicant's knowledge of delivering similar sites across the UK. It is considered that the proposed level of parking will be sufficient to accommodate all staff on site without overspill onto the surrounding highway network and catering for operational shift demands, whilst not being so high as to undermine the objectives of the TP which will be implemented.

The parking needs and advice of specific occupiers will also be considered in future reserved matters applications to ensure the parking level is appropriate.

## **CYCLE**

The cycle parking standards in Appendix 2 of the Adopted SDLP for B8 are 1 space per 330sq.m. Stands should be provided as close as possible to the destination and should be in secure positions, so that surveillance acts as deterrent to theft; therefore, secure and covered cycle parking should be provided. Based on this standard, the 105,000sq.m development will provide at least 318 cycle parking spaces. Again, the application is hybrid in nature and these standards will be adhered to as the reserved matters applications are submitted. The detailed plan seeks consent for 120 cycle parking spaces at Unit 1 and 2, which meets this minimum cycle parking standard, although no details have been submitted at this stage. The applicant states that the uptake of cycle parking will also be monitored as part of the TP developed at the site, with provisions adjusted upwards as necessary.

No indication of parking for motor cycles has been shown on the detailed application plans so this will need to be covered by condition.

## **TRAVEL PLAN**

Discussions are still ongoing with the developers in respect of the travel plan monitoring fee and bond. GCC's preference would be for the applicants to enter into a Unilateral Agreement to address and cover these amounts.

The monitoring fee will be £10,000 and the bond £200,000 which has been reduced down from £600,000 to reflect the assertions made by the applicants in respect of the shift patterns and the fact that not all employees will be at the site at any given time.

These figures are derived as follows:

The total workforce could be 1200 employees; 1200 employees would be £600,000 ( $£50 \times 1200 = £60,000 \times 10 \text{ years} = £600,000 + £10,000 \text{ monitoring fee}$ ). However, during our discussions and due to the 3-tier shift pattern, we would be content to reduce this figure down by two thirds to reflect the fact that 400 employees would generally be on site at any one time, notwithstanding the staff change over periods. The applicant has indicated that the number of FT employees on the site could be 600 at any one time; but GCC wish to be

reasonable in assessing these figures. So, the new figures would be £200,000 ( $£50 \times 400 = £20,000 \times 10 \text{ years} = £200,000 + £10,000 \text{ monitoring fee}$ ).

As you will be well aware, GCC has declared a Climate Change Emergency, and influencing travel behaviour through the use of Travel Plans is a key tool in managing the impact of new development on the Highway Network. Furthermore, the implementation of Travel plans, and their need for monitoring and ongoing costs to be delivered through the S106 process is universally recognised within the Planning system. We have had numerous appeals in the last 12 months where planning inspectors have supported the County's requests for S106 contributions towards the monitoring of Travel Plans and the need for a cash deposit/bond should the travel plan fail to meet its targets. Furthermore, there is substantial policy weight and backing for Travel Plans both in National Policy, Stroud's own Local Plan, and the County's Local Transport Plan. These are each dealt with in turn below:

Policy EL12 of the Stroud Local Plan (LP) states under 'Enhancing Accessibility' that major development proposals will be required to submit a Transport Assessment as well as a Travel Plan. It further states that any planning permission will require full implementation of the Travel Plan. Paragraph 5.66 states that "Travel Plans are living documents and to ensure they stay relevant and remain effective they should be updated regularly, which will usually be subject to a legal agreement to secure implementation". It is our view that this Policy and accompanying text is a clear policy hook to require S106 contributions towards the Travel Plan.

The further need for a Travel Plan is reiterated in Policy CP13 of the Stroud Local Plan, which states that Development proposals shall be consistent with and contribute to the implementation of the agreed transport strategy set out in the Gloucestershire Local Transport Plan (LTP). Turning to the Local Transport Plan, a County Wide priority in the GCC LTP is Travel plans, including workplace travel plans to encourage modal shift (LTP Table G). Again, we would suggest this is enough for a policy backing to support the requirement for a S106 Agreement. NPPF is also clear that development should be supported by Travel Plans.

We appreciate that GCC's Travel Plan Guidance is dated with references to old policy, however this in itself does not render the document obsolete. It is our view that the requests for Travel Plans fully meet the required tests for obligations.

- Necessary – The obligation is necessary to ensure that the development complies with local and national policy.
- Directly related to the development – the S106 contribution relates specifically to the Travel Plan for this development and is in place to monitor this plan and provide remedial measures should the Travel Plan fail.
- Fairly and Reasonably related in scale – the cost of the Travel Plan is taken from our guidance, which is calculated based on the predicted numbers of Full Time Employees. The 'tariff' for delivering a Travel Plan for each full time employees is taken from case studies and best practice guidance. The relevant case study is Cairns S, Davis A, Newson C and Swiderska C (2002) Making travel plans work: research report, which suggested that the cost per employee for delivering a successful travel plan is £47 per employee. This is set at 2002 prices, and clearly if we adjusted this for 2023 prices it would be significantly more. As such it is our view that the S106 request is both fair, and reasonably related in scale to this development as it is directly linked to the predicted number of employees.

GCC as Highway Authority has included several conditions below which we consider are necessary to make the development acceptable in planning terms. Should the Local Planning

Authority seek to modify or omit any of these conditions when determining the planning application, we would welcome early engagement to discuss this.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions in respect of the Outline Planning Application:

Conformity with Submitted Details (Multiple Buildings) The Development hereby approved shall not be brought into use until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawing 6440 - 61 Rev H.

Reason: To ensure conformity with submitted details.

Provision of Vehicular Visibility Splays The development hereby approved shall not be brought into use until visibility splays are provided in accordance with plan 70082079-WSP-XX-SK017 P. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

Highway improvements / offsite works / site access The Development hereby approved shall not commence until detailed technical drawings of the highway improvements, offsite works and site access works comprising:

- Site access layout as indicated on plan No. 70082079-WSP-XX-SK006 P08
- Works at the junction of B4008 and Stonehouse Lane and bus shelter relocation
- Works at Junction 12 north and south of the M5 as indicated on plan No. 70082079-WSP-XX-SK203 P04
- Provision of and reinstatement of yellow-box highway markings and provision of traffic enforcement cameras at Junction 12 of the M5
- Provision of ANPR camera at the site access
- Relocation of the 7.5T weight restriction along the B4008 Have been submitted to and approved in writing by the Local Planning Authority; and the building shall not be occupied until those works have been constructed in accordance with the approved details.

REASON: To ensure the safe and free flow of traffic onto the highway.

Completion of Vehicular Access – Shown on the approved plans The development hereby approved shall not be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on drawing 70082079-WSP-XX-SK006 P08.

Reason: In the interest of highway safety.

Bicycle Parking The Development hereby approved shall not be brought into use until sheltered, secure and accessible bicycle parking for 318 cycles has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities

Electric Vehicle Charging Points (Commercial) An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of any building hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points shall comply with BS EN

62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities.

Accessible Parking Provision (Commercial) The development hereby approved shall not be brought into use until at least 52 accessible car parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for disabled users as approved.

Reason: To provide safe and suitable access for all users.

Motorcycle Parking Provision (Commercial) The development hereby approved shall not be brought into use until at least 318 secure motorcycle parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason: To provide safe and suitable access for all users.

Active Travel Facilities (Commercial) Notwithstanding the details submitted the development hereby approved shall not be brought into use until showers and lockers have been installed in each building in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce vehicle movements and promote sustainable access.

Employment Travel Plan (Plan Approved) The Framework Employment Travel Plan hereby approved, dated October 2021 shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of travel to and from the site. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

REASON: To reduce vehicle movements and promote sustainable travel.

Construction Management Plan Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Use Class B8 Restriction Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises shall only be used for the purposes specified in the planning application and for no other purpose (including any other purpose in Class B8 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order)'.  
Reason: To Define the Permission and ensure the trip demands reflect the submitted details.

Conditions in respect of the Full Planning Application:

Conformity with Submitted Details (Multiple Buildings) The Development hereby approved shall not be brought into use until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on drawing 6440 - 61 Rev H.

Reason: To ensure conformity with submitted details.

Provision of Vehicular Visibility Splays The development hereby approved shall not be brought into use until visibility splays are provided in accordance with plan 70082079-WSP-XX-SK017 P. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety.

Highway improvements / offsite works / site access The Development hereby approved shall not commence until detailed technical drawings of the highway improvements, offsite works and site access works comprising:

- Site access layout as indicated on plan No. 70082079-WSP-XX-SK006 P08
- Works at the junction of B4008 and Stonehouse Lane and bus shelter relocation
- Works at Junction 12 north and south of the M5 as indicated on plan No. 70082079-WSP-XX-SK203 P04
- Provision of and reinstatement of yellow-box highway markings and provision of traffic enforcement cameras at Junction 12 of the M5
- Provision of ANPR camera at the site access
- Relocation of the 7.5T weight restriction along the B4008 Have been submitted to and approved in writing by the Local Planning Authority; and the building shall not be occupied until those works have been constructed in accordance with the approved details.

REASON: To ensure the safe and free flow of traffic onto the highway.

Completion of Vehicular Access – Shown on the approved plans The development hereby approved shall not be brought into use until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on drawing 70082079-WSP-XX-SK006 P08.

Reason: In the interest of highway safety.

Bicycle Parking The Development hereby approved shall not be brought into use until sheltered, secure and accessible bicycle parking for 120 bicycles has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage areas shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities

**Electric Vehicle Charging Points (Commercial)** An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of any building hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities.

**Accessible Parking Provision (Commercial)**

The development hereby approved shall not be brought into use until at least 33 accessible car parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for disabled users as approved.

Reason: To provide safe and suitable access for all users.

**Motorcycle Parking Provision (Commercial)**

The development hereby approved shall not be brought into use until at least 120 secure motorcycle parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason: To provide safe and suitable access for all users.

**Active Travel Facilities (Commercial)**

Notwithstanding the details submitted the development hereby approved shall not be brought into use until showers and lockers have been installed in each building in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce vehicle movements and promote sustainable access.

**Employment Travel Plan (Plan Absent or Not Approved)**

The Development hereby approved shall not be brought into use until the applicant has submitted a full Travel Plan in writing to the Local Planning Authority that promotes sustainable forms of travel to the development site and this has been approved in writing by the Local Planning Authority. The submitted details shall use Modeshift STARS Business to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

REASON: To reduce vehicle movements and promote sustainable access.

**Construction Management Plan**

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);

Advisory routes for construction traffic;

Any temporary access to the site;

Locations for loading/unloading and storage of plant, waste and construction materials;

Method of preventing mud and dust being carried onto the highway;

Arrangements for turning vehicles;  
Arrangements to receive abnormal loads or unusually large vehicles;  
Highway Condition survey;  
Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.  
Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

### **Use Class B8 Restriction**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises shall only be used for the purposes specified in The planning application and for no other purpose (including any other purpose in Class B8 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order)'.  
Reason: To Define the Permission and ensure the trip demands reflect the submitted details.

### **Informatives relating to both outline and full planning applications:**

#### **Works on the Public Highway**

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk) allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- A Monitoring Fee
- Approving the highway details
- Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

#### **Traffic Regulation Order (TRO)**

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving advertisement and consultation of the proposal(s).

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.



We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov](mailto:highwaylegalagreements@gloucestershire.gov).

The ~~cost of implementing any lining, signing or resurfacing~~ required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

### **Highway to be adopted**

The development hereby approved includes the construction of some new highway at the site entrance. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at [highwaylegalagreements@gloucestershire.gov.uk](mailto:highwaylegalagreements@gloucestershire.gov.uk). You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
  - Set up costs
  - Approving the highway details
  - Inspecting the highway works
- You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

### **Impact on the highway network during construction**

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction. You are advised to contact the Highway Authorities Network Management Team at [Network&TrafficManagement@gloucestershire.gov.uk](mailto:Network&TrafficManagement@gloucestershire.gov.uk) before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

### **Private Road**

You are advised that as a result of the proposed layout and construction of the internal access road, the internal access road will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980.

The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980, unless and until you agree to exempt the access road.

The exemption from adoption will be held as a Land Charge against all properties within the application boundary.

### **Private Signage Indicating a Private Road**

The Developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the Developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.

### **No Drainage to Discharge to Highway**

Drainage arrangements shall be provided to ensure that surface water from the access road and vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

### **Protection of Visibility Splays**

The applicant's attention is drawn to the need to ensure that the provision of the visibility splays required by this consent is safeguarded in any sale of the application site or part(s) thereof.

### **Travel Plan**

The proposed development will require a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council or provision of a Unilateral Agreement to secure the Travel Plan.

Gloucestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils website. As part of this process the applicant must register for Modeshift STARS and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, applicant can register at [www.modeshiftstars.org](http://www.modeshiftstars.org)

### **Construction Management Plan (CMP)**

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

### **Planning Obligation:**

The applicant to enter into a Unilateral Undertaking or Section 106 Agreement in respect of an Employment Travel Plan monitoring fee of £10,000 and an Employment Travel Plan bond of £200,000.

### **GCC Archaeology:**

Thank you for consulting the archaeology department on this application. I note submission of the Environmental Statement in regards to archaeology and I am content with its conclusions of a minor to moderate adverse residual effect. I consider the proposed mitigation for preservation by record to be an appropriate form of mitigation considering the significance of the archaeological remains. I have previously provided advice that an archaeological condition should be attached to any grant of consent to secure the programme of archaeological works.

### **Historic England (14/8/2023):**

The revised Environmental Statement has been submitted to include an additional verified viewpoint, which has been discussed with the agent. This includes a northward view taken from the Grade II\* Almonry Gatehouse at Standish, which we identified as a possible receptor in our previous advice. This modelled image indicates that due to a slight rise in the topography between the viewpoint and the proposed development, there will be no or very little visibility. Therefore, we are now satisfied that there will be no harmful impact upon these heritage assets from this position.

We also requested a viewpoint to be taken from the principal façade and entrance porch to Hardwicke Court, a Grade II\* house with direct and planned views towards the application site and the Cotswold escarpment beyond. However, the applicant has been unable to secure access to this property to take photographs. Therefore, while the WTEF is visible from the property, it remains inconclusive whether or not the proposed development will have any impact from this position. However, if there would be any impact, this would only be likely during winter months and due to the distance to the site, any impact is certainly likely to be low at the very most.

### **Recommendation**

We refer to the advice in our previous letter relating to the harm identified to the setting of Scheduled sites, this being less than substantial under the definition of the NPPF. The harm caused to the setting of the Church of St Peter, Harefield has been minimised through the amended scale, height and design of the development.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

### **SDC Conservation Specialist**

The proposal has been considered with regard to the duties set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies set out in the National Planning Policy Framework, the Stroud District Local Plan 2015 and guidance from The Setting of Heritage Assets- Historic England Advice Note 3.

The application site is located within 50m of the Grade II listed Hiltmead Farmhouse, however, the two are separated by the M5, therefore there is no visual or functional link. No harm would be done to the special interest of the listed building. The development may also be seen in conjunction with, or from, various listed buildings in Haresfield and Little Haresfield. It is unlikely that the impact would be any greater than the existing situation, therefore it is considered that there would be no harm to the special interest of these listed buildings through development within their setting.

**Environment Agency (22/08/2023):**

Noting that the additional information submitted relates to matters outside our remit materially (such as highways and visual impact) I can confirm that the Environment Agency has no additional comments to make beyond those of our previous letters dated 11 January 2022, our ref SV/2021/111153/01-L01, and 22 March 2023, our ref SV/2021/111153/03-L01.

**Environment Agency (11/1/2022):**

Whilst noting that the application is for EIA development, for which the Environment Agency (EA) is a statutory consultee, there are actually limited receptors/EA related constraints at this location. Our EIA Scoping response (see our letter dated 12 May 2021, our ref SV/2021/110971/01-L01, copy enclosed) referred to this. Furthermore, we note that your Council's final Scoping Opinion has scoped in the matters of Landscape and Visual Impact, Archaeology and Heritage and Transport and Accessibility. These are not matters that fall within the EA remit. Accordingly our comments below are focused on matters relating to the Environmental Permitting Regulations (EPR) and the proposed energy centre. Given this is an EIA development we have also included some commentary on other matters below that for completeness.

**Proposed Energy Centre – Environmental Permitting Regulations** The development is for a business park, and includes an 'energy centre'. There is limited detail about the energy centre and it might be considered that more detail ought to be submitted given that this is part of the full/detailed element of the application. From the information submitted we note that it is a combination of solar PV roof panels and also gas turbines, which appear to be a Combined Heat and Power (CHP) unit rather than any Anaerobic Digestion element.

We note the comments from the Environmental Health Officer, and that more detail has been requested, including what type of Permit the energy centre will need. We concur with these comments.

The energy centre referred to is likely to require a permit under the Medium Combustion Plant Directive. Where these come within the relevant thresholds for the EA's remit, these are permits regulated by our Installations team. The applicant is advised to seek pre-Permitting advice on this. More information is available here: <https://www.gov.uk/guidance/medium-combustion-plant-when-you-need-a-permit>

One potential concern to raise is the close proximity of the proposed energy centre to the nearest residential receptor (within 150m of 'the Lodge'). There is insufficient information submitted relating to any potential emissions and stack height to ascertain whether such emissions would be within acceptable limits, and what these limits are (e.g. what type of Permit, and associated thresholds, apply). The applicant may wish to consider a sequential approach to the site layout in terms of whether it is necessary to locate the energy centre in its current proposed position, or whether there is scope to relocate it within the site and thus move it further away from sensitive receptors.

It is not clear however, whether there is a need for the Energy Centre to be located close to the adjacent Javelin Park Energy from Waste (EfW) Facility, operated by Urbaser Ltd. The Environment Agency regulates this facility under the EPR. We understand from Urbaser that there may be a possible link with this facility. Furthermore the Javelin Park EfW Permit requires that Urbaser continually review options for the use of the heat produced by their facility.

We note that Appendix 3 'Energy Centre' at page 3, 2 nd bullet point, states: "Power from the EfW facility could supply over 90% of the balance of demand." It is unclear whether this means that the energy centre will use the heat/energy from Javelin Park, either constantly or occasionally as a 'back up' facility. Given the potential to deliver climate change mitigation through a non-carbon energy supply we would be supportive of this in principle, provided there are no unacceptable impacts on receptors and the environment.

### Climate Change

Climate change is an important consideration for all development, and we would encourage high standards of climate change mitigation and adaptation in the proposal, bearing in mind the UK Government's commitment of net zero by 2050, and Stroud District Council's commitment for carbon neutral by 2030, along with its emerging Local Plan policy, in particular DCP1 for Delivering Carbon Neutral by 2030.

### Flood Risk

In our Scoping Response we advised that we would expect to have minimal involvement with this site/development from a flood risk perspective given that the site is located predominantly in Flood Zone 1 and there are no main rivers. We did mention that there is a small area of flood Zone 2/3 that may impact on access, but having now seen the proposed layout this is not the case. The built development is all proposed in Flood Zone 1. Surface water flood risk and management / drainage / SuDS is obviously an important consideration for this development, however that is led by the Lead Local Flood Authority (LLFA).

### Watercourses

The Phase 1 Geo Environmental Risk Assessment has not identified that there are culverted watercourse(s) across the site. Table 6 within that document merely refers to ordinary watercourses (ditch/field drain) adjacent to the northeast boundary. Neither does the Constraints Plan identify the culverted watercourse. The Preliminary drainage strategy ref 21042-BGL-XX-XX-DR-S-00250, refers to a culvert but this is further to the north (on the north west 'arm' of the development site) and not the one that bisects the site. We note the plan states: "Existing culvert to be diverted around landscaped mounds". A right angled layout is proposed that is not considered good practice. This is a matter for the LLFA, but we highlight this as the development should be aiming to open up culverts and restore them back to open watercourses wherever possible. A map extract is enclosed with our covering email showing the location (to the best of our knowledge) of the culvert that bisects the site (indicated by the red dashed line on the map).

### Ecology

In addition to the above point about opening up the culverts present at the site, there may be other ecological matters that are important for the proposed development. Our focus on such would be in relation to water-based ecology, hence our recommendation that the applicant considers opening up the culverts if possible. In addition to the requirements of the LLFA for any re-aligned ordinary watercourse, we would refer you to any advice from Natural England and / or the County Ecologist on ecology matters.

## Groundwater protection

The aquifer designations for this site are Secondary Undifferentiated (the bedrock) and Secondary A (the Superficial deposits). Given the previous use of land is predominantly agricultural then, in accordance with our normal process for planning applications, we have not made a bespoke review of the Phase 1 Geo Environmental Risk Assessment and instead I have enclosed the attached Land Contamination Standing Advice for your consideration.

## **Natural England (16/10/2023):**

The proposed development is for a site within or close to a nationally designated landscape namely Cotswold National Landscape. Natural England previously provided advice to the Local Authority in February 2022.

We note you have consulted the Cotswold National Landscape Board and they have maintained their objection. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision.

Your decision should be guided by paragraph 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

## **Cotswolds National Landscape Board (Cotswold Conservation Board) (17/08/2023):**

Thank you for consulting the Cotswolds National Landscape Board ('the Board') on the additional information submitted for this proposed development, which would be located within the setting of the Cotswolds National Landscape.

In the Board's previous responses to this application dated 14 February 2022 and 13 April 2023 we raised an objection due to the likely adverse landscape and visual impacts of the proposal, especially on the views to, and in particular, from the Cotswold escarpment, which are one of the 'special qualities' of the Cotswolds National Landscape. As such, this response should be read in conjunction with our previous responses.

We understand that the applicant has submitted an addendum to the Environmental Statement reflecting amendments made to the scheme. Whilst the main amendments, notably the reduction in height and change in materials colours were made in advance of the previous consultation and were considered within our response dated 13 April 2023, we note some further minor amendments have been made along with some updated photomontages which now more accurately reflect the current proposal.

Notwithstanding these latest amendments, the scheme is fundamentally similar to that consulted upon in the spring of this year and in particular, the conclusions of the LVIA chapter are little changed, assessing that the proposed development still has the potential to create significant adverse impacts on views from Haresfield Beacon, associated sections of the

Cotswolds Way National Trail and from other publicly accessible viewpoints within the National Landscape.

Accordingly, the Board continues to object to this application. We, in common with the Council's landscape advisor, concur with this assessment and consider that, by virtue of their prominent location and excessively large size, the proposed warehouses and associated development are not sensitively located and designed so as to avoid or minimise their impact on the National Landscape, in conflict with Policies ES7, CP14 and CP11 of the Stroud Local Plan 2015 and paragraph 176 of the NPPF as well as the advice contained in Policy CE1 of the Cotswolds AONB Management Plan 2023-2025. Further information can be found in the Annex accompanying this response.

### **SDC Biodiversity Team (05/04/2023):**

#### **Designated Sites**

The northern field of the application site is an unconfirmed Local Wildlife Site (Jardinière Fields), designated for its plant interest. However, the site has not been surveyed since the 1990's and the ecological appraisal has now confirmed the site as being species poor semi-improved grassland. In addition, the aerial photographs confirm that the site was arable for a short period of time (1999 -2006). Most of the remainder of the designation is outside the red line boundary and has already been developed, therefore the site is not suitable to be designated as a KWS. The field is due to be retained and there are no development plans for this part of the site, as it is currently in a tenancy agreement until 2026. Grassland enhancement through management and seeding has been proposed.

#### **Priority Habitat**

**Hedgerows** - approximately 140m of hedgerow will be removed to provide access to the site. New hedgerow planting as part of onsite BNG has been proposed.

#### **Biodiversity Net Gain**

The pre-development baseline is 53.10 habitat units and 11.90 hedgerow units, and the proposed development will result in a loss of -4.72 habitat units which represents a -8.88% loss. There will be a gain of +1.22 hedgerow units which represents a +10.25% gain. A local biodiversity offsetting option has been identified to ensure that the development provides a net gain to biodiversity. The offsetting would see the conversion of 1.31ha of arable land to wildflower grassland. The offsetting land is located 1.9km to the north-east of the site. The offsetting land borders an area that has been identified as part of the Nature Recovery Network as an opportunity area for open habitats. The baseline of the ecological position of the offsite land is 2.62 habitat units. The enhancement of the offsetting land from arable to a wildflower grassland provides an offsite gain of +10.04 habitat units.

Taking the offsetting into consideration, there will be a +10.03% in habitat units and a 10.25% in hedgerow units and the trading rules have been met. The assessment has followed the mitigation hierarchy and taken into consideration on-site habitat retention, creation and enhancement measures and through an iterative design process has sought to avoid and mitigate biodiversity losses on-site. However, due to the extent of biodiversity loss it is not possible to achieve a net gain within the site whilst keeping the scheme viable.

#### **Protected Species**

**Bats** – one tree had moderate suitability for roosting bats and this tree is to be retained. Bat transect surveys revealed a bat assemblage of local level importance that is of moderate diversity, with activity restricted to the boundary habitats and trees.

**Badgers** - there were no setts recorded on site but evidence of badger using the site for foraging and resting was observed.

**Great crested newts** - no records were returned from within 500m of the site and there are no ponds on site. There are 4 ponds within 250m of the site. The closest pond is a new drainage basin (dry), which is isolated in the adjacent development with the closest pond with direct habitat connectivity being over 800m away. The other three ponds are separated from the site by the B4008. There is limited GCN terrestrial habitat on site (only hedgerows and ditches (dry), therefore, the presence of great crested newts is considered unlikely.

**Reptiles** - no reptiles were recorded on site.

**Nesting birds** - typical assemblage of widespread lowland farmland birds with some species (linnet and dunnock) confirmed breeding within the site. The loss of the arable field and semi-improved grassland would result in the loss of suitable habitat for ground nesting birds but the presence of such species as breeding on site has not been confirmed.

**Other mammals** – the site is suitable for hedgehogs and brown hare.

### **Conclusion and recommendations**

There is no ecological objection. The application is acceptable subject to the following conditions:

No development, site clearance, soil stripping, removal of materials shall take place until a resurvey (3 months prior to commencement of works) for badgers has been undertaken and the results have been submitted to and agreed in writing by the Local Planning Authority.

**Reason:** Badgers are protected under the Protection of Badgers Act 1992.

Prior to the installation of external lighting for the development, a lighting design strategy for biodiversity shall be submitted to and approved by the Local Planning Authority. The strategy will:

- a) identify the areas/features on site that are particularly sensitive for foraging bats;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their commuter/foraging route.

All external lighting shall be installed only in accordance with the specifications and locations set out in the strategy.

**Reason:** To maintain dark corridors for nocturnal wildlife in accordance with Local Plan Policy ES6.

All works shall be carried out in full accordance with the Ecological Construction Method Statement (ECMS) by The Environmental Dimension Partnership Ltd (March 2023) and the Landscape and Ecological Management Plan by The Environmental Dimension Partnership Ltd (March 2023) already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Prior to occupation of the development written confirmation by a suitably qualified/experienced ecologist shall be submitted to and approved in writing by the Local Planning Authority confirming that the recommendations made within the said CEMP and LEMP have been implemented in accordance with the documents.

**Reason:** To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act 2006.

No development shall take place until a scheme for the offsetting of biodiversity impacts at the site, offsetting a total value of not less than 10.04 habitat units, shall be submitted to and approved in writing by the Local Planning Authority. This should be supported by a biodiversity metric for the site, costings and appropriate legal agreements to guarantee third party delivery of ongoing habitat management requirements.



The Offsetting scheme shall include:

i. Identification of receptor site or sites, which accord to the requirements of the Gloucestershire Nature Recovery Network Evidence Base

<https://www.gloucestershirenature.org.uk/nature-recovery-network>

The arrangement necessary to secure the delivery of the offsetting measures shall be executed prior to written approval by the Local Planning Authority. The offsetting scheme shall thereafter be implemented in accordance with the requirements of the approved scheme.

**Reason:** To protect and enhance the site for biodiversity in accordance with paragraph 174 of the National Planning Policy Framework and Policy ES6 of the Stroud District Local Plan.

**SDC Tree Officer (12/1/2022):**

I have no objection to the application subject to the following conditions.

1) The development shall be undertaken in accordance with the arboriculture impact assessment produced by EDP. All of the provisions shall be implemented in full according to any timescales laid out in the method statement, unless otherwise approved by the Local Planning Authority.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 120 (a) and (b). Paragraph 179 protect and enhance biodiversity.

2) All planting and hard landscaping must be undertaken in full accordance with the submitted EDP landscaping scheme. Any plants which fail within a five year period must be replaced.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 120 (a) and (b). Paragraph 179 protect and enhance biodiversity

**SDC Contaminated Land Officer (17/11/2021):**

Thank you for consulting me on the above application. I have read the submitted Phase 1 Preliminary Geo-environmental Risk Assessment dated June 2020. I concur with the recommendations that a Phase 2 site investigation is required. As such, please attach the full contaminated land condition to any permission granted.

**GCC Waste and Minerals (18/8/2023):**

We have reviewed the additional information submitted. We note that a WMS does not appear to have been submitted, therefore our previous comments ref: PR2021/0243/1/DPAP, dated 15th December 2021 are still applicable and we have not additional comments to add.