

From: DIO SEE-EPS PTCP4a (Eaton, Jeremy Mr) [<mailto:DIOSEE-EPSPTCP4a@mod.uk>]
Sent: 06 July 2015 07:43
To: Banks, Andrew
Subject: RE: Planning Application Reference P150930/O - Ministry of Defence Consultation Response

Dear Mr Banks,

Further to my email dated 26th June 2015, undersigned below, I email in order to provide the DIO's comments, on behalf of the MoD, in respect of the issues you previously raised within your email dated 25th June 2015, again undersigned below. Please find enclosed a .pdf format letter which provides our formal response.

Please do not hesitate to contact me should you wish to discuss this matter further.

Yours sincerely,

Jeremy Eaton BA (Hons) MRTPI
Town and Country Planner

Safety Environment & Engineering, Environment and Planning Support, Town & Environmental Planning
Defence
Infrastructure
Organisation

Kingston Road, Sutton Coldfield, West Midlands, B75 7RL

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From: DIO SEE-EPS PTCP4a (Eaton, Jeremy Mr)
Sent: 26 June 2015 08:05
To: 'Banks, Andrew'
Subject: RE: Planning Application Reference P150930/O - Ministry of Defence Consultation Response

Dear Mr Banks,

Thank you for your email dated 25th June 2015, undersigned below.

I will need to undertake further consultation within the DIO and wider MoD, in respect of the issues you have raised within your email. This will undoubtedly take some time to complete. Unfortunately, I cannot provide a definitive timescale for completion of this undertaking. Therefore, I will aim to come back to you as soon as possible.

Kind regards,

Jeremy Eaton BA (Hons) MRTPI
Town and Country Planner

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From: Banks, Andrew [<mailto:ABanks@herefordshire.gov.uk>]

Sent: 25 June 2015 11:52

To: DIO SEE-EPS PTCP4a (Eaton, Jeremy Mr)

Subject: RE: Planning Application Reference P150930/O - Ministry of Defence Consultation Response

Dear Mr Eaton,

Thank you for your email and further consultation response regarding the application described above. I will be forwarding a copy of it to the applicants agent with a request that they comment upon the points raised by it and I will provide a copy of their response for you as soon as I receive it.

At this stage there are a number of matters that I would be grateful for your further advice on and these are as follows:

- I would be pleased to receive your detailed record of firing activity as per the Range Log Book. In light of the fact that it is specifically referred to in your consultation response, could you confirm whether you are happy for this information to be published on the Council's website and for it to be shared with the applicant's acoustic consultant?
- You have advised that the list of weaponry used on the day which the noise monitoring was completed is incorrect and that it should take account of the full range of weaponry currently used by the MoD on the range. Will the MoD be able to provide a full list of weaponry and will they be able to co-operate with the applicant and their agent to enable them to monitor noise from the full range of weaponry and from the appropriate locations?
- I note that at your seventeenth bullet point you say that there are significant concerns with regards to whether or not the proposal can be adequately mitigated against in respect of the matter of noise. I am concerned that this casts doubt over the very principle of residential development on a site that has been identified as a strategic housing site in the Council's Emerging Core Strategy. I have discussed the matter with my Forward Planning colleagues and they have advised that such fundamental concerns were not raised through the consultation process. They have advised that at the most recent consultation (Sept 2014) on the submission version of the Core Strategy, the MoD (or DIO on their behalf) did not make any representations to the proposed strategic housing site at Hildersley. I would be grateful if you could advise why the concerns that are now being raised in relation to this application were not raised in respect of the Core Strategy.
- It note that you have commissioned a noise survey and that this is likely to be completed by mid-August. I would of course be happy for you to share the findings of this with the local planning authority. Can you confirm:
 - a. whether it will assess noise from the full list of weaponry used on the range

- b. whether you will be able to provide a full copy of the report or just a summary of it?
- c. whether you are happy for the document (in either form) to be published to the Council's website as part of your consultation response?

I thank you for your attention in these matters and look forward to hearing from you in due course.

Yours sincerely

Andrew Banks
Principal Planning Officer
Herefordshire Council
Blueschool House
Hereford
HR1 2ZB

Tel: 01432 383085

From: DIO SEE-EPS PTCP4a (Eaton, Jeremy Mr) [<mailto:DIOSEE-EPSTCP4a@mod.uk>]
Sent: 24 June 2015 16:58
To: Banks, Andrew
Subject: Planning Application Reference P150930/O - Ministry of Defence Consultation Response

Dear Mr Banks,

Re: Planning Application Reference P150930/O – Proposed Development of Approximately 250 Dwellings Including Affordable Housing, Public Open Space and Associated Works on Land at Hildersley Farm, Ross-on-Wye, Herefordshire

Please find enclosed the Defence Infrastructure Organisation's consultation response, on behalf of the Ministry of Defence, in respect of the above planning application further to your email dated 10th June 2015.

If you have any questions regarding this response, please do not hesitate to contact me.

Yours sincerely,

Jeremy Eaton BA (Hons) MRTPI
Town and Country Planner

Safety Environment & Engineering, Environment and Planning Support, Town & Environmental Planning
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Mr Andrew Banks
Planning Services
Herefordshire Council
Franklin House
4 Commercial Road
Hereford
HR1 2BB

6th July 2015

Dear Mr Banks,

Re: Planning Application Reference P150930/O – Proposed Development of Approximately 250 Dwellings Including Affordable Housing, Public Open Space and Associated Works on Land at Hildersley Farm, Ross-on-Wye, Herefordshire

I write in connection with the above planning application further to your email dated 25th June 2015, a copy of which I enclose for your reference. It is the purpose of this letter to provide the Defence Infrastructure Organisation's (DIO) formal response, on behalf of the Ministry of Defence (MoD), to the four bullet points contained within your email correspondence.

In response to bullet point 1, the MoD is happy to provide additional detail in support of the use of the MoD range covering the previous 7-month period (1st November 2014 to 31st May 2015). Whilst the MoD cannot publically disclose the Range Log Book, or copies of this Log Book, for national security reasons, we have extracted the relevant information required by the Local Planning Authority. This is provided below.

The MoD can confirm the MoD range was in use on the following days over the past 7-month period:

- Monday 24th November 2014;
- Thursday 27th November 2014;
- Monday 1st December 2014;
- Tuesday 2nd December 2014;
- Thursday 4th December 2014;
- Wednesday 10th December 2014;
- Friday 12th December 2014;
- Monday 12th January 2015;
- Wednesday 21st January 2015;
- Thursday 22nd January 2015;
- Friday 23rd January 2015;
- Monday 26th January 2015;
- Tuesday 3rd February 2015;
- Wednesday 4th February 2015;
- Monday 9th February 2015;
- Tuesday 10th February 2015;
- Wednesday 11th February 2015;
- Tuesday 17th February 2015;
- Friday 20th February 2015;

- Wednesday 11th March 2015;
- Tuesday 17th March 2015;
- Thursday 19th March 2015;
- Monday 23rd March 2015;
- Tuesday 31st March 2015;
- Wednesday 1st April 2015;
- Thursday 2nd April 2015;
- Monday 13th April 2015;
- Friday 24th April 2015;
- Tuesday 28th April 2015;
- Friday 8th May 2015; and
- Tuesday 26th May 2015.

The above record would substantiate the MoD's position in connection with the comments raised in respect to Paragraph 2.3 and Appendix A of the Acoustic Consultancy Partnership Ltd's Acoustic Consultancy Report, as outlined within my letter dated 24th June 2015.

In response to bullet point 2, please be advised that the MoD are unable to publically disclose the full list of currently available weaponry used on the MoD range for national security reasons. Notwithstanding this, representatives of the MoD will be happy to attend a meeting with you in near future to further discuss this matter. If this meeting is required, please do not hesitate to contact me to make the necessary arrangements.

With regard to the Local Planning Authority's request for the MoD to assist the Applicant and their Agent with regard to the undertaking of a further environmental noise monitoring survey, this will require further consideration by the MoD. As you will no doubt be aware, the MoD range is an operational site and so the operational needs of the military are of primary importance to the MoD, above those of other third parties/organisations.

Notwithstanding the above, if the MoD were to grant their approval to facilitate this request, any further noise monitoring surveys will not be possible until post completion of the work that the DIO have commissioned Amec Foster Wheeler Environment & Infrastructure UK Limited to undertake on our behalf. In addition, any additional noise monitoring surveys would need to be completed following the Military summer leave period (September 2015 at the earliest). The above requirement would also need to be planned in advance, with a minimum of 4-weeks notice provided to the MoD. This is required in order to make the necessary arrangements.

As soon as I am able to provide an update in respect of the above matter, I will be in further contact with the Local Planning Authority.

In response to bullet point 3, whilst the DIO, on behalf of the MoD, did not make any representations in connection with the latest consultation event 22nd May – 3rd July 2014 in respect to the Herefordshire Local Plan Core Strategy 2011-31 Pub-Submission Publication May 2014, the Council cannot assume that nil response is representative of the MoD's views in respect of the Local Plan. Unfortunately, this consultation event passed by the DIO without us being in a position to formally respond on behalf of the MoD.

Despite the above, the DIO have subsequently been afforded the opportunity to submit representations, on behalf of the MoD, in connection with the above planning application. Following a review of the application, the MoD has identified issues with regard to the proposed development which are of great concern to the MoD. In view of these concerns, the DIO have subsequently raised an objection to the proposed development.

Notwithstanding the above, and the DIO's previous consultation responses in connection with the above planning application, I provide the following comments in respect to this matter:

'Policy RW2 – Land at Hildersley' of the emerging Core Strategy outlines that the proposed residential development should, amongst other things, bring forward appropriate mitigation measures, which ensure that acoustic and safety issues relating to the proximity of the MoD range are satisfactorily addressed.

As previously advised, the achievement of a satisfactory residential environment is fundamental to the acceptability of the proposed development. Therefore, unless the proposed development can incorporate the necessary mitigation measures to satisfactorily address the impact of noise from the MoD range, the principle of the residential development proposed on the application site comes into question.

The evidence presented to the MoD, in the form of the Acoustic Consultancy Report prepared by Acoustic Consultancy Partnership Ltd, in order to present the findings of the environmental noise monitoring survey and to outline proposed mitigation measures, is not considered acceptable for reasons outlined in our consultation response dated 24th June 2015.

Notwithstanding the above, the application in Outline format does not identify whether or not the proposed development can satisfactorily address the impact of noise from the MoD range. Indeed, it is understood that the Applicant does not propose to deal with such matters until at the Reserved Matters stage, assuming Outline planning permission is to be granted, by which time consideration of this matter will be too late as the principle of development will have already been established. The MoD considers this approach to be inappropriate.

The MoD considers the issue of noise to represent one of the fundamental issues connected with the application site and the proposed development. Accordingly, it is suggested that this matter should be dealt with at Outline stage, rather than at the Reserved Matters Stage. In the absence of this, the MoD has significant concerns with regard to the proposed development.

In view of the above, and for the reasons previously identified within our consultation response dated 24th June 2015, the MoD has subsequently maintained their original objection to the proposed development.

The DIO will leave the above for the consideration of the Local Planning Authority.

In response to bullet point 4, the DIO have previously confirmed that we will be happy to share with the Local Planning Authority the work that Amec Foster Wheeler Environment & Infrastructure UK Limited produces, albeit this will unlikely be until circa mid-August 2015 at the earliest. It is envisaged that the information that we will share with the Local Planning Authority will be the full noise report. However, this will need to be confirmed in due course, following receipt of the draft report from Amec Forster Wheeler and internal review within the MoD. With regard to whether or not this report can be released into the public domain, again this will need to be confirmed in due course.

As a separate, but interlinked matter to this planning application, the DIO wish to outline our concerns to the Local Planning Authority in respect to our consultation response dated 24th June 2015 which does not appear on the Council's website. Please could you ensure this is uploaded onto the Council's website in the very near future? This would be most appreciated.

Should you wish to discuss the above comments further, please do not hesitate to contact me.

Yours sincerely,

(Signed by email)

Jeremy Eaton MRTPI

Enc. Email from Andrew Banks dated 25th June 2015.

From: Banks, Andrew

Sent: 25 June 2015 11:52

To: DIO SEE-EPS PTCP4a (Eaton, Jeremy Mr)

Subject: RE: Planning Application Reference P150930/O - Ministry of Defence Consultation Response

Dear Mr Eaton,

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I thank you for your attention in these matters and look forward to hearing from you in due course.

Yours sincerely

Andrew Banks
Principal Planning Officer
Herefordshire Council
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HR1 2ZB

Tel: 01432 383085

From: DIO SEE-EPS PTCP4a (Eaton, Jeremy Mr) [<mailto:DIOSEE-EPSPTCP4a@mod.uk>]
Sent: 24 June 2015 16:58
To: Banks, Andrew
Subject: Planning Application Reference P150930/O - Ministry of Defence Consultation Response

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Yours sincerely,

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