



Homes  
England

Date: 9 September 2021

Our Ref: RFI3534

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

Making homes happen

██████████  
By Email Only

Information Governance Team  
Homes England  
Windsor House – 6<sup>th</sup> Floor  
50 Victoria Street  
London  
SW1H 0TL

Dear ██████████

**RE: Request for Information – RFI3534**

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

*I would like to know:*

*Why have Homes England refused a funding grant to Goram Homes and/or Bristol City Council in relation to Novers Hill Bristol?*

*What were the details of the funding application - date it was made, date it was refused, for how much, who was it made by and what it was going to be used for?*

*Please could I see any emails and documents sent between Homes England, Bristol City Council and Goram Homes, relating to the site - Novers Hill Bristol, development phases 1 and 2.*

**Response**

We can confirm that we do hold some of the requested information and will address each of your questions in turn.

***Why have Homes England refused a funding grant to Goram Homes and/or Bristol City Council in relation to Novers Hill Bristol?***

We can confirm that Homes England does not hold the information detailed in your request.

To conclude that the information is not held, we have searched with our Acquisitions team who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

OFFICIAL





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The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

### **Advice and Assistance**

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. We can confirm that we did not refuse a grant but rather were in discussions in relation to grant funding however, ultimately timescales did not align with Accelerated Construction deadlines.

***What were the details of the funding application - date it was made, date it was refused, for how much, who was it made by and what it was going to be used for?***

We can confirm that Homes England does not hold the information detailed in your request.

To conclude that the information is not held, we have searched with our Acquisitions team who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

### **Advice and Assistance**

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. We can therefore confirm that there was no formal application process for Accelerated Construction on this site.

***Please could I see any emails and documents sent between Homes England, Bristol City Council and Goram Homes, relating to the site - Novers Hill Bristol, development phases 1 and 2.***

Please find enclosed Annex A which contains emails and Annex B containing documents sent between Homes England and Bristol City Council. We can confirm that we had no contact with Goram Homes in relation to this site. However, we rely on Section 40 (2), Section 42 and Section 43 (2) of the FOIA to withhold some information from disclosure.

### **Section 40 – Personal information**

We have redacted information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.



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Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.

The full text in the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

### Section 42 – Legal Professional Privilege

Under section 42(1) of the FOIA Homes England is not obliged to disclose information that constitutes advice given under legal professional privilege (LPP) which protects confidential communications between lawyers and clients which is a fundamental principle of English law.

Section 42 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether it is in the wider public interest for the information to be disclosed.

#### Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.

#### Arguments in favour of withholding:

- Homes England believes that there is a strong argument to withhold the correspondence held in order to safeguard full and frank legal advice, which in turn is fundamental to the administration of justice.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

The full text of the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/42>

### Section 43 - Commercial interests

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

Some of the information contained within Annex A engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England and other interested parties to the information.

Homes England has identified that the information requested, if released, would be likely to prejudice the effective operation of future development to this site.



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Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.

Arguments in favour of withholding:

- Disclosure is likely to be prejudicial to the commercial interests of both the Agency and third parties as there is reasonable expectation that such advice provided to Homes England would not be disclosed and would not then potentially be relied upon by other parties;
- Releasing the information would be likely to negatively impact future development processes and proposals as interested parties may feel unable to provide all the relevant information necessary to Homes England for fear of disclosure. This would impact the ability of Government officials to make effective, informed decisions regarding allocation of public funds;
- The information relates to a site where a third party (the council) is still procuring/undertaking works. If this information were released it would be likely to disadvantage the third party's commercial position and have a negative impact on the third party's ability to procure works for ongoing development at this site. The council would not be able to negotiate effectively as this information could be used by third parties to distort or otherwise prejudice the ability of the council being able to secure works for market value, resulting in damage to the public purse. This would also be likely to have the same negative effect on future commercial activity and other Homes England funding. This would not be in the public interest as it would put development at risk, inflate prices and damage Homes England's reputation as a partner. This would negatively affect public money and nullify work already undertaken;
- If information regarding value that has been/will be derived were in the public domain, there could be expectations from the public and potential future partners about the value of the site and the value of potential works. This would mean that prices could be inflated and negotiating positions put at risk. This would not be in the public interest as it would be likely to result in poorer value for public money;
- Releasing the information would be likely to negatively impact future processes as third parties may feel unable to provide all the information requested for fear of disclosure, which would impact the ability of Government officials to make effective, informed decisions and work effectively with partners. This would be likely to negatively impact allocation of public money;
- Releasing the information could reveal financial information of a third party which may in turn affect their commercial interests. The consequences of releasing data that is part of a wider ongoing matter could damage our relationships with partners and put other potential funding allocations at risk. This would not be in the public interest as this could put potential homes in jeopardy and affect Homes England's ability to deliver against its objectives in our strategic plan; and
- Homes England has been unable to identify a wider public interest in disclosing the information requested.



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Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

The full text of the legislation can be found on the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

### **Not in Scope**

We have also redacted information contained within Annex A that does not fall within scope of your request.

### **Right to Appeal**

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request an internal review. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

The Information Governance Team  
Homes England – 6<sup>th</sup> Floor  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link:

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

**The Information Governance Team**  
For Homes England

s. 40(2)

**From:** s. 40(2)  
**Sent:** 09 October 2018 7:24  
**To:** s. 40(2)  
**Cc:** s. 40(2) s. 40(2) s. 40(2) s. 40(2) s. 40(2)  
**Subject:** RE: LA-AC updates

Hi s. 40(2)

Thank you for your email and update on LA-AC – we can discuss the issues you raise on Thursday.

Ahead of the meeting it would be useful to have a bit more information re. Novers Hill. I am familiar with not in scope but not Novers Hill. Is that a Lockleaze site too, and is it under HIF? If you were able to provide details on the below (the highlighted being the most important) I may be able to get some advice before we meet, as to whether this might be a potential under LA-AC

- no of units
- estimated funding required
- land type (brownfield, greenfield)
- planning status (allocated, planning permission etc)
- Tenure mix
- Size (ha)
- Previous use

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 09 October 2018 15:40  
**To:** s. 40(2)  
**Cc:** s. 40(2) s. 40(2) s. 40(2) s. 40(2)  
**Subject:** RE: LA-AC updates

Hi s. 40(2) I think s. 40(2) has now setup a meeting on Thursday to further discuss the predicament we have with this programme.

The main issue remains that your “clean “ site values are considerably below what we are achieving as “dirty” sites; resulting in you clawing back the grant available. Would it be helpful if we instructed Savills to negotiate and agree a “clean” site value with your appointed cost consultant/valuer?

not in scope

[Large redacted area]

That said we'd really like to work with you to retain the grant and deliver much needed housing using MMC (inc. two additional schemes in Novers Hill **not in scope**).

Thanks,

**s. 40(2)**

**s. 40(2)**

Housing Delivery Service | Place Directorate | Bristol City Council | City Hall  
Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Tel: **s. 40(2)**  
Mobile: **s. 40(2)**  
Email: **s. 40(2)** [bristol.gov.uk](mailto:s.40(2)@bristol.gov.uk)  
Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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**From:** **s. 40(2)** [[mailto:s.40\(2\)@homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)]  
**Sent:** 01 October 2018 10:23  
**To:** **s. 40(2)** **s. 40(2)**  
**Cc:** **s. 40(2)**  
**Subject:** LA-AC updates

Hi Both

Are there any updates on the LA-AC offers, and whether BCC is minded to accept the offers?

We are ready to instruct solicitors to progress entering agreements with LAs, and I am being chased by the central team for updates.

If it is helpful, I am very happy to arrange a meeting or phone call with yourselves to discuss any queries you may have.

Thanks, **s. 40(2)**

**s. 40(2)**  
**s. 40(2)**  
Homes England | 2 Rivergate | Temple Quay | Bristol | BS1 6EH  
E: **s. 40(2)** [@homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)  
T: **s. 40(2)**  
M: **s. 40(2)**



Homes  
England



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**BCC and Homes England Meeting – LA-AC**  
**12<sup>th</sup> October 2018**

**Minutes and Actions**

not in scope

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



not in scope		[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]

**Potential Tranche 3 sites**

Novers Hill site	c. 440	<p>Majority owned BCC owned, whole site allocated for 440 units. Key issues are: remediation of former school site, ecology, spine road infrastructure and site access/junction with highway. BCC expect masterplan of whole site to be completed in 2 weeks.</p> <p><b>Action: Homes England <sup>s. 40(2)</sup> to add to T3 pipeline.</b>  <b>Action: BCC <sup>s. 40(2)</sup> to send through master planning information when available.</b></p>
not in scope	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]

**Clarifications from Homes England**

**Site disposal and procurement**



BCC expressed concern over the LA-AC programme requirement to sell land via a Building Lease. They consider this cumbersome and not necessary – particularly for disposals to a trusted RP partner through the Homes West Partnership. BCC's usual approach is freehold sale, but to ensure delivery the disposal is conditional on the RP securing RM/detailed planning (with BCC approval before submission), and subject to the RP entering into a building contract simultaneous with the land transfer. No development agreement typically accompanies the sale.

s. 42

s. 42

s. 42

s. 42

Homes England's preferred disposal route is a Building Lease as this guarantees delivery of the programme requirements (Pace/MMC etc.). However the Funding Agreement defines a Permitted Disposal as:

Permitted Disposal means the disposal:

- (a) of part or parts of the Site pursuant to a Building Lease, or licence and in an arm's length transaction; and/or
- (b) of part or parts of the Site upon which an electricity sub-station, gas generation or pumping station or other statutory services or infrastructure have been or are to be constructed or installed and the immediate curtilage of the same together with ancillary easements; and/or
- (c) made pursuant to a planning obligation pursuant to section 106 of the Town & Country Planning Act 1990 or the Local Government (Miscellaneous Provisions) Act 1982 or section 33 and/or the Local Government Act 1972 section 111 and the Highways Act 1980 section (s) 38 and/or 278; and/or
- (d) any other Disposal which Homes England agrees from time to time will become a Permitted Disposal, provided that in the case of a Disposal the contracted sale price is at Market Value.

The option for disposal under (d) needs to be agreed on a case by case basis ....hence the preference for a Building Lease.

Were a Freehold sale of land is the Council's preferred approach, completion of the Funding Agreement will be subject to

1. BCC's advisors agreeing MMC and Pace obligations in a Development Agreement, and
2. Homes England's approval of the disposal route and how BCC propose to ensure MMC and Pace

s. 40(2)

**From:** s. 40(2) <s. 40(2)@bristol.gov.uk>  
**Sent:** 27 November 2018 13:25  
**To:** s. 40(2); s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill - LA-AC Grant Funding  
**Attachments:** not in scope

Survey sites v2.pdf; not in scope

Hi, please note at this stage we are undecided on Novers Hill as there has been a delay receiving information from the initial master planner. That said we do now have a top and indicative plans.

The attached will at least give you a feel for what we are considering (Phase 1 in a bit more detail). Please note the site is vacant and already in the adopted Site Allocations Plan. The infants school was demolished and cleared to slab level several years ago.

Kind regards,

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 21 November 2018 12:31  
**To:** s. 40(2); s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill - LA-AC Grant Funding  
**Importance:** High

Hi both

Further to this, I've just been informed that Homes England need to secure internal approvals for all LA-AC grants by the end of March 2019.

Before approval, we need to have carried out tech DD and valuation and make a grant offer which is then accepted by the LA.

Therefore, with the 2 potential new LA-AC sites (s. 43 Novers Hill) we really need to be cracking on with due diligence now.

Please can you therefore confirm whether you do want to take these sites though LA-AC, and if you do send me site information as requested below please, asap.

This also has implications for the pending grant offers on the south Bristol sites, which have not formally been rejected / accepted, in particular Hengrove Park should you wish to increase the grant request under this programme.

Please let me know if any questions

Many thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

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**From:** s. 40(2) [mailto:s. 40(2)]@bristol.gov.uk  
**Sent:** 19 November 2018 10:49  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** FW: Novers Hill - LA-AC Grant Funding

s. 43

Thanks,

s. 40(2)

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**From:** s. 40(2) [mailto:s. 40(2)]@homesengland.gov.uk  
**Sent:** 19 November 2018 10:26  
**To:** s. 40(2)  
**Subject:** RE: Novers Hill - LA-AC Grant Funding

Morning s. 40(2)

Further to my email below please can you confirm whether you are still planning on progressing the Novers Hill s. 40(2) though the LA-AC programme? If so please can you advise on the progress of these sites, and when we might receive the information requested below?

Many thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

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Bristol  
BS1 6EH

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**From:** s. 40(2)  
**Sent:** 31 October 2018 16:19  
**To:** s. 40(2)  
**Subject:** Novers Hill - LA-AC Grant Funding

Hi s. 40(2)

When we met recently, you advised that you were interested in applying for Tranche 3 LA-AC funding for the Novers Hill site.

The LA-AC team have confirmed that the site is eligible for the fund. Please can you confirm whether you still wish to pursue LA-AC funding?

I attach a note explaining the process. Before we instruct Tech DD and Valuation we require some information – please see 'Stage 1' in the attached. Annex A which is referred to is attached separately to this email.

It would also be useful if you could please provide us with any background planning and delivery information you hold for the site – proposed masterplans, existing surveys, reports etc. This will help speed up the DD process. Any indication you have of site enabling costs (i.e. any quotes received) would also be very helpful.

not in scope [Redacted]

not in scope [Redacted]

Therefore, in the meanwhile, if you are able to provide the information as above, then that will speed up the DD progress should we proceed.



s. 40(2)

s. 40(2)  
s. 40(2)

Homes England | 2 Rivergate | Temple Quay | Bristol | BS1 6EH

E: <sup>s. 40(2)</sup> <sup>s. 40(2)</sup> [homesengland.gov.uk](mailto:enquiries@homesengland.gov.uk)

T: s. 40(2)

M: s. 40(2)



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Latest council news: <http://www.bristol.gov.uk/ournews>

Consultations: <http://www.bristol.gov.uk/consult>

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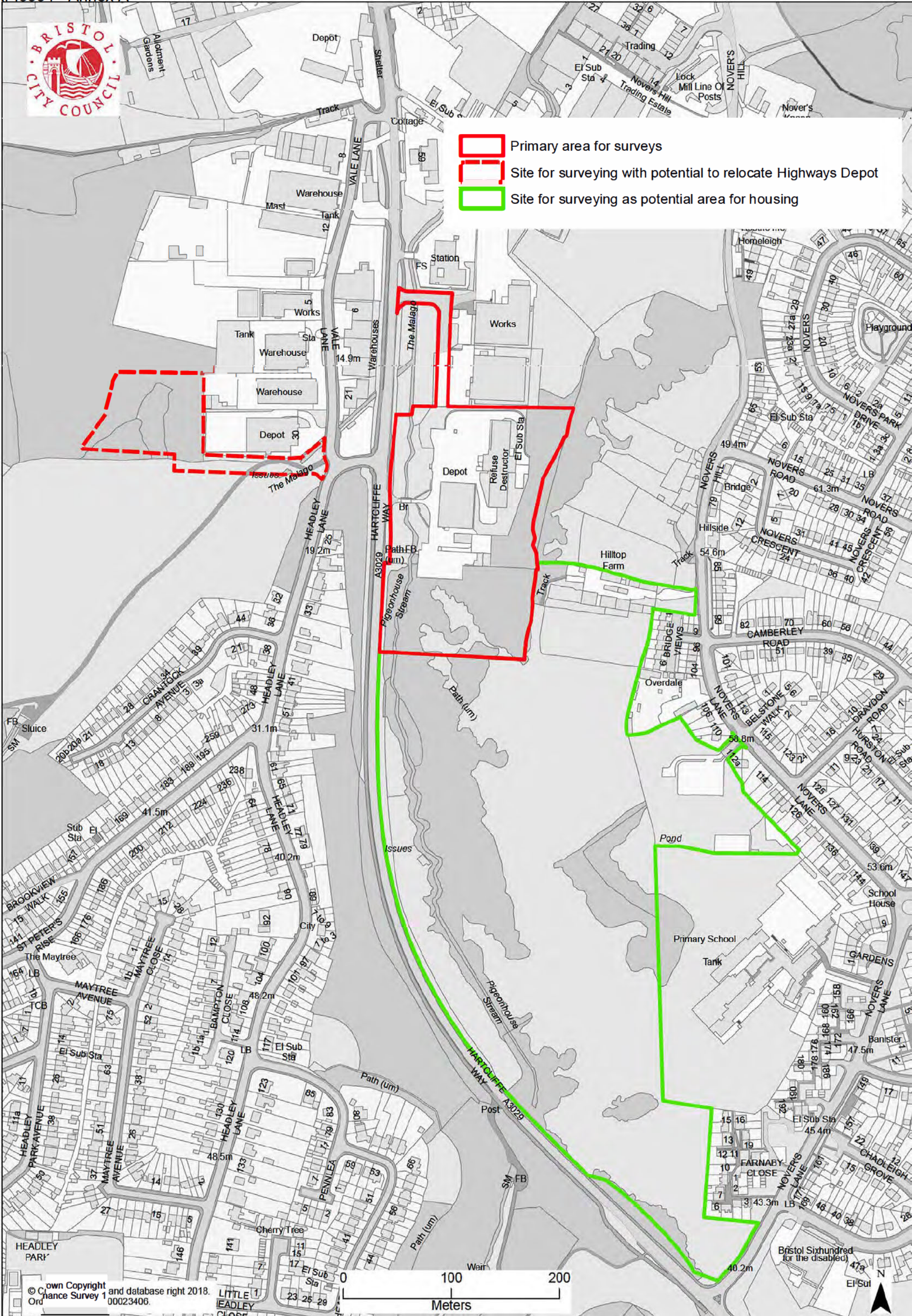
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- Primary area for surveys
- Site for surveying with potential to relocate Highways Depot
- Site for surveying as potential area for housing





s. 40(2)

From:

s. 40(2)

Sent:

20 December 2018 16:34

To:

s. 40(2) s. 40(2) bristol.gov.uk; s. 40(2) s. 40(2)  
s. 40(2) bristol.gov.uk; s. 40(2) s. 40(2) s. 40(2)

Subject:

s. 43 LA-AC grants - update email

Attachments:

not in scope

es

Hi All

not in scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**Tranche 3**

I spoke to s. 40(2) who confirmed that both Novers Hill not in scope were to be considered under LA-AC T3. I have Technical and Viability consultants lined up to undertake their assessments, as soon as BCC send through information on the sites.

From my discussions with s. 40(2) earlier this week, I understand the following should be available early Jan –

not in scope

[Redacted]

Novers Hill

- Finalised Masterplan layout

Please do keep me posted on the timetable for these please, and if any further info is available. We have been advised that all LA-AC sites must receive Homes England approval by end of March 2019, so the timeline is tight.

Any questions please let me know

not in scope

s. 40(2)

s. 40(2)

s. 40(2)



s. 40(2)

s. 40(2)

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s. 40(2)

**From:** s. 40(2) | s. 40(2)  
**Sent:** 08 January 2019 10:25  
**To:** s. 40(2) | s. 40(2)(2)  
**Cc:** s. 40(2) | s. 40(2)  
**Subject:** RE: LA-AC - Not in scope and Novers hill - info required urgently

Thanks s. 40(2)

s. 40(2) please let me know whether / how you wish to proceed with these sites, noting the urgent deadline. Please do give me a call if you wish to discuss

Many thanks, s. 40(2)

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 08 January 2019 10:18  
**To:** s. 40(2) | s. 40(2)  
**Cc:** s. 40(2)(2) | s. 40(2)(2) | s. 40(2) 0(2)  
**Subject:** RE: LA-AC - Not in scope and Novers hill - info required urgently

Hi s. 40(2) and happy new year to you too.

not in scope s. 40(2) passed on your previous email and suggested you met up and discussed progress not in scope

Kind regards,

s. 40(2)

s. 40(2)

Housing Delivery Service | Growth & Regeneration Directorate | Bristol City Council | City Hall  
Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Tel: s. 40(2)  
Mobile: s. 40(2)  
Email: s. 40(2)@bristol.gov.uk  
Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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**From:** s. 40(2) | s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 08 January 2019 10:15  
**To:** s. 40(2) | s. 40(2) | s. 40(2)  
**Subject:** LA-AC - Dovercourt and Novers hill - info required urgently  
**Importance:** High

Good morning all s. 40(2)

It is now critical that we begin our technical and viability assessments for the 2 proposed Tranche 3 sites not in scope Novers hill), if we are to meet the LA-AC deadline of internal approval by end of March 2019.

In the absence of any further information / masterplanning I suggest we crack on using red line plans for both sites, and making assumptions as to site capacity.

Please can you provide a red line plan for both of these sites by COP this Thursday 10<sup>th</sup> Jan? Any later than this, and it is unlikely we will be able to consider the sites under the LA-AC programme unfortunately.

Any other information you hold on the site, including indicative unit numbers, masterplans or surveys please forward.

If you do not want to consider these sites under LA-AC, please can you confirm?

Any questions, please give me a call

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

2 Rivergate  
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BS1 6EH

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We're the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. [Find out more and help make this happen.](#)



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Homes England is the trading name of the Homes and Communities Agency. Our address for service of legal documents is Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH. VAT no: 941 6200 50. Unless expressly agreed in writing, Homes England accepts no liability to any persons in respect of the contents of this email or attachments.

Please forward any Freedom of Information Requests to: [enquiries@homesengland.gov.uk](mailto:enquiries@homesengland.gov.uk)

**CONFIDENTIALITY AND PRIVACY**

This message is intended solely for the addressee and may contain confidential information. If you have

s. 40(2)

**From:** 4  
**Sent:** 09 January 2019 17:57  
**To:** s. 40(2)  
**Subject:** LA-AC notes following call 09.01.19  
**Attachments:** not in scope Short Form Funding Agreement (AC) v10 clean.doc

Hi s. 40(2)

Many thanks for your phone call earlier. Please see below notes and clarifications on a number of points we discussed.

Completion dates

Housing 'starts' by no later than March 2021, completions by s. 43

Grant agreement

For info – please find attached the draft grant agreement template

not in scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Novers Hill not in scope

s. 40(2) is due to send information on both of these sites to me today, so that our technical team can get started.

Any questions on the above / attached please let me know

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

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**Homes England – Grant Funding Agreement in relation to:**

Programme: Local Authority Accelerated Construction

Project: **[insert name and PCS details]**

Dated 2018

**Parties:**

- (1) Homes and Communities Agency (trading as Homes England) of Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington WA3 7QH (Homes England); and
- (2) **[ ]** of **[address]** (the Local Authority).

**Homes England Programme: Accelerated Construction****1. Recitals**

- 1.1 Homes England agrees to make the Funding available to the Local Authority on the terms of this Agreement
- 1.2 The Local Authority agrees to use the Funding to develop the Site for residential housing delivered at PACE and where practical using MMC and utilising LMVB's.
- 2.1 Homes England agrees to provide the Funding subject to the terms of this Agreement including the terms specified in the Standard Terms and Conditions of Funding.
- 2.2 All definitions and principles of interpretation set out in the Standard Terms and Conditions of Funding specified in Schedule 2 shall apply to this Agreement (including the schedules to this Agreement), together with the Project specific definitions set out in Schedule 1 and the schedules and the Appendices to this Agreement are incorporated into and form part of this Agreement.
- 2.3 The Local Authority acknowledges and agrees that Homes England's obligation to provide the Funding is subject to Homes England receiving any approvals Homes England may require (whether internally or from central Government) and on central Government making funds available to Homes England for the Funding.
- 2.4 The key principles of the proposed Funding for the Project are as follows:

Total Commitment	means up to <b>[ ]</b> pounds (£ <b>[ ]</b> )
Availability Period	From the Start Date up to and including 31 March 2021
Project	<b>[Insert description]</b>
Site	means all of the land and buildings known as <b>[insert details]</b> , registered at Land Registry under Title Number <b>[insert details]</b> and identified on the plan at Appendix 1 to this Agreement;



<b>Aim of the Project</b>	Develop the Site for residential housing by the Project Completion Date in accordance with the Outputs
<b>Outputs and Milestones</b>	See Schedule 3
<b>Start Date</b>	[ ]
<b>Project Completion Date</b>	[ ]

### 3. Conditions Precedent to the initial Funding and each other Funding

3.1 Homes England's obligations under this Agreement to make available any Funding is subject to the conditions precedent more particularly specified in Schedule 4, each being met in a form and substance satisfactory to Homes England at the time:

- (a) when the Local Authority delivers a Claim Form to Homes England; and
- (b) when such Funding is to be made available to the Local Authority.

3.2 The conditions precedent required by Homes England pursuant to this Clause 3 are for the sole benefit of Homes England and may only be waived or otherwise deferred by Homes England in writing at its entire discretion.

#### 3.3 Reporting

The Local Authority will provide Homes England with the Monitoring and Progress Report in accordance with paragraph 9 to the Standard Terms and Conditions.

#### 3.4 Repayment

If the Local Authority is required to repay the Funding, it shall comply with the provisions of Schedule 5.

#### 3.5 Communications

The Local Authority contact for all enquiries at Homes England is [insert project manager name]

All correspondence with Homes England must be in writing and either be delivered at or sent by first class post to. Windsor House 50 Victoria Street London SW1H 0TL [Marked for the attention of: - ]

Any notice or other communications between us shall be accepted as having been received;

- (a) if sent by first-class post, three days after posting exclusive of the day of posting; or
- (b) if delivered by hand, on the day of delivery.

And in the case of Homes England addressed as set out above and in the case of the Local Authority [ ].

Either party may change the details of service by notice in accordance with the above.

3.6 **Amendments to the Agreement**

Homes England may amend or vary the Agreement where either;

- (a) mandatory changes are required by the UK or EU laws or regulations; or
- (b) by mutual written consent between the Local Authority and Homes England.

4. **TERMINATION**

Homes England reserves the right to terminate this Agreement by notice in writing and / or to implement paragraphs 6 and/or 7 of Schedule 2 with immediate effect where;

- (a) The Local Authority does not submit a Claim Form within 12 months of the Start Date or such other period agreed with Homes England in writing;
- (b) The Local Authority becomes Insolvent;
- (c) The Local Authority fails to achieve any Output or Milestone;
- (d) The Local Authority fails to remedy any breach of this Agreement which is capable of remedy within 14 Business Days of Homes England requesting the Local Authority to do so;
- (e) The Local Authority commits a breach of this Agreement which is incapable of remedy.

**IN WITNESS** whereof this document has been executed as a deed by the parties hereto but is not intended to have legal effect until it has been unconditionally delivered and dated

The common seal of )  
**HOMES AND COMMUNITIES AGENCY** )  
 is hereunto affixed in the presence of: )

.....  
 Name:  
 Authorised Signatory

The common seal of )  
**[LOCAL AUTHORITY]** )  
 is hereunto affixed in the presence of: )

.....  
 Name:  
 Authorised Signatory

## SCHEDULE 1

## PROJECT SPECIFIC DEFINITIONS

The following terms shall have the following meanings when used in this Agreement (unless the context requires otherwise)

Development Costs	means the costs for the remediation, demolition, site investigation, ecological works, infrastructure works for the purposes of the Project of the Site and such other works agreed with Homes England as are required for the purposes of the Project and which Homes England is satisfied have been reasonably and properly incurred by the Local Authority in carrying out the Project provided such costs have been verified and approved in writing by Homes England which without limitation and for the avoidance of doubt do not include any finance charges but does include any non-recoverable VAT and professional fees in connection with the design supervision and/or implementation of the Project.
Development Works	means the remediation, demolition, site investigation, ecological and infrastructure works and/or such other works agreed with Homes England and required to develop the Site for residential housing.
Completion Date	means the date by which the Project is actually completed to Homes England's reasonable satisfaction and in accordance with the terms of this Agreement.
Disposal	means the transfer or grant of any legal or equitable interest in or over the Site or part thereof (other than the grant of a licence not creating exclusive possession terminable on 3 months' notice or less) including by way of lease and the terms "Dispose" and "Disposed" shall be construed accordingly
End Date	means [ insert the date by which Homes England may exercise any Clawback provision]
Local Authority Senior Officer	means the employee of the Local Authority holding the title of 'Section 151 Officer' or any such other person with equivalent seniority notified to Homes England by the Local Authority;
LMVB	means low and medium volume builders
Market Value	<p>means in relation to the Site or any part or parts thereof (including in each case the works (or the relevant part thereof) thereon) the Market Value as defined in the Practice Statement Number PS 3.2 of the RICS Appraisal and Valuation Standards 6th Edition as varied from time to time BUT (in addition to the assumptions mentioned in that definition) on the following further assumptions in relation to the Site (or relevant part or parts of it):</p> <ul style="list-style-type: none"> <li>(a) the Disposal is a Permitted Disposal or agreements for the same but otherwise sold with vacant possession free from all charges and other encumbrances;</li> <li>(b) the Local Authority has a good and marketable title;</li> <li>(c) all necessary consents for any works have been obtained and the same can be lawfully used;</li> </ul>



	<p>(d) any damage caused by any insurable risk has been made good; and</p> <p>(e) it has the benefit of all easements and rights necessary for the beneficial use and occupation of it; and which complies with:-</p> <p style="padding-left: 40px;">(i) the Local Authority's obligations to obtain Market Value under the Local Government Act 1972; and</p> <p style="padding-left: 80px;">(ii) State Aid Law (as defined under paragraph 8 of Schedule 2</p>
<b>MMC</b>	means modern methods of construction using off-site manufacturing and other advance construction technologies for the Project as set out in the Milestones and Outputs in Schedule 3.
<b>PACE</b>	means the development of the Site will be delivered at a pace faster than the local market average for similar residential developments at a rate of construction set out in the Milestones in Schedule 3 and practical completion will take place by the Project Completion Date.
<b>Receipts</b>	<p>means the aggregate of all proceeds or other receipts on the Project including but not limited to:-</p> <p>(a) all proceeds received or receivable or the amount or value of all consideration received or receivable from any Disposal of any part of the Site; and</p> <p>(b) the proceeds of any insurance policy in relation to the Project;</p> <p>(c) interest (if any) accruing on any items listed at (b) above;</p> <p>but excluding:-</p> <p>(a) Funding; and</p> <p>(b) Public sector match funding<sup>1</sup></p>
<b>Standard Terms and Conditions of Funding</b>	means the standard terms and conditions of funding contained at Schedule 2 .
<b>Unauthorised Use</b>	means any use of a building, and or other fixed asset on the Site other than as agreed in writing with Homes England, and/or any use for which the necessary consents have not been granted by Homes England or any other person

<sup>1</sup> Consider any other receipts which should be excluded from the calculation of Project Payments.

## SCHEDULE 2

## STANDARD TERMS AND CONDITIONS OF FUNDING

**1. DEFINITIONS**

In these Standard Terms and Conditions the following words and expressions have the following meanings:

**Agreement** means this agreement, the attached schedules and annexes pursuant to which Homes England makes Funding available to the Local Authority from time to time and incorporating these Standard Terms and Conditions;

**Availability Period** means as defined in paragraph 2.4 to this Agreement;

**Base Interest Rates** means the base rate of Barclays Bank plc<sup>2</sup> or such other rate as Homes England determines (acting reasonably);

**Building Lease** means a Disposal of the Site or part thereof to a developer on terms that require the development of the Site or part thereof for the delivery and sale of residential units which will contribute towards the total number of Outputs;

**Business Day** means any day other than a Saturday, Sunday or statutory bank holiday in England;

**CDM Regulations** means the Construction (Design and Management) Regulations 2015;

**Claim** means an application for Funding;

**Claim Form** means the document in the form of the template annexed as Appendix 3 to be completed and provided by the Local Authority to the nominated Homes England contact at agreed intervals to claim Funding;

**Clawback** means Homes England's right to recover the whole or any part of the Funding under paragraphs 6, 7, 8 and/or 18 of Schedule 2 ;

**Disposal** means as defined in Schedule 1;

**Dwelling** has the meaning given to "dwelling" in section 1(5) of the Housing Act 2004

**EU Procurement Regulations** means all applicable United Kingdom and European procurement legislation and any implementing measures and any other legislation in connection with the procurement of works, supplies or services including European Union directives 89/665/EEC, 2004/17/EC and 2014/24/EU, United Kingdom Statutory Instruments 1991/268, 1995/201, 1993/3228, 2006/6 and 2015/102 (Public Contracts Regulations 2015) insofar as the same are applicable

**Funding** means funding made or to be made under this Agreement or the principal amount of each advance of funding made by Homes England under this Agreement or the aggregate amount of all advances of funding which have been made by Homes England as a financial contribution towards the Project;

**Health and Safety Legislation** means any applicable health and safety legislation, statutory instruments or

regulations (including but not limited to the Health and Safety at Work etc. Act 1974) and any guidance and/or codes of practice relating to them;

**Insolvency** means where the Local Authority is unable to pay its debts as they fall due or are insolvent (within the meaning of s.123(1) of the Insolvency Act 1986 in the case of a company, or s.268 of the Insolvency Act 1986 in the case of an individual) or the Local Authority enters into any arrangement with creditors, or a liquidator, trustee in bankruptcy, receiver, administrator, administrative receiver or similar is appointed, or possession or enforcement or any other similar process is taken against the Local Authority or any of its assets and Insolvent shall be interpreted accordingly.

**Monitoring and Progress Report** means a report prepared by the Local Authority in the online form available on and submitted to Homes England at the following website: <https://partners.hca-online.org.uk/> or by such other means and in such other form as Homes England shall notify the Local Authority of from time to time

**Milestones** means the key events and stages as agreed between the Local Authority and Homes England in relation to the Project as detailed in Schedule 3.

**Milestone Date** means the date set out in the definition of Milestones by which the relevant Milestone must have been achieved;

**Outputs** means the specific targets and objectives agreed between the Local Authority and Homes England as detailed in Schedule 3.

**Permitted Disposal** means the disposal:

- (a) of part or parts of the Site pursuant to a Building Lease, or licence and in an arm's length transaction; and/or
- (b) of part or parts of the Site upon which an electricity sub-station, gas generation or pumping station or other statutory services or infrastructure have been or are to be constructed or installed and the immediate curtilage of the same together with ancillary easements; and/or
- (c) made pursuant to a planning obligation pursuant to section 106 of the Town & Country Planning Act 1990 or the Local Government (Miscellaneous Provisions) Act 1982 or section 33 and/or the Local Government Act 1972 section 111 and the Highways Act 1980 section (s) 38 and/or 278; and/or
- (d) of a Dwelling constructed on the Site
- (e) any other Disposal which Homes England agrees from time to time will become a Permitted Disposal, provided that in the case of a Disposal the contracted sale price is at Market Value.

**Project** means the project to which the Funding relates, details of which are set out in paragraph 2.4 to this Agreement;

**Project Completion Date** means the date by which the work on the Project is to be completed as defined in paragraph 2.4 to this Agreement;

**Quarter Date** means each of 31 March, 30 June, 30 September and 31 December;

**Regulatory Body** means any UK or EU Government department or agency or any other regulatory body having jurisdiction whether regional, national or local and including, but not limited to, the Department for Communities and Local Government, UK central Government, the European Commission or any successor such department, agency or regulatory body which, whether under statute, rules, regulations, codes of practice or otherwise, is entitled to regulate, investigate, or influence the matters dealt with in this Agreement or any other affairs of Homes England;

**Site** means as defined in paragraph 2.4 to this Agreement;

**Start Date** means the date by which the work on the Project is to be started as defined in paragraph 2.4 to this Agreement;

**Total Commitment** means as defined in paragraph 2.4 to this Agreement;

## 2. PROVISION OF FUNDING

Homes England (in exercise of its powers under s19 of the Housing and Regeneration Act 2008) agrees to make available to the Local Authority during the Availability Period the Funding in an aggregate principal amount equal to the Total Commitment.

## 3. PRE-CONDITIONS OF FUNDING

Homes England's obligations under this Agreement are subject to it having received all documents and other evidence detailed in Schedule 4 each in form and substance to the satisfaction of Homes England.

## 4. WARRANTIES AND REPRESENTATIONS

4.1 By entering into this Agreement (and every time the Local Authority submits a claim form) the Local Authority warrants and confirms to Homes England that;

4.1.1 it is a legally constituted body and has the full capacity and authority and all necessary consents (except planning consents) to enter into and perform the obligations under this Agreement; and

4.1.2 it acknowledges that it constitutes valid, legal and binding obligations of and on the Local Authority which are enforceable against it;

4.2 all information, documents and accounts provided by the Local Authority or on its behalf, from time to time are and will be true, valid and correct; (minor errors and omissions as determined by Homes England in its absolute discretion excepted)

4.3 it is not in breach of any law or regulation agreement or obligation which affects or may affect its ability to commit to this Agreement;

4.4 it is not under any statutory obligation to carry out the Project or any part of it;

4.5 it is not to the best of its knowledge aware of any fact or circumstance that may affect the successful completion of the Project;

4.6 it will ensure that all the necessary consents and licences are in place and maintained for the duration of the Project without limitation.

4.7 it will ensure that all necessary planning consents and property licences for the Project will be in place to complete the Project. If any such consents or licences are varied in any way or revoked it must inform England in writing immediately;

4.8 it has full legal control and good title to the Site and all other assets (including Intellectual Property Rights) necessary to enable completion of the Project and has all such further rights as are necessary to comply with its obligations in this Agreement.

4.9 it will comply with EU Procurement Regulations (to the extent that the same apply).

4.10 it will procure that all contractors comply with EU Procurement Regulations (to the extent that the same apply);

## 5. PAYMENT OF FUNDING

### 5.1 Mechanics and payment of Funding

5.1.1 A Claim will not be regarded as having been validly made by the Local Authority unless:

(a) it is submitted on a Claim Form which must be signed by the Local Authority Senior Officer and it is:

i received by Homes England no later than twenty (20) Business Days prior to the proposed date the Funding will be made available to the Local Authority;

ii delivered during the Availability Period; and

(b) it relates to Development Costs relating to the Project and for which the Local Authority has not submitted any other Claim or received any other funding and it is accompanied by written evidence satisfactory to Homes England that the Development Costs have been incurred together with confirmation from the Local Authority Senior Officer that it has verified and approved the Claim;

(c) it accords with the Development Costs and each Milestone is met by the relevant Milestone Date or is accompanied by evidence satisfactory to Homes England (in its absolute discretion) to justify any deviation; and

(d) it is for an amount which (if paid) would not cause the Total Commitment to be exceeded.

5.1.2 Subject to the terms of this Agreement, Homes England will pay Funding to the Local Authority within twelve (12) Business Days of receipt of a valid Claim.

5.1.3 Any amount not drawn by the Local Authority under this Agreement during the Availability Period will be automatically cancelled.

5.1.4 The Local Authority may not make more than one Claim per calendar month.

5.1.5 Homes England may in its sole and absolute discretion pay the Local Authority Funding for Development costs incurred by the Local Authority after 1 May 2018 but before the Start Date.

### 5.2 Use of Funding

5.2.1 The Funding will be the sole property of the Local Authority and will be used by the Local Authority for Development Costs only in line with the Milestones and the



Development Costs profile detailed in Schedule 3.

Without affecting the obligations of the Local Authority in any way, Homes England is not bound to monitor or verify the application of any amount provided pursuant to this Agreement.

## 6. CLAWBACK AND REPAYMENTS (OTHER THAN ON DEFAULT)

6.1 In this clause the following terms have the following meanings:-

**Clawback Percentage** means [ % ] [The percentage will be the equivalent proportion of the Funding provided in relation to the total Development Costs of the Project]

**Disposal Proceeds** means the total amount of:

the gross proceeds received, including deposits to which the Local Authority is entitled, or the amount or value of all consideration received from time to time from a Disposal (excluding any overage);

**Due Diligence Costs** means the amount of third party professional fees (including but not limited to legal and technical consultant fees) incurred by Homes England as part of its due diligence undertaken to determine its investment and the amount of Funding to be provided towards the Project;

**Projected Land Value** means [ ];

**Total Income Excess** means the amount by which the Disposal Proceeds exceed the Projected Land Value;

**Total Repayment Amount** means the Total Commitment plus the Due Diligence Costs (such Due Diligence Costs not to exceed £20,000);

### 6.2 Restriction On Disposal

The Local Authority shall not make any disposal of the whole or any part of its interest in the Site save for a Permitted Disposal . .

6.2.1 The Local Authority will procure that a restriction in the following form against the registered title(s) to the Site is registered at the Land Registry within 20 Business Days of the date of this Agreement:-

"No disposition of the registered estate by the proprietor of the registered estate or the proprietor of any registered charge is to be registered without a written consent signed on behalf of Homes and Communities Agency (trading as Homes England) Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington WA3 7QH by an authorised officer or its conveyancer [(Form N)]".

6.2.2 The Local Authority will procure that the proprietor of any charge of the Site consents to the registration of such restriction referred to in Clause 6.2.1 in priority to its charge.

6.2.3 Homes England shall consent to the removal of such restriction on completion of the Development Works or (b) where the Disposal is by a registered chargee exercising its power of sale.

## 6.3 Repayment

6.3.1 Following the Project Completion Date, Homes England will re-appraise the Project to ascertain the Total Income Excess.

6.3.2 The Local Authority shall pay to Homes England all of the following:

the aggregate of a sum calculated by multiplying the Clawback Percentage by the Total Income Excess, such repayment not to exceed the Total Repayment Amount (the Claw Back Sum)

6.3.3 The Local Authority will pay the Claw Back Sum referred to above within ten business days of receipt of a demand from Homes England.

6.3.4 The Local Authority will pay to Homes England interest at the rate of 3% above the Base Interest Rate if any monies are not paid within the timescale set out in this paragraph.

6.3.5 Following payment of all monies referred to in paragraph 6.3.2 and 18.2 Homes England will agree to remove the restriction referred to in paragraph 6.2.1

## 6.4 Statement of Project Expenditure, Receipts etc.

6.4.1 The Local Authority shall within 60 Business Days after the Project Completion Date (or at any time throughout the life of the Project if Homes England has cause for concern and requests such information) provide to Homes England a detailed statement signed by the Local Authority's auditors showing:

- (a) the total of all Development Costs;
- (b) the total of all other costs incurred by the Local Authority in delivering and completing the Project
- (c) the total of all Disposal Proceeds; and
- (d) a cashflow detailing all items of Development Costs and Disposal Receipts including the relevant dates of expenditure or receipts; together with full details (including appropriate plans) of any estate or interest in the Site which has not been disposed of by the Project Completion Date.

6.4.2 The detailed statement must be in a form produced by the Local Authority and approved by Homes England. The Local Authority's auditor must be properly qualified.

## 7. DEFAULT

7.1 In the event that Homes England in its sole and absolute discretion determines that an event of default has occurred in respect of the events listed at paragraph 7.2 (Event of Default) Homes England has the right to serve notice of the Event of Default on the Local Authority.

7.2 An Event of Default arises where any of the following occurs :-

- 7.2.1 any representation or warranty made by the Borrower pursuant to paragraph 4 is materially incorrect when made or repeated;
- 7.2.2 the Local Authority fails to achieve any Output or Milestone
- 7.2.3 the Local Authority commits a breach of any of the terms and conditions of this Agreement and/or any other agreement the Local Authority has with Homes England (and fails to remedy such breach within 14 days of Homes England asking it to do so);
- 7.2.4 the Local Authority does not comply with paragraph 9.1.1;
- 7.2.5 any of the pre-conditions detailed in Schedule 4 (if applicable for the purposes of this Agreement) are not satisfied (unless waived by Homes England) within the required period.
- 7.2.6 assets resulting from the Funding and/or the Project are put to Unauthorised Use; and/or
- 7.2.7 the Site is disposed of whether by sale or lease (other than a Permitted Disposal) or otherwise before the End Date;

7.3 Homes England's rights

Where an Event of Default has occurred Homes England in its absolute discretion may by notice to the Local Authority:

- 7.3.1 consider and agree a revised Output or Milestone Date with the Local Authority in which case any relevant condition of this Agreement shall apply *mutatis mutandis* to the revised Output or Milestone Date; or
- 7.3.2 Where the Event of Default is capable of remedy require the Local Authority to prepare a plan to remedy and/or mitigate the effects of the Event of Default and submit the remediation plan to Homes England within fifteen (15) Business Days of such request for approval. If the remediation plan is not so prepared or complied with or if the remediation plan is not acceptable to Homes England then and in any such case Homes England may exercise its rights set out in paragraphs 7.3.3 or 7.3.4 below; or
- 7.3.3 Withhold the provision of further Funding and/or
- 7.3.4 Require the Local Authority to repay to Homes England the Funding or such proportion of the Funding as Homes England in its absolute discretion determines should be repaid.

7.4 Suspension

On and at any time after the occurrence of an Event of Default which is continuing Homes England may by notice to the Local Authority suspend or withhold payment of any instalments.

8. WITHHOLDING PAYMENTS AND REPAYMENT

Homes England may vary or withhold any or all of the payments of Funding under this Agreement and/or require repayment of any or all Funding already paid to the extent that:-

- 8.1 repayment or recovery is required under or by virtue of any European Union State aid laws (including without limitation under Article 107 of the Treaty on the Functioning of the European Union and/or any applicable judgement, court order,

statute, statutory instrument, regulation, directive or decision (insofar as legally binding) ("State Aid Law"); and/or

- 8.2 Homes England is otherwise required to repay or recover such Funding in whole or in part by or to the European Commission.
- 8.3 Any Funding required to be repaid in accordance with this Clause 8 will bear interest at such rate as required under or by virtue of State Aid Law from the date of Homes England's notice requiring repayment to the date of repayment (both before and after judgement) or such other period as may be required under or by virtue of State Aid Law.

## 9. LOCAL AUTHORITY NOTIFICATION AND REPORTING OBLIGATIONS

### 9.1 Reporting

The Local Authority will:-

- 9.1.1 From the Start Date until the Project Completion Date, and no later than ten (10) Business Days following each Quarter Date, provide the Monitoring and Progress Report to Homes England save that the first Monitoring and Progress Report shall be the period commencing on the Start Date and ending on the next Quarter Date;
- 9.1.2 provide Homes England with such other information as Homes England may reasonably require in connection with the Project (including without limitation evidence that a Claim relates to Development Costs) and the Outputs and Milestones
- 9.1.3 procure that the Local Authority's representative and/or any other officers appointed by the Local Authority to deal with the Project will attend such meetings as Homes England may reasonably request to review progress in relation to the Project;

### 9.2 Inspection and Audit Facilities

The Local Authority will:

- 9.2.1 allow or procure access to its premises for Homes England, its internal auditors or its other duly authorised staff or agents or any Regulatory Body and will allow such persons to inspect and take copies of documents relating to the Project. Homes England will be entitled to interview the Local Authority's employees to obtain oral and/or written explanations of documents.
- 9.2.2 provide Homes England, in writing, with any such information about the Funding and/or the Project and/or the Programme as it requires for the conduct of its statutory functions or which may be required by any Regulatory Body in respect of its regulatory and / or compliance functions.
- 9.2.3 allow Homes England or persons authorised by it to inspect, audit and take copies of all reports, books, accounting records and vouchers which relate to the Funding and the Project provided that Homes England does not impede or obstruct the progress of the Project.
- 9.2.4 at all times retain documentary evidence to support each Claim and will maintain full and accurate accounts for the Project in accordance with all applicable law and

accounting standards and (to the extent that no accounting standard is applicable) use generally accepted accounting principles and practices of the United Kingdom then in force. For the purpose of this paragraph "Accounting Standards" means the statements of standard accounting practice referred to in section 464 of the Companies Act 2006 issued by the Accounting Standards Board

## 10. TITLE TO THE LAND

- 10.1 The Local Authority will procure that the Local Authority's solicitor provides a Title Letter in respect of the Site to Homes England in accordance with paragraph 1.4 of Schedule 4 to this Agreement

## 11. DISPOSALS

- 11.1 The Local Authority will procure that the whole and any part or parts of the Site are disposed of by way of a Permitted Disposal only and will not make any other Disposal of the Site or any part thereof.

## 12. CONDUCT

- 12.1 The Local Authority must comply with and assist and co-operate with Homes England in order that it can comply with (and require third parties who benefit from this Funding and any appointed contractors do the same) all applicable legal obligations and statutory requirements in relation to the Project, including, but not limited to:-
- 12.1.1 EU and UK Planning and Environmental legislation
  - 12.1.2 EU State Aid Law, including but not limited to N7471A/99 and N747/8/99 Partnership Support for Regeneration (1) Support for Speculative Developments and (2) Support for Bespoke Developments
  - 12.1.3 Health and Safety Legislation
  - 12.1.4 Employment legislation
  - 12.1.5 CDM Regulations
  - 12.1.6 Equal opportunities (in relation to race, sex, disability, faith and sexuality)
  - 12.1.7 Financial regulations and legislation
  - 12.1.8 Copyright and Data Protection legislation
- 12.2 The Local Authority must not grant any lender security over assets funded, or part-funded, by this Funding unless it has first obtained Homes England's written consent.
- 12.3 In carrying out the Project the Local Authority must not act directly or indirectly in any way that will bring Homes England into disrepute.
- 12.4 The Local Authority must inform Homes England immediately if any of its officers involved with the Project are subject to investigation or challenge which may have a detrimental effect upon Homes England and/or the Project.
- 12.5 The Local Authority must advise Homes England immediately of any threat of or any notice or any resolution in respect of any Insolvency.
- 12.6 The Local Authority will act in good faith to achieve the Outputs and will provide evidence of this to Homes England as required by Homes England.
- 12.7 The Local Authority will provide Homes England with such evidence that it requires that Development Costs has been incurred.
- 12.8 Homes England agrees, and the Local Authority accepts that the Local Authority:

12.8.1 is a "client" as defined by the CDM Regulations and warrants that it will make suitable arrangements for managing the Project and maintaining and reviewing these arrangements throughout, so the Project is carried out in a way that manages health and safety risks in accordance with applicable legislation including but not limited to the CDM Regulations;

12.8.2 will act as the only client in respect of the Project and the Local Authority hereby agrees to be the only client under the CDM Regulations for the Project;

12.8.3 shall comply fully with all the duties of the client under the CDM Regulations.

- 12.9 The Local Authority will procure that all Contractors comply at all times with the Health and Safety Legislation and the CDM Regulations and the requirements of the Health and Safety Executive;

## 13. INSURANCE

- 13.1 The Local Authority must take out and maintain with a reputable insurance company adequate insurance of the type and level of cover which it is reasonable to expect from such type of organisation..
- 13.2 You must produce a schedule of all appropriate insurance cover and copies of all relevant cover notes and insurance policies to Homes England within 10 Business Days of any such request being made by Homes England.

## 14. CONFIDENTIALITY, FREEDOM OF INFORMATION, DATA PROTECTION, INTELLECTUAL PROPERTY, PUBLIC RELATIONS AND PUBLICITY

### 14.1 Definitions

In this paragraph the following words and expressions have the following meanings:

Confidential Information means any and all information whether disclosed or otherwise made available by one party to another (or otherwise obtained or received by a party) whether before or after the date of this Agreement including but not limited to:-

- (a) know-how, confidential, commercial and financial information and all other information which should reasonably be treated as confidential (whether marked confidential or otherwise);
- (b) the existence or terms of this Agreement or other information relating to the Project; and
- (c) information relating to a party's business and affairs, its customers, employees and suppliers;

in whatever form in each case (including but not limited to information given orally or in writing or in any document electronic file or machine readable form or other means of recording or representing information whatsoever) and including any information (in whatever form) derived from such information

EIR means the Environmental Information Regulations 2004, and any subordinate legislation made under the Environmental Information Regulations 2004 from time to time together with any guidance and/or codes of



practice issued by the Information Commissioner in relation to such legislation;

EIR Exception means any applicable exemption to EIR;

Exempted Information means any Information that is designated as falling or potentially falling within the FOIA Exemptions or the EIR Exceptions;

FOIA means the Freedom of Information Act 2000, and any subordinate legislation made under this Act from time to time together with any guidance and/or codes of practice issued by the Information Commissioner in relation to such legislation;

FOIA Authority/Authorities means a public authority as defined by FOIA and/or EIR;

FOIA Exemption means any applicable exemption to the FOIA;

Information means in relation to:

- (a) FOIA the meaning given under section 84 of the FOIA and which is held by Homes England at the time of receipt of an RFI; and
- (b) EIR the meaning given under the definition of "environmental information" in section 2 of the EIR and which is held by Homes England at the time of receipt of an RFI;

Information Commissioner has the meaning set out in section 6 of the Data Protection Act 1998 (DPA);

Intellectual Property includes, without limit, all copyright (and future copyright), patents, trademarks and service marks (whether registered or not) design rights, registered designs, database rights, moral rights and know-how together with the right to register, protect, enforce and exploit the above anywhere in the world.

Pre-existing Intellectual Property Rights means any Intellectual Property provided or used by You in connection with the Project which exists as at the date of this Agreement.

Request for Information/RFI shall have the meaning set out in the FOIA or any request for information under EIR which may relate to the Project, any agreement or any activities or business of Homes England.

## 14.2 Confidentiality and freedom of information

### 14.2.1 Confidentiality

- (a) Each party recognises that under this Agreement it may receive Confidential Information belonging to the other.
- (b) Each party agrees to treat all Confidential Information belonging to the other as confidential and not to disclose such Confidential Information or any other confidential information relating to Homes England arising or coming to its attention during the currency of this Agreement to any third party without the prior written consent of the other party and agrees not to use such Confidential Information for any purpose other than that for which it is supplied under this Agreement.

(c) The obligations of confidence referred to in paragraph 9.2.1(b) above will not apply to any Confidential Information which:

- i is in, or which comes into, the public domain otherwise than by reason of a breach of this Agreement or of any other duty of confidentiality relating to that information; or
- ii is obtained from a third party without that third party being under an obligation (express or implied) to keep the information confidential; or
- iii is lawfully in the possession of the other party before the date of this Agreement and in respect of which that party is not under an existing obligation of confidentiality; or
- iv is independently developed without access to the Confidential Information of the other party.

(d) Each party will be permitted to disclose Confidential Information to the extent that it is required to do so:

- i to enable the disclosing party to perform its obligations under this Agreement; or
- ii by any applicable law or by a court, arbitral or administrative tribunal in the course of proceedings before it including without limitation any requirement for disclosure under the FOIA and the EIR and each obligor acknowledges that any lists or schedules provided by it outlining Confidential Information are of indicative value only and Homes England may nevertheless be obliged to disclose such Confidential Information; or
- iii by any regulatory body (including any investment exchange) acting in the course of proceedings before it or acting in the course of its duties; or in order to give proper instructions to any professional adviser of that party who also has an obligation to keep any such Confidential Information confidential.

(e) The Local Authority will ensure that all Confidential Information obtained from Homes England under or in connection with this Agreement:

- i is given only to such of its employees, professional advisors, Contractors or consultants engaged to advise it in connection with this Agreement as is strictly necessary for the performance of this Agreement and only to the extent necessary for the performance of this Agreement;
- ii is treated as confidential and not disclosed (without Homes England's prior written approval) or used by any such staff or professional advisors, Contractors or consultants otherwise than for the purposes of this Agreement;
- iii where it is considered necessary in the opinion of Homes England the Local Authority will ensure that such staff, professional advisors, contractors or consultants sign a

- confidentiality undertaking before commencing work in connection with this Agreement.
- (f) Nothing in this paragraph 14.2.1 shall prevent Homes England:
- i disclosing any Confidential Information for the purpose of:
    - A the examination and certification of Homes England's accounts; or
    - B any examination pursuant to section 6(1) of the National Audit Act 1983 of the economy, efficiency and effectiveness with which Homes England has used its resources; or
  - ii disclosing any Confidential Information obtained from an Obligor:
    - A to any other department, office or agency of the Crown; or
    - B to any person engaged in providing any services to Homes England for any purpose relating to or ancillary to this Agreement or any person conducting an Office of Government Commerce gateway review;
  - iii provided that in disclosing information under paragraphs 1.1.1(f)(A) or 1.1.1(f)(B) above Homes England discloses only the information which is necessary for the purpose concerned and requires that the information is treated in confidence and that a confidentiality undertaking is given where appropriate.
- (g) Nothing in this paragraph 14.2.1 shall prevent a party from using any techniques, ideas or know-how gained during the performance of this Agreement in the course of its normal business, to the extent that this does not result in a disclosure of Confidential Information or an infringement of Intellectual Property Rights.

#### 14.2.2 Freedom of information<sup>3</sup>

- (a) The Local Authority acknowledges that Homes England is subject to legal duties which may require the release of information under the FOIA and/or the EIR and that Homes England may be under an obligation to provide information subject to a Request for Information.
- (b) Homes England shall be responsible for determining in its absolute discretion whether:
- i any Information is Exempted Information or remains Exempted Information; or
  - ii any Information is to be disclosed in response to a Request for Information.
- (c) Subject to paragraph 1.1.1(d) below, the Local Authority acknowledges that Homes England may be obliged under the FOIA or the EIR to disclose information:

- i without consulting the Local Authority; or
  - ii following consultation with the Local Authority and having taken (or not taken, as the case may be) its views into account.
- (d) Without in any way limiting paragraphs 1.1.1(b) above, in the event that Homes England receives a Request for Information, Homes England will, where appropriate, as soon as reasonably practicable notify the Local Authority.
- (e) The Local Authority will assist and co-operate with Homes England as requested by Homes England to enable Homes England to comply with its disclosure obligations under the FOIA and the EIR within the prescribed periods for compliance and in particular without limitation will (and shall procure that its agents, contractors and sub-contractors will), at their own cost:
- i provide all such assistance as may be required from time to time by Homes England and supply such data or information as may be requested by Homes England; and
- (f) Nothing in this Agreement will prevent Homes England from complying with any valid order, decision, enforcement or practice recommendation notice issued to it by the Information Commissioner under the FOIA and / or the EIR in relation to any Exempted Information.
- (g) To the extent that the Local Authority becomes a FOIA Authority subject to the FOIA and the EIR during the course of this Agreement this paragraph will apply mutatis mutandis to both parties.
- (h) The obligations in this paragraph 14.2.2 will survive the expiry or termination of this Agreement for a period of two (2) years or, in respect of any particular item of Confidential Information, until such earlier time as that item of Confidential Information reaches the public domain otherwise than by reason of a breach of this Agreement or of any other duty of confidentiality relating to that information.

#### 14.2.3 Publication of information before Parliament

The Local Authority acknowledges that the National Audit Office has the right to publish details of this Agreement in its relevant reports to Parliament.

#### Data Protection

For the purposes of this paragraph, "Personal Data" and "Process" shall have the meanings ascribed to them in the Data Protection Act 1998 and the Data Protection Act 2018 (DPA) as amended or re-enacted from time to time.

#### 14.2.4 Cooperation

The parties will co-operate with one another in order to enable each party to fulfil its statutory obligations under the DPA.

#### 14.2.5 Registrations, notifications and consents

The Local Authority warrants and represents that it has obtained all and any necessary registrations, notifications and consents required by the DPA to process personal data



for the purposes of performing its obligations under this Agreement. The Local Authority undertakes at all times during the term of this Agreement to comply with the DPA (and the data protection principles contained therein) in processing all Personal Data in connection with this Agreement and shall not perform its obligations under this Agreement in such a way as to cause Homes England to breach any of its applicable obligations under the DPA.

#### 14.3 Intellectual Property Rights

14.3.1 Homes England is entitled to make publicly available best practice arising from the Project ("Project Know-how") and (subject to Clause 14.3.2) the Local Authority hereby grant to Homes England a licence to use such Project Know-how in accordance with this Clause. Homes England will have the right to amend the Project Know-how or to combine with any other know how as it thinks fit when compiling and publishing what it regards as Best Practice.

14.3.2 If the Intellectual Property Rights in Project Know-how are owned by a third party, the Local Authority will use its reasonable endeavours to obtain a licence for Homes England to use such Project Know-how in accordance with this Clause. The Local Authority will notify Homes England where the Local Authority are unable to obtain such licence and will identify which parts of the Project Know-how Homes England is not licensed to use ("Excluded Know how").

14.3.3 Subject to Clause 14.3.2 the Local Authority will provide Homes England with complete copies of and access to all information and know-how relating to or derived from the Project (including the methods by which the Project was conducted). The Local Authority will provide all assistance and explanation requested by Homes England to enable it to disseminate Best Practice

#### 15. INDEMNITY

The Local Authority will be liable for and will indemnify Homes England in full for any expense, liability, loss, claim or proceedings arising under statute, tort (including negligence), contract and/or at common law in respect of personal injury to or death of any person or loss of or damage to property (whether belonging to Homes England or otherwise) or any claim by any third party arising directly or indirectly out of or caused or contributed to by the Project and/or the performance or non-performance or delay in performance by the Local Authority of your obligations under this Agreement except to the extent that the same is due to any act or neglect of Homes England.

#### 16. ACCESS TO INFORMATION

16.1 The Local Authority is required to provide Homes England, in writing, any such information about the Funding as it requires for the conduct of its statutory functions or which may be required by any Regulatory Body in respect of its regulatory and / or compliance functions.

16.2 The Local Authority is required to record for Homes England any such information as may be required to monitor and evaluate the performance of this Agreement. The Local Authority is required to retain this information for access by Homes England or any Regulatory Body for a minimum period of 10 years from the Completion Date.

16.3 The Local Authority is required to provide to Homes England, at reasonable request, access to all and any information about the Project including the location(s) at which the Project will be/ has delivered, Outputs and / or beneficiaries of the Funding from the Start Date up to and including the End Date.

#### 17. TRANSFER

The offer of Funding is personal to the Local Authority. Unless otherwise specifically agreed in writing by Homes England the Local Authority may not assign, novate, transfer, sub-contract or dispose of in any other way either the benefit of the Funding or any of your obligations under this Agreement.

#### 18. Direct Delivery Clawback

18.1 In this clause the following terms have the following meanings:-

Clawback Percentage means [     % ] [The percentage will be the equivalent proportion of the Funding provided in relation to the total Development Costs of the Project]

Disposal means a disposition, within the meaning of section 205 of the Law of Property Act 1925 except a charge, and the term "dispose" shall be construed accordingly

Dwelling has the meaning given to "dwelling" in section 1(5) of the Housing Act 2004.

Dwelling Disposal means any Disposal of a Dwelling (including the disposal of a Dwelling for affordable or private rent).

Dwelling Disposal Price means the monetary value of all consideration passing on each Dwelling Disposal to the Local Authority or such other person as may be appointed by the Local Authority.

Direct Delivery Clawback means a positive only sum calculated in accordance with the following formula:

$$(( \text{TDDP-RC} ) - \text{PLV}) \times \text{CP} \\ = \text{Direct Delivery Clawback}$$

Where :

TDDP = means the cumulative total of all Dwelling Disposal Prices for all Dwelling Disposals

RC = Reasonable Costs  
PLV = Projected Land Value  
CP = Clawback Percentage

(such sum not to exceed the Total Repayment Amount)

Direct Delivery Clawback Period means a period commencing on the date of this Agreement and expiring at midnight on the tenth anniversary of the date of this Agreement.

Independent Valuer means a fellow of the Royal Institution of Chartered Surveyors, with at least ten years' post-qualification experience including experience in valuation of property as the same type as the Site.

Total Dwelling Disposal Price means the cumulative total of all Dwelling Disposal Prices for all Dwelling Disposals.

Reasonable Costs means in relation to the Project such properly and reasonably incurred costs and professional fees (as specified in relation to each item) of the following of which notice is given to Homes England and agreed by Homes England:-

- (a) demolition works required at the Site by a planning permission;
- (b) the local planning authority's fees associated with reserved matters relating to any planning permission;
- (c) undertaking technical surveys soil tests, and site investigations at the Site;
- (d) legal, surveyors and professional fees associated with the disposal of the Site by the Local Authority;
- (e) marketing costs, agency fees and legal and surveyors fees associated with disposing of the Site (for the avoidance of doubt, legal fees of a purchaser are not a Reasonable Cost);
- (f) undertaking necessary works for the stabilisation of land at the Site;
- (g) undertaking works to remediate the Site;
- (h) costs associated with the design and construction of a suitable access way to the Site;
- (i) costs associated with the construction on the Site of the residential development required to complete the Project provided that there shall be no double-counting so that no item shall be included more than once.
- (j) such other costs as agreed with Homes England

18.2 If the Local Authority does not dispose of the Site but develops the Site itself or through a company or organisation owned or controlled by the Local Authority it will agree the amount of Direct Delivery Clawback within twenty eight days of the final Dwelling Disposal or on expiry of the Direct Delivery Clawback Period whichever is earlier and pay Homes England the Direct Delivery Clawback within ten businessdays of receipt of a demand from Homes England.

18.3 If the Local Authority fails to agree on the amount of the Direct Delivery Clawback within twenty eight (28) Working Days after the date of the disposal of the final Dwelling Disposal or on expiry of the Direct Delivery Clawback Period (whichever is earlier), either party may refer the matter to the Independent Valuer in accordance with the procedure set out in clause 18.7.

18.4 The benefit of the Homes England's covenant in relation to the Direct Delivery Clawback is assignable by Homes England.

18.5 The Local Authority shall give notice (which shall include provision of all records and communications relating to Reasonable Costs) to Homes England of all Reasonable Costs which the Local Authority proposes to claim as soon as it commences marketing of the Site or part of it. If the Local Authority incurs additional Reasonable Costs, after the first notice given to Homes England, the Local Authority shall provide renewed notice (which shall include provision of all records and communications relating to Reasonable Costs) to Homes England of all Reasonable Costs which the Local Authority proposes to claim, and each successive notice shall have the effect of rescinding the previous notice.

18.6 The Local Authority and Homes England shall use best endeavours to agree the Direct Delivery Clawback as soon as reasonably practicable after the date of Disposal of the last Dwelling or on expiry of the Direct Delivery Clawback Period whichever is the earlier.

18.7 The Independent Valuer shall act as an expert and shall give a written copy of the decision on the amount of the Direct Delivery Clawback to both the Local Authority and Homes England within twenty Working Days after the date of the Independent Valuer's appointment.

18.8 The Local Authority and Homes England shall each be entitled to make submissions to the Independent Valuer and shall provide (or procure that others provide) the Independent Valuer with the assistance and documents that

- the Independent Valuer reasonably requires to reach a decision.
- 18.9 The Independent Valuer's written decision shall be final and binding in the absence of manifest error or fraud.
- 18.10 The Local Authority and Homes England agree to pay the Independent Valuer's costs in the proportions determined by the Independent Valuer within fifteen Working Days after a demand for payment. If they are not so paid, the party against whom the costs were not awarded shall be entitled to pay the Independent Valuer the sums due and recover the amount from the other party on demand.
- 18.11 In default of agreement pursuant to the terms of this Clause the Direct Delivery Clawback shall be the amount determined by the Independent Valuer and the date of issue of the Independent Valuer's written decision shall be taken as the date of determination for the purpose of clause 18.2.

#### 19. VAT

The Local Authority and Homes England both understand and agree that the Funding by Homes England under this Agreement is not consideration for any supply for Value Added Tax ("VAT") purposes whether by the Local Authority or otherwise. If, notwithstanding this agreement and understanding of the Local Authority and Homes England, it is determined that the Funding is consideration for a supply for VAT purposes, the Funding shall be treated as inclusive of any VAT.

#### 20. CHANGES

The Local Authority must advise Homes England immediately if the Local Authority want or require to make any changes to the Project including, but not limited to, changes to any of the Outputs, Milestones, Start Date, End Date, Project Completion Date, Project costs and/or funding of the Project. Any changes must be agreed, in writing, with Homes England before taking effect.

#### 21. PUBLICITY

- 21.1 The Local Authority will ensure that, where appropriate, publicity is given to the Project by drawing attention to the benefits and opportunities

afforded by it. In acknowledging the contribution and investment made by Homes England the Local Authority must comply with any guidance on publicity provided by or on behalf of Homes England from time to time.

- 21.2 The Local Authority must not publicise or promote the Funding without Homes England's prior written agreement.
- 21.3 Any reference to Homes England or the Funding in any publicity and / or promotional material relating to the Project must be approved, in advance and in writing, by Homes England.
- 21.4 Homes England reserves the right to use all data provided by the Local Authority in relation to the Funding for publicity or promotional purposes.
- 21.5 Within three months of the date of this Agreement Homes England and the Local Authority shall consider and agree a signage strategy in relation to the Project to be displayed on the Site. It is agreed that all signage to be erected on the Site will include the name of Homes England in a prominent position and to a size not less than that of the Local Authority or its developer or contractor.

#### 22. FEES AND EXPENSES- VARIATIONS AND ENFORCEMENT COSTS

The Local Authority shall within three (3) Business Days of demand on demand, pay to Homes England the amount of all costs and expenses (including legal fees and irrecoverable VAT relating thereto) incurred by it:

- 22.1.1 in connection with the variation or amendment of, or enforcement or preservation of any rights under, this Agreement; or
- 22.1.2 in investigating any Event of Default which has occurred.

#### 23. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties relating to its subject matter and supersedes all prior negotiations, representations and undertakings whenever occurring.

#### 24. FURTHER ASSURANCE

On the written request of Homes England, the Local Authority will promptly execute and deliver or procure the execution and delivery of any further documents necessary to obtain for Homes England the full benefit of this Agreement.

#### 25. APPLICABLE LAW

This Agreement is governed by and interpreted in accordance with English Law and subject to the jurisdiction of the courts of England and Wales. If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction such provision shall be severed from it and the remainder of the provisions of this Agreement shall otherwise remain in full force and effect.

## SCHEDULE 3

## PERFORMANCE DATA AND FINANCIAL PROFILING

## 1. MILESTONES

OUTPUT / MILESTONE	MILESTONE DATE
Start Date	As defined in clause 2.4 to this Agreement
Project Completion Date	As defined in clause 2.4 to this Agreement.
Commencement of surveys and due diligence eg site/ground investigations	[xxx months from Start Date]
Completion of surveys and due diligence eg site/ground investigations	[ xxx months from Start Date]
Procurement of the Development Works	[ xxx months from Start Date]
Provision of contractors accepted programme (including scope of works and milestones)	[ xxx months from Start Date]
Commencement of the Development Works	[ xxx months from Start Date]
Completion of the Development Works	[ xxx months from Start Date]
Outline planning consent achieved for housing development of the Site	[ xxx months from Start Date]
Reserved matters planning consent achieved for housing development on the Site	[ xxx months from Start Date]
Commencement of procurement/marketing for housebuilder (disposal of site)	[ xxx months from Start Date]
Start on site of housing development	[ xxx months from Start Date]
Start of the first housing unit (foundations laid)	[ xxx months from Start Date]
Practical completion (Building Control sign-off of final housing unit)	Project Completion Date

## 2. OUTPUTS

OUTPUT	Measure
Number of residential units practically completed (Programme Completion)	[ ]
Construction achieved on Site through MMC	
% of affordable housing on Site	

## 3. ESTIMATED PROFILE OF FUNDING EXPENDITURE

	18/19	19/20	20/21	TOTAL
Grant drawdown profile				

Expenditure type	Estimated Costs (£)	Estimated expenditure date

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## SCHEDULE 4

### PRE-CONDITIONS<sup>4</sup>

1. Homes England will not advance any Funding under this Agreement (even where a Claim Form has been submitted) unless:-
  - 1.1 Homes England is satisfied that the Local Authority are not in breach of this Agreement; and
  - 1.2 The Local Authority has provided satisfactory evidence to Homes England where requested that the Local Authority will comply with the Local Authority representations and warranties set out in Clause 4 of Schedule 2; and
  - 1.3 Homes England is satisfied (acting reasonably) that contractors have or will be appointed with sufficient capability, experience and funding to deliver the Project by the Project Completion Date;
  - 1.4 The Local Authority has legal title to the Site for which the Funding is claimed and it has issued (or procured the issue) to Homes England of the Title Letter in respect of the Site for which Funding is claimed;
  - 1.5 The Restriction referred to in clause 6.2, Schedule 2 above has been registered against the Local Authority's title and official copies have been provided to Homes England evidencing the same; and
  - 1.6 [insert any other conditions precedent].
  - 1.7 The Local Authority has complied with Milestones numbered [ ] in Schedule 3 hereto.
  - 1.8 Homes England is satisfied that the Site is not held by the Local Authority in its Housing Revenue Account
2. Homes England may agree to pay Funding to the Local Authority before the above pre-conditions have been met without prejudice to its rights to refuse to pay any further Funding until those conditions are met.

5 Set out here any pre-conditions to be fulfilled by the Applicant prior to HCA advancing any Funding. Further pre-conditions will be more likely on larger projects / projects where HCA funding is one of a number of elements. Consider the funding applicant's obligations under other agreements e.g. land transfer arrangements and Section 106 agreements (property projects), licences and consents needed in place and Project finance required.

## SCHEDULE 5 - REPAYMENT

### FUNDING REPAYMENT

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1. There shall be no repayment of Funding other than as set out in Schedule 2.

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**APPENDIX 1**  
**PLAN SHOWING THE SITE**

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**APPENDIX 2**  
**TITLE LETTER**

**[Title Letter to be provided on Solicitors letterhead]**

Site <sup>5</sup> :
Title Number:
Local Authority:
The Project:
Date of Certificate:
Insurance Amount:

**TO: Homes England, , of Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington WA3 7QH (including any statutory successor) (Homes England);**

Except as set out in the Schedule hereto.

We certify that:

- 1 We investigated the title of the Local Authority to the Site, including the carrying out of all appropriate searches and enquiries.
- 2 The Site is:
  - 2.1 held freehold by the Local Authority; and
  - 2.2 registered with absolute title at the Land Registry.
- 3 There are no financial charges secured on the Site.
- 4 The interest of the Local Authority in the Site is sufficient to allow the Site to be included in the Project and for the development of residential units without the need to obtain any further property or rights or the consent of any third party.
- 5 The Local Authority has a good and marketable title to the Site and to any appurtenant rights free from prior mortgages or charges and from onerous encumbrances that have an adverse effect on the development or use of the Site for the Project or its intended development.
- 6 We Confirm that there either is, or will be on completion, sufficient insurance in place for the Insurance Amount as set out above

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<sup>5</sup> Land Registry description for the WHOLE title taken from the Official Copy Entries of the Title Number

- 7 The Local Authority is not subject to any other contractual obligations which will adversely affect its ability to carry out the Project or materially affect the cost of the Project.
- 8 Nothing has been revealed by our searches and enquiries which would prevent the Site being used for the Project.

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## APPENDIX 3

## Claim Form

## Accelerated Construction Local Authority Funding Programme

To: Homes England

From: *[insert full name and address of Local Authority before Agreement is executed]*

Date: [ ]

Funding Agreement dated *[insert date]* relating to *[insert description of the land]* (the Funding Agreement)

1 I refer to the Funding Agreement. This is a Claim Form. Terms defined in the Funding Agreement have the same meaning in this Claim Form.

2 I wish to claim the following amount of Funding:

2.1 Funding amount for Development Costs: [ ]

2.2 Period of Claim: From *[insert start date]* to *[insert end date]*

2.3 Date of claim: [ ]

3.

3.1 Bank name: *[Complete before Agreement is executed]*

3.2 Bank branch/address: *[Complete before Agreement is executed]*

3.3 Bank sort code: *[Complete before Agreement is executed]*

3.4 Bank account number: *[Complete before Agreement is executed]*

3.5 Bank account name: *[Complete before Agreement is executed]*

4. Additional Information

4.1 Total Commitment *[Complete before Agreement is executed]*

4.2 Total Development Costs claimed and [ ] approved to date (excluding this claim):

4.3 Total Development Costs claimed and [ ] approved to date (including this claim):

5. The Claim is made in accordance with the Funding Agreement.

6. I confirm that each condition specified in Schedule 4 of the Funding Agreement and paragraph 5.1 of the Standard Terms and Conditions of Funding required to be satisfied on the date of this Claim Form is so satisfied and I know of no reason why any condition specified in Schedule 4 of the Funding Agreement and paragraph 5.1 of the Standard Terms and Conditions of Funding to be satisfied on or before the date of drawdown will not be so satisfied.

7. I confirm compliance with each representation, warranty and covenant specified in the Funding Agreement.

8. I confirm that no Event of Default has occurred and is continuing or will occur as a result of the proposed draw down.
9. I confirm that the Funding to be provided pursuant to this Claim Form is in respect of Development Costs and will be used to meet the Development Costs and that no other Claim has been made in respect of such costs [and that supporting invoices submitted with this Claim provide evidence of the relevant expenditure incurred to date].
10. I confirm that:
  - 10.1 The Development Costs have been incurred and constitute capital expenditure in accordance with Regulations made under Section 11 of the Local Government Act 2003.
  - 10.2 We have not received and will not receive any specific grants, other support or contributions towards the expenditure for which payment is now being sought.
  - 10.3 The information in this form is true and correct.

By: .....

Section 151 Officer  
for and on behalf of  
*[insert full name of Local Authority]*

Name (Printed):

Position:

Dated:

-----For Completion by Homes England Only-----  
----

Department/Location					
Order/Contract No:		Supplier Ref:		EFIN/APTOS INV NO:	
Cost Centre	Account No	Activity	Job Code	Net Amount	Vat Code
	Creditor Code	Total Net	Total VAT	Invoice Total	
CERTIFIED BY & Date			AUTHORISED BY & Date		

s. 40(2)

**From:** s. 40(2) <s. 40(2)@bristol.gov.uk>

**Sent:** 10 January 2019 14:57

**To:** s. 40(2); s. 40(2)

**Cc:** s. 40(2); s. 40(2)

**Subject:** Novers - 2 of 2

**Attachments:** not in scope

Appendix F1 - Novers Hill - BSA1108 Page 1.pdf; Appendix F2 - Novers Hill - BSA1108

Page 2.pdf

Further appendices attached.

Thanks

s. 40(2)

s. 40(2) s. 40(2)

Housing Delivery Service | Growth & Regeneration | Bristol City Council

Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Tel: s. 40(2)

Mobile: s. 40(2)

Email: s. 40(2) (2) [bristol.gov.uk](mailto:s.40(2)@bristol.gov.uk)

Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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Site reference:

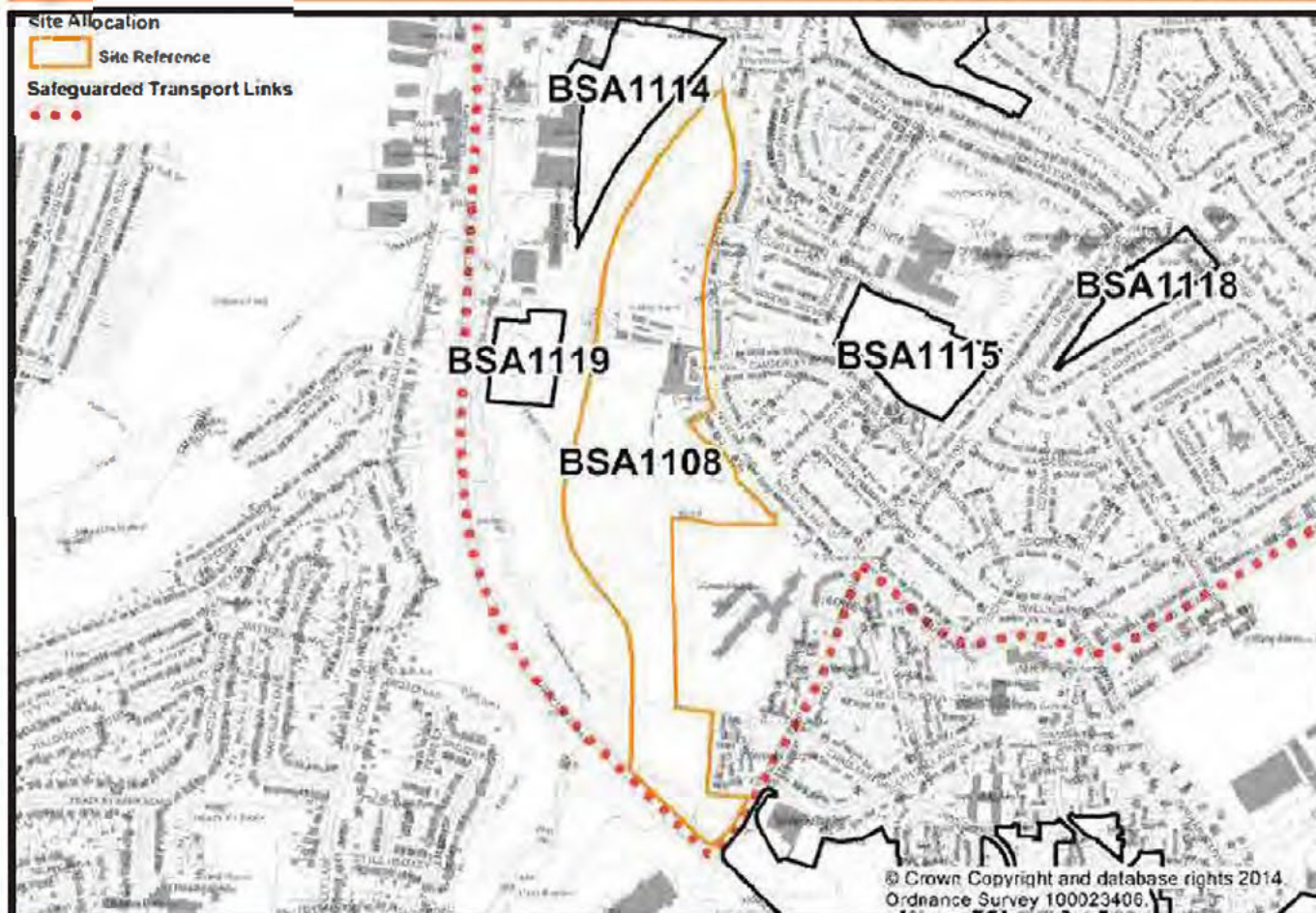
# BSA1108

Site address/location:

Land at Novers Hill, east of Hartcliffe Way and west of Novers Lane / Novers Hill

Site area: 10.6 hectares

Ward: Filwood



Allocation: Housing

## Development considerations

Development should:

- be designed to respect the sloping nature of the site, having regard to long distance views and the prominence of the site;
- be informed by an ecological survey of the site and make provision for compensation and mitigation measures, including compensation for the loss of the 'Lowland Meadow', 'Lowland Calcareous Grassland' and semi-improved neutral grassland. The site currently has city-wide importance for nature conservation due to the presence and condition of particular species, habitats and / or features;
- integrate appropriate landscaping to ensure that green infrastructure links to the surrounding area are maintained, including links to the Northern Slopes and Crox Bottom;
- maintain or strengthen the integrity and connectivity of the Wildlife Network;

**Development considerations** *continued...*

- be informed by a site-specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Government's National Planning Policy Framework. The flood risk assessment should also consider the impacts of the development on the wider Malago catchment to ensure that proposed and existing properties are not subject to increased flood risk;
- provide for necessary improvements to the surrounding highway / transport network;
- be designed to take account of nearby industrial uses by addressing any noise, pollution and nuisance issues;
- provide a children's playground on the site;
- be informed by a Health Impact Assessment. This should include how the proposals have been discussed with local primary health care providers regarding impacts on primary health care services.

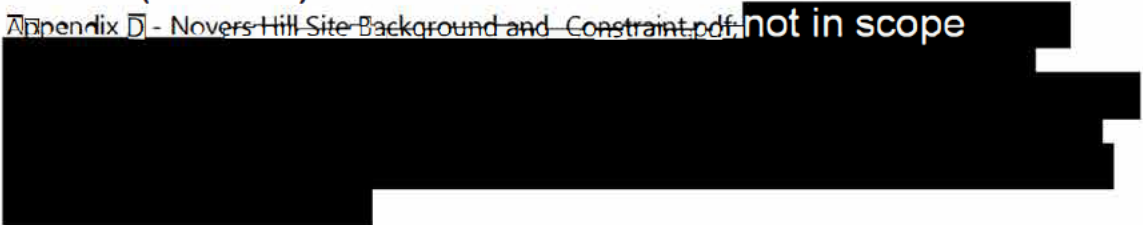
The estimated number of homes for this site is 440.

The site falls within a location being considered as a neighbourhood planning area. A neighbourhood development plan for the area may be brought forward by a designated neighbourhood planning forum in due course.

The Knowle West Regeneration Framework process identified this site as suitable for housing.

s. 40(2)

**From:** s. 40(2) <s. 40(2)@bristol.gov.uk>  
**Sent:** 10 January 2019 14:56  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** Novers Hill (1 of 2 emails)  
**Attachments:** Appendix D - Novers Hill Site Background and Constraint.pdf, not in scope



Hi s. 40(2)

Please find attached information we have for Novers Hill to support the LA-AC funding bid:

- Site allocation
- Some early masterplanning work
- Title information for the part of the site not owned by BCC
- Background information and known constraints of the site
- BCC Landownership
- Extract from site allocation document
- Three identified parcels – Hillside and former infants school which falls within BCC ownership and the private ownership of the allocated site.

Hopefully this will be enough to be getting on with – please let me know if you have any questions.

Many thanks

s. 40(2)

s. 40(2)

Housing Delivery Service | Growth & Regeneration | Bristol City Council

Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Tel: s. 40(2)  
 Mobile: s. 40(2)  
 Email: s. 40(2) (2) [bristol.gov.uk](mailto:s.40(2)@bristol.gov.uk)  
 Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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 Consultations: <http://www.bristol.gov.uk/consult>



### 3. SITE SPECIFIC INFORMATION

- 3.1. The land at Novers Hill is a 10.6 ha council and privately owned site located approximately 4.2 miles south of Bristol city centre, between a triangle of roads that comprise Hartcliffe Way, Belstone Walk and Novers Lane. The sites form part of the Hilltop Farm meadowland, the former Priory Infant School, with the Pigeonhouse Stream running through the lower reaches of the site.
- 3.2. The site is allocated within the Site Allocations Document in 2014 (ref BSA1108) for a mix of housing, open space, children's playground and improvements to the surrounding highway/transport network. The policy estimates 440 new homes.
- 3.3. Novers Hill is a single carriageway road with street lighting and is subject to a 20mph speed limit. Within the vicinity of the site footways are provided on both sides of Novers Hill. To the North of the site, at the junction with Novers Road the footway provision ceases along Novers Hill. Novers Hill transitions to Novers Lane at the Camberley Road junction. It is approximately 7.6m wide for the most part. Novers Hill / Novers Lane provide access to existing industrial estates, residential developments and a school along their length.
- 3.4. There is a lapsed option in favour of Barratts on the north corner of the site (private land). Anecdotally, the Council is aware the owner may be negotiating to dispose of the land.
- 3.5. There are a number of constraints, risks and issues associated with this project and the consultants' team will need to work with the Council to mitigate these and others that arise.

<b>Constraint</b>	<b>Risk/Issue</b>
<b>Adjacent projects</b>	Proposals for a new Household Waste Recycling Centre on Hartcliffe Way on land adjoining the Council's Highways depot. (Perfect Circle are undertaking a feasibility study on the Recycling Centre). Possible impact on new housing development, access to the site and environmental issues to be considered.  Consideration of the future development of Site Allocation BSA1114 (Allocated for housing and business) and BSA1119 (allocated for business – and is the site for business).
<b>Movement and Access</b>	Limited opportunities to access the site – ecology, topography and existing junction capacity are considerations.
	Transport Study to inform vehicular access to the Hillside land parcel, circulation within the site and feasibility of a vehicular link to Priory School site, including the narrowing of Novers Lane into Novers Hill.
	Novers Hill and Hartcliffe Way are both Metrobus routes – any access arrangement would need to consider this.
	Northern stretch of Novers Hill is particularly narrow – unclear as to whether there is the opportunity to increase capacity due to the restriction of part of this being 'Common Land'.
<b>Landscape</b>	
	Air quality issues around Parson's Street Gyratory – consideration of impact and mitigation measures.
	Part of the Hillside site falls within the Greenfield Primary School playing fields Wildlife Corridor and adjacent to the Inns Court Open Space Wildlife Corridor.
	The site falls within the SSCI referred to as 'Pigeonhouse Stream and adjacent Meadows'; future landscaping work to ensure green infrastructure links are maintained, including links to Northern Slopes and Crox Bottom.
<b>Land ownership</b>	Previous Farm Tenancy lapsed December 2012. Informal grazing for horses.

	Common Land designation on the northern part of Novers Hill.



s. 40(2)

**From:** 4  
**Sent:** 14 January 2019 14:12  
**To:** s. 40(2); s. 40(2)  
**Cc:** s. 40(2); s. 40(2); bristol.gov.uk; s. 40(2)  
**Subject:** LA-AC Tranche 3 - Site Visit and additional info required  
**Attachments:** Tranche 3 AC Local Authority Process Note.docx

**Importance:** High

Afternoon s. 40(2); s. 40(2)

Many thanks for sending through the information on Novers Hill and not in scope, which has now been received (thanks s. 40(2))

We have appointed PBA to undertake the tech not in scope on the sites. s. 40(2) (cc-ed) is managing this from PBA's side.

We would like to arrange a visit to both sites by the end of the week (or very early next week). Please can you advise on access arrangements?

Ideally, it would be great if the Bristol PMs (I believe s. 40(2) and s. 40(2)) could join us on the visits, to talk through the sites. If this is not possible we would need to arrange a separate meeting asap. Please can you advise your availability? This week Weds Am or Thursday after 11 work for s. 40(2) and I.

In terms of valuation, I have appointed Carter Jonas for Novers Hill not in scope. I will cc you in my communications with them, should they have any questions. They may also want to arrange a meet / phone call.

In terms of other information, we require the following from BCC to progress the grant offer –

- Legal self-certificate (Annex F)
- Additionality Questions (Annex G)
- Red line boundary – shape file and PDF

As explained, we are on a tight deadline in terms of getting LA-AC grant offers through our internal approvals process by end of March, and therefore require this information within the next three weeks, in order to proceed.

Many thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

#MakingHomesHappen

## Due Diligence Process under Local Authority Accelerated Construction

*Homes England intend to provide tailored financial support to enable a local authority to invest in their sites in exchange for local authority commitment to taking sites to market in a way which seeks to secure delivery of housing at pace; utilise Modern Methods of Construction (MMC) (where site viability allows); and provide opportunities where appropriate to new entrants and small to medium size builders.*

Sites were submitted as part of the original Expression of Interest in January/February 2017 and have undergone an initial assessment which demonstrates that they have potential for a good fit with the broad programme criteria. On this basis, sites have been selected for potential inclusion in the Accelerated Construction Programme and we now wish to work with you through the due diligence process. This will review key development constraints, planning requirements, initial legal checks and viability, all with a view to developing an investment strategy for your site.

Below is a provisional outline of the due diligence process we expect local authority sites to follow. This is subject to the full approval by HM Treasury, but has been developed with the Ministry for Housing, Communities and Local Government (MHCLG) and with HM Treasury input, so is not expected to change significantly from this point.

If you have submitted funding bids to other Government programmes (such as the Land Release Fund or Housing Infrastructure Fund) then all of the relevant bids will be considered in the round to ensure that we secure the best outcome for the site and for the public purse.

### Site Assessment process so far

All sites in the EOIs have been reviewed and a set of 'prioritisation criteria' applied. This led to the selection of about 400 sites which started the due diligence last year. The due diligence process for these sites is now complete and has enabled funding agreement discussions to progress this year.

The criteria for another Tranche are now being agreed, and a subsequent set of sites will shortly be progressing to due diligence. As part of this we are reviewing criteria around delivery timescales and site size. Following confirmation of the EOI sites which fit these criteria, local authorities will receive information and guidance on the due diligence process and timetable, including the information required.

Where local authorities have more than one site proceeding, Homes England are happy to receive information on a site by site basis to prevent any delays. We hope that this will enable you to plan any use of resources, minimise abortive work, and ensure that the process proceeds as fast as possible. A [Huddle](#) invitation and folder structure will be provided to allow the upload of files (see Annex C).

### Stage 1 - Local Authority confirmation and initial information

Following confirmation from Homes England that your sites are included, local authorities are asked, within two weeks, to:

1. **Confirm agreement to the selected sites (Annex A) proceeding through due diligence**
2. **Update and supplement information on the nature of any agreed scheme (e.g. number of units, planning status, planning policy requirements, scheme outlines, tenure mix, any known enabling works requirements, and potential delivery timescales). A spreadsheet has been provided for this (Annex A), populated with provisional information from your EOI. In consenting to the site proceeding to due diligence, you are confirming that:**
  - a. the site could deliver housing (with a focus on starts by March 2021) taking into account constraints;
  - b. you estimate that the infrastructure and enabling works could potentially be completed by March 2021;
  - c. the site is in local authority ownership (or will shortly be);
  - d. you are content to explore delivery of the site at a pace above the existing market and explore the potential for delivery through MMC.
3. **Provide planning and delivery information, as above, for any local authority proposed alternative scheme which may better support delivery or the objectives of the programme. This could, for example, include changes to tenure, affordable housing levels or density.**
4. **Provide the red line boundaries for the scheme in question. These should reflect the scope of the scheme, and may or may not be contiguous with any relevant legal titles. (see Annex D for more details)**
  - a. If the site is part of a wider development, red lines should only cover the phase the local authority wishes to proceed through the LAAC programme
  - b. These red lines should be provided in shape file format (see Annex D). Local authorities may also submit a PDF if they have one (in addition to the shape file).
5. **Local authorities will be asked to provide a 'self-certification of ownership of land and suitability for housing development' (see Annexes E and F for more details). Local authorities should ensure the legal titles provided cover all of the area of the red line plans for the development proposal.**

Please note that, where a site is actually a package or portfolio of sites, additional consideration will need to be given to the make-up of the portfolio, proposed delivery strategy, and suitability for the programme. Similarly, where the site is large (over 300 units) or part of wider strategic site, additional consideration will need to be given to how this is phased and delivered – and whether all or part can and should be delivered under this Programme.

The below process will then be followed (see Annex B for a more detailed version with timescales):



**Stage 2 – Initial Due Diligence**

**a) Development Viability Assessment:** The information provided in items 2 to 4 (above) will enable Homes England to procure consultants to carry out a Development Viability Assessment (DVA) (or multiple DVAs where more than one scheme alternative is proposed). These DVAs should be completed in two weeks and will provide an expert view on the residual land value achievable on the site on a 'clean site basis'. This means *excluding* the costs of any abnormal enabling works or infrastructure required. Sites showing a positive residual land value are likely to proceed further through the process. Sites showing a negative land value will be reviewed by local Homes England teams to explore options for addressing this, but if no mitigating actions are possible these sites will not proceed any further. The DVA process will also seek an external view on the potential to increase the pace of construction on the site, given local market conditions.

**b) Desktop constraint review:** In parallel, the information provided in item 4 will enable Homes England to carry out an initial desktop review of any site constraints which might prevent a development coming forward (e.g. flood risk, green belt classification). Where these issues are flagged, further information may be requested from local authorities as to whether and how these issues may be overcome within the Programme timescales. If no mitigating actions are possible within the Programme timescales then these sites will not proceed any further.

**c) Legal title self-certification:** The information provided in item 5 will be reviewed by Homes England's internal legal team to identify any issues which may prevent delivery within the Programme timescales (e.g. parts of the site not being owned by the local authority or obstructive covenants). Where these issues are flagged, further information may be requested from local authorities as to whether and how these issues may be overcome within the Programme timescales. If no mitigating actions are possible within the Programme timescales these sites will not proceed any further.

**d) Review of above:** The information provided in a-c will be reviewed to ensure the site can progress to technical due diligence, and further information may be requested at this stage where outstanding questions remain.

Please note that, where a site is actually a package or portfolio of sites, additional consideration will need to be given to the make-up of the portfolio, proposed delivery strategy, and suitability for the programme.

**Stage 3 - Technical Due Diligence:**

Sites with a positive land value (on a 'clean site' basis) and which are not flagged as having insurmountable constraints will progress to technical due diligence. Homes England will procure consultants to assess the cost and delivery timescales of any enabling needs (i.e. the cost of any works required to get the site to the 'clean' basis evaluated in the DVA, such as remediation, infrastructure or flood mitigations). This work should be completed in 6-8 weeks. Further legal work may also be procured by Homes England at this stage to review any issues flagged at the Legal Self-Certification stage. Local authorities will be asked to provide any existing information they have on technical or legal constraints to support this process.

If this process identifies issues which may prevent delivery (e.g. insurmountable flooding risk), or which would prevent completion of enabling works by March 2021, then these sites will not proceed any further. Whether or not sites proceed, technical due diligence information will be made



available to local authorities. The results of this process (the costs of enabling works) will be used to inform any subsequent funding offer from Homes England.

### **Stage 4 - Value for Money (VFM):**

Sites which progress through the above stages will be subject to an economic appraisal (cost benefit analysis) following the principles set out in the Green Book and the [DCLG Appraisal Guide](#). We will quantify the economic benefits as 'land value uplift' (the economic benefits of converting land into a more productive use), and the costs will be the grant provided from this fund and any other funding that has been received from central government to unlock housing units on that site.

Details on the exact process will be confirmed in due course, but an example of such a process in relation to another Homes England funding Programme is available on the Gov.UK website here [www.gov.uk/government/publications/housing-infrastructure-fund](http://www.gov.uk/government/publications/housing-infrastructure-fund). Examples of the sorts of questions which will be asked to inform this are included in Annex G.

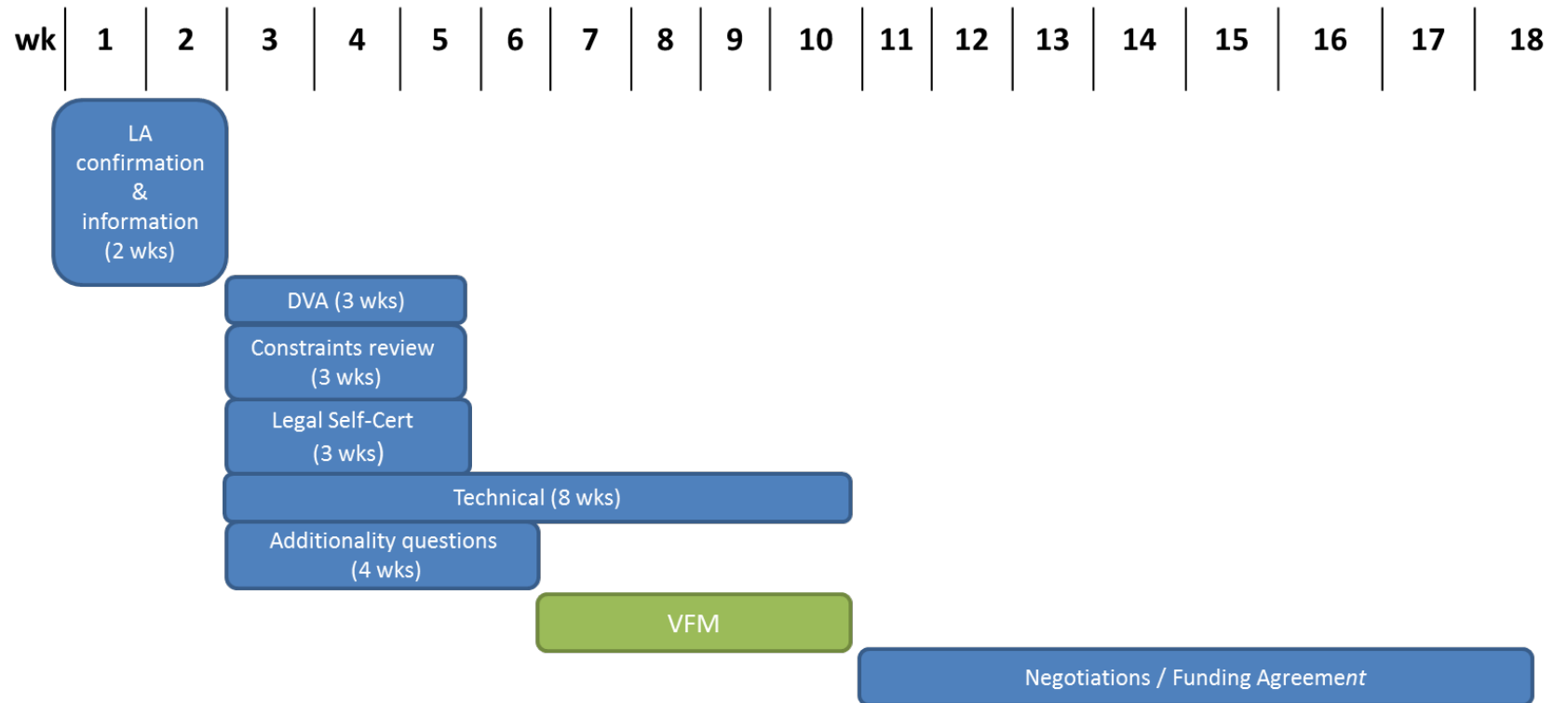
### **Stage 5 - Funding Agreement:**

Following completion of the assessment process, Homes England will negotiate a tailored funding agreement for each selected site. This will set out the funding offer, and any associated requirements (e.g. the enabling works to be delivered, key milestones to be achieved, construction pace to be sought, and reporting requirements). Homes England will also look to secure a local authority commitment to delivery through MMC, were viable taking into account any estimated potential impact on the land value.

Annex B - Overall due diligence process and timescales

## Indicative timescales for a local authority site progressing through due diligence

*These timescales vary from site to site depending on the timing and quality of information provided by local authorities, and the due diligence requirements which emerge during the process (eg more complex technical issues requiring addition work and review)*



not in scope

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

#### Annex D – Red line boundary guidance

The below should be useful for your planning or GIS colleagues in producing the shape file for the relevant red line boundary. This information will be used to support due diligence, including the Homes England review of potential delivery constraints (e.g. flood risk, heritage assets or greenbelt classification)

- We require digital red lines in order to use Homes England’s GIS parameters and asses site constraints
- For the avoidance of doubt, a ‘digital red line’ comes in the form of a shape file with a relevant file extension (as a minimum please include all of these file types available for the site i.e. .shp, .dbf, .shx)
- We ask that shape file ‘attributes’ be included to indicate the name of the portfolio (if required) and the name of the individual site
- These shape files will be captured to British National Grid
- File naming convention should be: “LA Ref\_Local Authority name” or “Site Ref\_Local Authority name”

#### Annex E – Legal Self-Certification guidance

- The self-certificate to be completed is included in ‘Annex F - Local authority self-certification of ownership of land and suitability for housing development’
- Guidance for completing this is included below and this should be passed on to the legal department of your local authority for the attention of the person preparing and submitting the self-certificate
- All relevant documentation can be uploaded to the legal section of the relevant site folder in Huddle

- All related email correspondence should be directed to [LegalLandMailbox@homesengland.gov.uk](mailto:LegalLandMailbox@homesengland.gov.uk), cc'ing [AcceleratedConstruction@homesengland.gov.uk](mailto:AcceleratedConstruction@homesengland.gov.uk)
- The red line plan of the site to be developed should be attached to the certificate. This will enable Homes England to ensure that self-certification covers the full extent of the site to be developed

**Please pass this message to the legal department of your local authority for the attention of the person preparing and submitting the self-certificate.**

In previous rounds, some local authorities have provided more information than is required to satisfy the self-certification exercise. This guidance is designed to minimise the administrative burden on our partners.

For Homes England, the local authority self-certificate is part of a 'triage' exercise that will help us determine whether the site should be considered for inclusion in the programme.

The self-certificate has therefore been drafted to require a small amount of high-level information to enable the Homes England Legal team to categorise the sites as one of the following:

- Site has legal title problems that would prevent housing development and that the local authority is unlikely to be able to overcome.
- Site has some title issues but these may potentially be capable of resolution.
- Site has no title issues, or insignificant title issues that can be easily resolved.

For the avoidance of doubt, we do not, at this stage, require a full report on title setting out every title matter, nor a detailed list of rights, reservations and covenants, nor copies of documents granting and reserving rights etc.

In respect of the Ownership Confirmation (Part A) we only require an official copy of the register of title, showing the Council as registered proprietor. We do not require copies of any of the documents mentioned in the entries on the register of title. If the Ownership Confirmation cannot be given at this stage then local authorities are asked to explain in schedule 1, *briefly and in outline only*, why this is the case (eg "because the site has not yet been acquired by the Council").

For the Adverse Rights Confirmation (Part B) no supporting documents need to be provided at this stage. If the Adverse Rights Confirmation is given, then we will rely on that confirmation for the purposes of deciding whether to progress the site through to more detailed due diligence.

If the Adverse Rights Confirmation cannot be given, then please explain in Schedule 2, *briefly and in outline only*, why this is the case and how you propose to resolve these issues. (eg "trespassers are currently in occupation of the site but a possession hearing has been scheduled for [date]" or "there is a restrictive covenant prohibiting housing development but the Council has agreed in principle a deed of release with the beneficiary and if this does not complete, the Council intends (subject to formal approval) to rely on its rights under section 203 Housing and Planning Act 2016 to override the covenant, and to be responsible for the statutory compensation likely to be payable under that legislation").



If we have any queries about the information provided, or if we require further information or clarification, we will contact you with a specific request.

## Annex F - Local authority self-certification of ownership of land and suitability for housing development

**TO: Homes England** Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH (“the Agency”);

*Please complete the table below*

Council	
Description of Site	
Title Number:	
Office copy entries and plan attached	Yes No
Ownership Confirmation given (Part A below)	Yes No ..... If no, please complete Schedule 1 stating the reasons <sup>1</sup>
Free from Adverse Rights Confirmation given (Part B below)	Yes No ..... If no, please complete Schedule 2 stating the reasons <sup>2</sup> .
Proposed start on Site Date	

### A Ownership Confirmation:

The Council confirms that:

- It owns the freehold of the Site or a lease of the Site for a term with at least 99 years remaining unexpired (with title absolute if registered at HM Land Registry).
- The Site benefits from all necessary access rights (ie it is not land locked and there is no ransom strip between the Site and the public highway in third party ownership).

### B Free from adverse rights confirmation

The Council confirms that:

- The Site has vacant possession or vacant possession can be obtained before the proposed date for start on site.
- There are no covenants affecting the Site that would prevent or restrict housing development
- There are no third party rights (private rights of way, wayleaves etc) affecting the Site that would prevent or restrict housing development
- There are no other contracts and agreements binding the Site that would prevent or restrict housing development.
- There are no public rights of way or any other matters affecting the Site that would be local land charges or would have been revealed by a local authority search

<sup>1</sup> For example if the Council has a lease of less than 99 years, provide details of the actual term of the lease and any rights to extend or acquire the freehold.

<sup>2</sup> For example, if the site is occupied and there is doubt about when vacant possession can be obtained, then complete Schedule 2 giving details of tenancies and the dates by which it is anticipated that vacant possession can be obtained, and any obstacles to obtaining vacant possession and how it is proposed that these be overcome.

Schedule 1

[ ]

Schedule 2

[ ]

Signed on behalf of the Council

.....

Solicitor/Licensed conveyancer

Date .....

**Note:**

***This is not a certificate of title. It is given by a solicitor or licensed conveyancer acting on behalf of the Council in good faith and its contents are believed to be accurate, based on the information in the Council's possession at the date stated above.***

***The Agency is aware that the Council has not undertaken a local search or local land charges search before giving this self-certification.***

***The Agency will rely on the contents of this self-certification only for valuation purposes and to assist it to make a decision as to whether the Site should proceed to a later stage of due diligence. Before advancing any funding to the Council in respect of the Site, the Agency will undertake its own due diligence in respect of the Site and may undertake a further valuation.***

### Annex G – Value for Money assessment: examples of additional questions

Sites will need to demonstrate that the benefit from homes being built outweighs the costs to Government. To carry out this 'value for money assessment' we will use 'land value uplift' as a proxy for the benefits of a proposal. This measures the difference between

- the land's previous value for non-residential use, and
- the value of the land for housing, taking into account the private sector costs of development (arrived at through Homes England's development viability appraisal).

We then have to assess the proportion of the housing likely to be 'additional'. This will be based on an assessment of what would have happened without Government intervention on each site and in the wider area. The questions below seek to answer this, and follow the principles set out in the Green Book and the DCLG Appraisal Guide. We note that some relevant information may have been submitted in your original EOI documents and could be re-used for this purpose.

This need not be completed at this stage.

We will request this information at the appropriate time i.e. once due diligence is more advanced.

#### **Evidence of the need for Accelerated Construction funding and what would have happened in its absence (max 500 words)**

*Guidance for completing this:*

- What is the market failure that this funding is addressing? In the absence of this funding, would the market be unable to provide the same outcome?*
- For example, are there planning restrictions limiting the amount of homes without further infrastructure provisions?*
- Over what time period might this site be delivered without AC funding - what percentage of homes might be provided in the next five and ten years without AC?*
- What other funding and delivery options have been considered and why are they not being pursued?*

Local authority level response

Site level response



**Local development context (max 500 words)**

Guidance for completing this:

- a. Please give details as to whether this scheme is likely to displace other house building activity in the locality
  - o For example, is local demand/capacity already being met and will delivery of this site simply lead to a nearby site being delayed? Is this development directly competing with other nearby schemes, or is it targeting a different market/tenure? Are Local Plan targets (underpinned by Objectively Assessed Need) already being met? Is this site in the identified 5-year land supply?
- b. Please highlight if the new homes will be replacing homes which are currently occupied, for example a regeneration programme.
- c. Please set out whether and how you intend to market the site to low to medium volume builders (LMVBs)

Local authority level response

Site level response

**Other Government funding**

Guidance for completing this:

- a. Please detail any other central Government funding applied for that will be used to unlock housing delivery on this site, the status any applications and the level of funding already secured. This does not include any funding put in by local government or by Local Enterprise Partnerships.

Site Ref	Other Government funding sought	Status of bid	Funding secured

**Previous use value - not mandatory. standard figures will be used if not available**

Guidance for completing this:

- a. Do you have a recent (last three years) valuation of the site at existing use value (i.e. not a valuation as a housing site, and excluding any hope value)

Site Ref	Existing use value	Source / Evidence

s. 40(2)

**From:** s. 40(2) <s. 40(2)@bristol.gov.uk>  
**Sent:** 26 April 2019 16:27  
**To:** s. 40(2)(2)  
**Cc:** s. 40(2), s. 40(2)(2)  
**Subject:** RE: Novers Hill - site visit and actions  
**Attachments:** not in scope

Hi s. 40(2)

s. 40(2), I've contacted s. 40(2) from White Design to see if he could answer some of the questions you outlined below – response attached.

Please note that s. 40(2) contacted me again shortly after to clarify that *“the factory would be productive for a minimum of 10 years, not upto”*.

I hope this is of some help.

Kind Regards,

s. 40(2)

s. 40(2) | s. 40(2)

Bristol City Council | City Hall

Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Tel: s. 40(2)  
Mobile: s. 40(2)  
Email: s. 40(2)@bristol.gov.uk  
Website: [www.bristol.gov.uk/regeneration-new-homes](http://www.bristol.gov.uk/regeneration-new-homes)

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**Building Excellence  
AWARDS 2018**

Regional Winner



an independent force for a **better Bristol**

---

**From:** s. 40(2) [mailto:s. 40(2)@peterbrett.com]  
**Sent:** 05 April 2019 16:05  
**To:** s. 40(2)(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill - site visit and actions

Dear s. 40(2)

s. 40(2) – I wonder if you can help?

Kind regards,

s. 40(2)(2)

s. 40(2)

Direct: s. 40(2)

Mobile: s. 40(2)

---

**From:** s. 40(2)(2)  
**Sent:** 05 April 2019 16:03  
**To:** s. 40(2)(2) <s. 40(2)(2)@bristol.gov.uk>  
**Cc:** s. 40(2) <s. 40(2)@homesengland.gov.uk>; s. 40(2) <smorgan@peterbrett.com>  
**Subject:** RE: Novers Hill - site visit and actions

Hi s. 40(2)

I hope you are well.

As part of our due diligence work for Novers Hill, s. 40(2) has asked us to look at the MMC factory. We have a few queries, I wonder if you can help?

What type of MMC factory is it going to be? Will it be for pre-fab units e.g. whole rooms which would require wide load HGVs/articulated lorries, or will it be pre-fab panels which will be assembled elsewhere? From the attached, it looks like only a rigid has been tracked in which case the only thing that may fit in one of those is perhaps a bathroom/kitchen?

Will the factory be permanent, or just for the 35 self-build units – or are the two elements 2 separate, and the factory will remain beyond the self-builds are completed?

Currently the layout shows the vehicle operation is happening in front of the residential units. We consider that HGV parking (15m long plus 15m manoeuvring space) needs to be at the back furthest from the residential to block some of the noise/visual impact from the factory. The factory office would face the resi area. However getting an articulated lorry turning into that area will be very tight.

Noise and air quality impacts of the HGVs going through the residential area will also need to be considered.

Kind regards,

s. 40(2)

s. 40(2)

Direct: s. 40(2)

Mobile: s. 40(2)

---

From: [redacted] <[redacted]> [redacted] [bristol.gov.uk](mailto:[redacted]@bristol.gov.uk)

Sent: 28 January 2019 09:38

To: [redacted] <[redacted]> [redacted] <[redacted]> [homesengland.gov.uk](mailto:[redacted]@homesengland.gov.uk); [redacted] <[redacted]> [peterbrett.com](mailto:[redacted]@peterbrett.com); [redacted] <[redacted]> [peterbrett.com](mailto:[redacted]@peterbrett.com)

Subject: RE: Novers Hill - site visit and actions

not in scope  
[redacted]

[redacted]

[redacted]

[redacted]  
[redacted]

---

From: [redacted] <[redacted]>

Sent: 28 January 2019 09:26

To: [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>

Subject: RE: Novers Hill - site visit and actions

Hi [redacted]

Regarding the Accelerated Construction funding on this site, could you establish if we can work with a disposal rate per housing plot rather than per home?

If we could use the infrastructure funding to create serviced plots, we could sell them off to deliver innovative housing solutions or self-build. This would align with wider government strategies and assist in meeting the legal self-build obligation.

In the meantime I will pull together any info we have on the site and get it over to you.

Regards

[redacted]

---

From: [redacted] <[redacted]> [redacted] <[redacted]> [homesengland.gov.uk](mailto:[redacted]@homesengland.gov.uk)

Sent: 23 January 2019 16:56

To: [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>

Subject: Novers Hill - site visit and actions

Hi All

not in scope  
[redacted]

In terms of actions from today, [redacted] - you said that you were going to review information that BCC holds on the site and send over. This includes an ownership plan and topo survey.

Please can you also confirm the current situation with leases / licences on the site – in particular the potential access from Novers Lane.

As I explained, we're under a very tight deadline, so any info you are able to send please can you get across ASAP.

Thanks, [redacted]

[redacted]  
[redacted]



s. 40(2)

---

**From:** 4  
**Sent:** 29 January 2019 16:02  
**To:** s. 40(2)  
**Subject:** RE: Novers Hill - site visit and actions

Hi

not in scope Apologies – I thought you had access. Let me know if any problems. PBA consultants have access so they will be able to see files you upload.

Yes let's keep talking. I do think that once BCC's strategy is more advanced the best way forward is to for you to put together a short note on potential delivery which I can run past the LA-AC and legal team. Ultimately delivery needs to be agreed by them, rather than myself, although I obviously will support and try and promote your ideas with them.

Many thanks, s. 40(2)

---

**From:** s. 40(2) 0(2) [mailto:s. 40(2)](2) bristol.gov.uk  
**Sent:** 29 January 2019 15:55  
**To:** s. 40(2) s. 40(2)  
**Subject:** RE: Novers Hill - site visit and actions

Hi s. 40(2)

Thanks for this, hopefully we can find a way to deliver this. Lets keep talking and we will get there.

Could you please give me access to the not in scope Are you also able to give your consultants at Peter Brett access?

I will upload the topo to the Huddle, hopefully today.

Regards

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)] homesengland.gov.uk  
**Sent:** 28 January 2019 17:01  
**To:** s. 40(2) 0(2)  
**Subject:** RE: Novers Hill - site visit and actions

Hi s. 40(2)

In terms of the actual agreement the emphasis is more on pace – recorded as house completions within a specified period, so it would be whether plots could be counted as completions, which I don't think they could unfortunately. But like you said there may be a way of monitoring and controlling the pace of the house completions once plots are sold on, and that would be where it might be able to work...

Thanks, s. 40(2)

---

**From:** s. 40(2) 0(2) [mailto:s. 40(2)](2) bristol.gov.uk  
**Sent:** 28 January 2019 16:51  
**To:** s. 40(2) s. 40(2)  
**Subject:** RE: Novers Hill - site visit and actions

Hi [redacted]

Having read through the documents, the emphasis seems to be on STARTS. 'the site could deliver housing (with a focus on starts by March 2021) taking into account constraints; if a serviced site is considered a start then hopefully we will be able work with this for self build?? De-risking of the site and infrastructure would be in place.

Speak soon

[redacted]

---

**From:** [redacted] [mailto:[redacted]@homesengland.gov.uk]  
**Sent:** 28 January 2019 15:52  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Novers Hill - site visit and actions

Thanks [redacted]

Yes – please have a think about what details I can send onto our legal team / the central LA-AC team so they can provide a steer on this.

In the meanwhile we can carry on processing the bid – that can be agreed in a separate process to the delivery mechanism.

Thanks, [redacted]

---

**From:** [redacted] [mailto:[redacted]@bristol.gov.uk]  
**Sent:** 28 January 2019 15:46  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** RE: Novers Hill - site visit and actions

Hi [redacted]

Thanks for this, really useful.

Following the Bristol Housing Festival we are making significant progress with MMC in Bristol. We want to enable self-builders and community groups to use this form of construction and hence we are attempting to enable the two to come together.

The Accelerated Construction rules will not have considered this situation when it was set up and hence we are seeking to establish whether we could get agreement to link delivery to serviced plots.

Thinking outside the box as to how we can be innovative to achieve this aim. We could provide serviced plots for sale on a building lease arrangement with a condition that the houses need to be constructed within a certain timeframe.

It is early days for this site however I will establish what we could provide you with as an idea of how the site could be developed.

I will look into the missing info etc and get this over to you.

Regards

s. 40(2)

---

**From:** s. 40(2) (s. 40(2)) [mailto:s. 40(2)s. 40(2)@homesengland.gov.uk]

**Sent:** 28 January 2019 14:22

**To:** s. 40(2) (2)

**Cc:** s. 40(2) (2)

**Subject:** RE: Novers Hill - site visit and actions

Hi s. 40(2)

Thanks for your email. For information, I attach the template standard agreement under LA-AC, which might be useful to see how the LA-AC scheme operates.

One of the principle objectives of LA-AC is to accelerate the delivery of housing. The pace is therefore linked to housing units, and I think it is very unlikely that we will be able to link these to housing plots because there will be no control / guarantee that the homes would actually be developed. This is not to say that LA-AC can't fund the preparation of serviced plots, should a suitable delivery mechanism be agreed.

In terms of disposal, typically LA-AC sites are expected to be delivered via a building lease. This is to allow for clear control mechanisms to achieve the programme requirements re pace and MMC. I understand that you wish to explore some different delivery mechanisms at Novers, including using parts of the site for an MMC factory, community housing and self-build. I appreciate it's early days, but it would be really useful if you could please set out in a note some ideas of how BCC would like to deliver the site and by what mechanisms, giving some thought as to how you would implement the controls over MMC and pace required by the programme. I will then be able to run it past our legal team for their thoughts, as to whether this would be eligible under LA-AC.

### Remaining information

As I have explained previously in emails to s. 40(2) (2) in order to progress LA-AC bids we need the following information from BCC –

- Legal self-certificate s. 43
- Additionality Questions s. 43
- Red line boundary – s. 43

Please see attached process note for details. The LA-AC team have informed me that we **require this information by the end of next week, 8<sup>th</sup> Feb**

I also attach an email from s. 40(2) to BCC's solicitor, so perhaps it's already being progressed, but please let me know if any problems.

Many thanks, s. 40(2)

---

**From:** s. 40(2) (2) [mailto:s. 40(2) (2)@bristol.gov.uk]

**Sent:** 28 January 2019 09:26

**To:** s. 40(2) (s. 40(2)) (2) s. 40(2)

**Subject:** RE: Novers Hill - site visit and actions

Hi s. 40(2)

Regarding the Accelerated Construction funding on this site, could you establish if we can work with a disposal rate per housing plot rather than per home?

If we could use the infrastructure funding to create serviced plots, we could sell them off to deliver innovative housing solutions or self-build. This would align with wider government strategies and assist in meeting the legal self-build obligation.

In the meantime I will pull together any info we have on the site and get it over to you.

Regards

s. 40(2)

---

**From:** s. 40(2) (s. 40(2)) [mailto:s. 40(2)s. 40(2)@homesengland.gov.uk]  
**Sent:** 23 January 2019 16:56  
**To:** s. 40(2) (2) s. 40(2)(2) s. 40(2)  
**Subject:** Novers Hill - site visit and actions

Hi All

not in scope

In terms of actions from today, s. 40(2) - you said that you were going to review information that BCC holds on the site and send over. This includes an ownership plan and topo survey.

Please can you also confirm the current situation with leases / licences on the site – in particular the potential access from Novers Lane.

As I explained, we're under a very tight deadline, so any info you are able to send please can you get across ASAP.

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

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BS1 6EH

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s. 40(2)

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 29 January 2019 09:40  
**To:** Jeffery, Tim; s. 40(2) [s. 40(2)]  
**Subject:** LA-AC - Novers Hill - DVA  
**Attachments:** not in scope

Morning s. 40(2)

Thanks for your email.

I have included s. 40(2) in this email. When I met with her she was discussing BCC's intentions to use part of the site identified as phase 1 (the part with the more detail master planning attached) as an MMC factory. This will obviously have an impact on development areas. s. 40(2) – please could you advise the approximate area of this factory, so that s. 40(2) knows to discount it from his figures?

Also, s. 40(2) has spoken of the potential for some element of community / self-build on the site. This would entail a lower density than that master planned in the attached, with these tenures lending themselves to houses rather than flats. Would it be possible to please model 2 scenarios in your appraisal – one lower density and one higher to include more flatted units?

s. 40(2) – is there any other guidance you can offer s. 40(2) in terms of densities and unit numbers?

s. 40(2) – what is the current timescale for completing the DVA?

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@carterjonas.co.uk]  
**Sent:** 28 January 2019 17:36  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** RE: LA-AC - Novers Hill - DVA and BCC contact

Hi s. 40(2)

Yes I did meet BCC. s. 40(2) [s. 40(2)] was present but most info was provided by s. 40(2) [s. 40(2)] who outlined general aspirations as well as the difficulties with the site in terms of topography and access. Not specifically to do with MMC factory or self-build.

I have not had a chance to do any detailed work on this yet so I don't have numbers. I'll let you know when I have something for you.

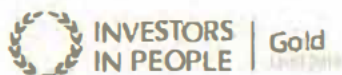
With kind regards

s. 40(2)

s. 40(2)  
s. 40(2)

**Carter Jonas**

s. 40(2) | [carterjonas.co.uk](http://carterjonas.co.uk)  
Quad 4000, Blackbrook Park Avenue, Taunton, Somerset, TA1 2PX



s. 40(2)

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 06 February 2019 17:09  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Self Cert

Hi s. 40(2)

Thanks for your update. Don't worry about missing Friday's deadline, but do you know when this information might be available so I can advise our solicitors?

What is the latest on the Additionality questions?

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 06 February 2019 16:28  
**To:** s. 40(2) [s. 40(2)]  
**Cc:** s. 40(2) [s. 40(2)]  
**Subject:** RE: Novers Hill Self Cert  
**Importance:** High

Hi s. 40(2)

Novers Hill site has a number of titles linked to it and you have the details for the infant school plot. Unfortunately, the remainder of the site (greenfield) is divided into a further 3 plots. We are able to obtain Land Registry title information on 2 of the plots, but not the 3<sup>rd</sup>. The information has been ordered but is not held electronically and its arrival at the Council is awaited to complete self-certification. This may mean we cannot meet Friday's deadline for information requested to be uploaded.

The land is in the Council's ownership, and is listed as such on internal records. If wished, we could provide a redline boundary of the two titles we have information on. Please advise if this is required.

Many thanks

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 30 January 2019 16:42  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Self Cert

Also – sorry to be pedantic, but the site name on the self cert needs to accurately reflect the site that will benefit from the LA-AC grant.

The site is currently titled 'Former site of Novers Lane Infant School Novers Lane Knowle West BS4 1QR' – does the former infant school extend to include the open / shrub land to the west of the site? Or is it just the area of previously developed land?

Thanks, s. 40(2)

---

**From:** s. 40(2) (s. 40(2))  
**Sent:** 30 January 2019 16:23  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** Novers Hill Self Cert

Hi s. 40(2)

Thank you for the attached self-cert, which I think you have uploaded to huddle.

I note that it refers only to one title register – BL105826 (attached) – which does not include BCC's ownership to the west. Please can you update this, to include all BCC's land to be included under the LA-AC red line?

Please could you also confirm the red line for the LA-AC programme? Have you been able to generate shape files / pdfs? This will assist our solicitors in their searches. I am currently unclear as to whether you are intending on including the land outside of the planning boundary to the west?

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
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s. 40(2)

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 14 February 2019 16:13  
**To:** s. 40(2) [s. 40(2)]  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill LA-AC - first draft DVAs

Hi s. 40(2)

Thanks for your email. No – the community housing hasn't been taken into account – at the moment it's just a market scheme with policy compliant affordable housing. It's tricky because we don't know how much is anticipated to be delivered as community housing. Is there an update on this from BCC side, or any further details re. delivery?

I haven't got any further with whether community housing could be dealt with under different standards, but did have a quick chat with s. 40(2) – I understand that you have spoken to her about the community funds she manages. I plan to meet with her soon, and perhaps bring in the central LA-AC team to see what support we might be able to offer.

At this stage, I just want to establish the first stage of due diligence, and then we might have to go back and tweak to fit the specific delivery strategy for this site.

Thanks for feedback re. S106. Please let me know if you have any further comments on the DVA

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)]@bristol.gov.uk  
**Sent:** 14 February 2019 15:51  
**To:** s. 40(2) [s. 40(2)]  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill LA-AC - first draft DVAs

Hi s. 40(2)

Regarding the PACE, as previously discussed we want to deliver an element of community led housing on this site. The PACE would therefore be impacted. Has this been taken into account in the proposal?

Community Led Housing by its nature is a slower process than commercial development. Also we would envisage there being a degree of self build which again has a slower pace.

We discussed whether Community Led and Self Build could be dealt with in a different manner to standard units e.g. Delivery achieved at the point of handover to a community group or self builder. Have you had any joy looking into this?

S106 would be more reflective at s. 43 per unit.

Regards

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 08 February 2019 17:25  
**To:** s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** Novers Hill LA-AC - first draft DVAs

Hi s. 40(2)

I have received the first viability drafts for Novers Hill please find attached. These are at 2 density levels low (204 units) and high (260 units).

Please can you review and provide any feedback, in terms of input assumptions etc.? The Land Value is important because under the LA-AC scheme any land value BCC achieves over and above the agreed land value will need to be repaid to Homes England, up to the value of the grant monies.

The PACE requirements are also important. It is not clear here what has been assumed but I will clarify and get back to you.

I will also review and provide feedback. One of my first thoughts is that the S106 per units seems a little high. Perhaps you could discuss with your planning colleagues what a suitable level may be?

I would be grateful if you could please provide feedback by the end of next week (Fri 15<sup>th</sup> Feb) so we can progress with this quickly.

Please call if you want to chat through.

Many thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
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s. 40(2)

**From:** s. 40(2) 0(2) <s. 40(2) 0(2)@bristol.gov.uk>  
**Sent:** 14 February 2019 14:45  
**To:** s. 40(2) s. 40(2)  
**Cc:** Jess Leigh  
**Subject:** RE: Novers Hill LA-AC - first draft DVAs

Thank you s. 40(2) s. 40(2) can you please advise?  
 s. 40(2) please note we need to go back to s. 40(2) by tomorrow to meet her deadline.

Regards

s. 40(2)

---

**From:** s. 40(2) s. 40(2) [mailto:s. 40(2) s. 40(2)@homesengland.gov.uk]  
**Sent:** 14 February 2019 14:15  
**To:** s. 40(2) 0(2)  
**Cc:** Jess Leigh  
**Subject:** RE: Novers Hill LA-AC - first draft DVAs

Hi s. 40(2)

In the absence of any other advice, out valuers have just assumed S106 contributions will cost £s. 43 per unit. Given previous advice I have received from BCC planners, this appears a little high. I understand that because BCC charges CIL, S106 costs are in fact very little. Therefore we could go back to the valuers and ask whether this cost could be reduced. I thought that you could potentially talk to your planners about what would be a reasonable assumption to use, which could then be fed back to our valuers. Hope this makes sense, please call me if not. Thanks, s. 40(2)

---

**From:** s. 40(2) 0(2) [mailto:s. 40(2) 0(2)@bristol.gov.uk]  
**Sent:** 14 February 2019 14:11  
**To:** s. 40(2) s. 40(2)  
**Cc:** Jess Leigh  
**Subject:** RE: Novers Hill LA-AC - first draft DVAs

Hi s. 40(2)

Could you please clarify what you mean by this statement?  
 I will also review and provide feedback. One of my first thoughts is that the S106 per units seems a little high. Perhaps you could discuss with your planning colleagues what a suitable level may be?  
 Presumably it relates to this:

s.106	143 un	5,000.00 /un	715,000
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What is this based on?

Many Thanks

s. 40(2)

---

**From:** s. 40(2) s. 40(2) [mailto:s. 40(2) s. 40(2)@homesengland.gov.uk]  
**Sent:** 08 February 2019 17:25  
**To:** s. 40(2) 0(2)  
**Cc:** s. 40(2)  
**Subject:** Novers Hill LA-AC - first draft DVAs

Hi s. 40(2)

I have received the first viability drafts for Novers Hill – please find attached. These are at 2 density levels – low (204 units) and high (260 units).

Please can you review and provide any feedback, in terms of input assumptions etc.? The Land Value is important because under the LA-AC scheme any land value BCC achieves over and above the agreed land value will need to be repaid to Homes England, up to the value of the grant monies.

The PACE requirements are also important. It is not clear here what has been assumed but I will clarify and get back to you.

I will also review and provide feedback. One of my first thoughts is that the S106 per units seems a little high. Perhaps you could discuss with your planning colleagues what a suitable level may be?

I would be grateful if you could please provide feedback by the end of next week (Fri 15<sup>th</sup> Feb) so we can progress with this quickly.

Please call if you want to chat through.

Many thanks, <sup>s. 40(2)</sup>

s. 40(2)

s. 40(2)



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England



s. 40(2)

s. 40(2)

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s. 40(2)

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 01 April 2019 16:57  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** RE: Novers Hill - legal info required

Many thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 01 April 2019 16:55  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** RE: Novers Hill - legal info required

Hi s. 40(2)

I attach the documents requested below.

Kind regards

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 29 March 2019 14:32  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** Novers Hill - legal info required

Hi

So further to my email below, s. 40(2) and I agreed this morning to stick with the original red line, to include the community housing parcel, as attached. Therefore please ignore my request below.

Our solicitors have however asked for the following information so they can review:

1. A Farm Business Tenancy dated 25 June 2008 to s. 40(2); and
2. A Deed of Easement dated 24 January 1966 to Nash Fisher Limited.

These are referred to in the self-cert. If you could send this over asap that would be most helpful.

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
2 Rivergate

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---

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 21 March 2019 11:06  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** RE: Novers Hill Tech Report and meeting

Hi s. 40(2)

Many thanks for this.

I've had a quick review before I send this on to our solicitors. All looks ok, but please can you provide the following?

- Updated red line plan – in my last conversation with s. 40(2) we agreed to exclude the ex-school site because it will be bought forward separately for community housing. Please can you provide an updated red line plan? I attached the previous one.
- I note that the self cert makes reference to a Farm Business Tenancy and the need to make details enquiries of BCC's property team as to whether notice has been served. I am sure this is something that our solicitor will enquire about – so it may be worth you getting the ball rolling on this, with details of the lease etc.

Many thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH



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---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]

**Sent:** 20 March 2019 14:17

**To:** s. 40(2) s. 40(2)

**Subject:** RE: Novers Hill Tech Report and meeting

Hi s. 40(2)

I've uploaded title and registration documents s. 43 for the outstanding parcel at Novers Hill with the self-certification document covering titles BL106510, BL106493 and BL106534.

Please let me know if you require any other documents.

Kind regards

s. 40(2)

---

**From:** s. 40(2) s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]

**Sent:** 15 March 2019 10:34

**To:** s. 40(2) s. 40(2)

**Cc:** s. 40(2)

**Subject:** RE: Novers Hill Tech Report and meeting

Hi s. 40(2)

I have just spoken to our central team about this, and have some updates. Are you able to give me a call to discuss? I should be around most the day.

Thanks, s. 40(2)

s. 40(2)

s. 40(2)

---

**From:** s. 40(2) s. 40(2)

**Sent:** 05 March 2019 16:41

**To:** s. 40(2) s. 40(2)

**Cc:** s. 40(2)

**Subject:** RE: Novers Hill Tech Report and meeting



Hi [s. 40(2)]

Thank you for meeting with me to discuss progress under LA-AC. As discussed, please can you:

- a. Consider whether the old school site could be bought forward separately, under the Community Housing Fund  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/772919/CHF\\_prospectus\\_-\\_FINAL\\_updated\\_16.1.19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772919/CHF_prospectus_-_FINAL_updated_16.1.19.pdf)
- b. Provide a response to the following risks identified by the tech report:
  - Programme – what is BCC’s proposed timetable? Can all the enabling works identified be achieved by March 2021 (which is the deadline for spend)?
  - Access – what access can be achieved to the site? It would be useful to get reassurance from your highways colleagues that suitable access can be achieved
  - If all enabling works cannot be completed by March 2021, how will they be funded? (aka is there a risk that the site will just stall?)

Crucially, Homes England wants to be reassured that the site will be delivered, and that grant spending will not be spent on sites which later become stalled.

Any questions, please let me know.

Many thanks, [s. 40(2)]

[s. 40(2)]  
[s. 40(2)]



[s. 40(2)]  
[s. 40(2)]  
2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

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---

**From:** s. 40(2) s. 40(2)  
**Sent:** 04 March 2019 11:18  
**To:** s. 40(2) s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Thanks s. 40(2)

s. 40(2) – yes can we please meet tomorrow, as planned?

It would be useful to discuss:

- BCC's strategy for the site (are there any further details re. the mix of tenures on the site?)
- BCC's proposed programme (note – under LA-AC all money must be spend before March 2021)
- BCC's response to the various enabling activities PBA's tech report identifies (ecological surveys, obtaining planning consent, confirming access and undertaking earthworks and retaining walls)

Many thanks, s. 40(2)

---

**From:** s. 40(2)  
**Sent:** 04 March 2019 10:44  
**To:** s. 40(2) s. 40(2) s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Sorry I can't now make today. Can I suggest you go ahead tomorrow without me?

s. 40(2)

s. 40(2)



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E: s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)

M: s. 40(2)

T: s. 40(2)

[@HomesEngland](#)

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---

**From:** s. 40(2) [mailto:s. 40(2)]@bristol.gov.uk  
**Sent:** 04 March 2019 10:30  
**To:** s. 40(2) s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Hi both

I could switch another meeting and get to you this afternoon if that still works for you?

Let me know.

Regards

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)]@homesengland.gov.uk  
**Sent:** 28 February 2019 09:09  
**To:** s. 40(2) s. 40(2)  
**Cc:** s. 4U(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Thanks s. 40(2)

Do any of the other suggested times work for you s. 40(2) not in scope and would perhaps suggest we keep Tuesday in the diary for s. 40(2) and I to meet re. LA-AC and I can give a high level overview of our discussions s. 40(2) then depending on outcome we could meet for more detail re. CHF the week after?

---

**From:** s. 40(2)  
**Sent:** 28 February 2019 09:06  
**To:** s. 40(2) s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Sorry s. 40(2) and s. 40(2) I can no longer make this time as my previous meeting has been extended. Could we try another date?

s. 40(2)

s. 40(2)  
s. 40(2)



Homes England | 2 Rivergate | Temple Quay | Bristol | BS1 6EH  
E: s. 40(2) [homesengland.gov.uk](mailto:s.40(2)@homesengland.gov.uk)  
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---

**From:** s. 40(2) [\[mailto:s.40\(2\)@bristol.gov.uk\]](mailto:s.40(2)@bristol.gov.uk)  
**Sent:** 28 February 2019 08:44  
**To:** s. 40(2) s. 40(2)  
**Cc:** s. 40(2) s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Hi s. 40(2)

Can we meet next Tuesday the 5<sup>th</sup> at 3.30? Happy to come to you.

Regards

s. 40(2)

---

**From:** s. 40(2) s. 40(2) [\[mailto:s.40\(2\)s.40\(2\)@homesengland.gov.uk\]](mailto:s.40(2)s.40(2)@homesengland.gov.uk)  
**Sent:** 26 February 2019 12:08  
**To:** s. 40(2) s. 40(2)  
**Cc:** s. 40(2) s. 40(2)  
**Subject:** Novers Hill Tech Report and meeting

Hi s. 40(2)

The link below is for the draft technical report prepared by PBA for Novers Hill. The report details the range of technical de-risking that is likely to be required on the site and potential costs, and is used to inform a potential grant offer.

A couple of issues have been highlighted in the report that I would like to discuss with you. In particular, it would be useful to discuss BCC's delivery strategy / programme, given the various enabling activities the report identifies



(ecological surveys, obtaining planning consent, confirming access and undertaking earthworks and retaining walls) and the requirement to spend LA-AC funding before March 2021.

Could we please meet to discuss?

I have also had an initial chat with s. 40(2) (cc-ed) about the possibility to bring the community housing element of the site forward separately, under the Community Housing Fund, so it would be useful to include her in the meeting. Some proposed times are below. Please let me know what time works

Wednesday 27<sup>th</sup> - 1pm, 3.30 pm  
Friday 1<sup>st</sup> - 1.30pm  
Monday 4<sup>th</sup> March - 9am, 11am, 4pm  
Tuesday 5<sup>th</sup> - 3.30pm

Please call me if you want to discuss

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2).peterbrett.com]  
**Sent:** 20 February 2019 10:37  
**To:** s. 40(2); s. 40(2)  
**Cc:** s. 40(2)(2); s. 40(2)  
**Subject:** Novers Hill Report

Hi s. 40(2)

Hope you had a nice time in Wales and the weather held out for you!

Please see the simple send it link which contains the Novers Hill Report with appendices, here:  
s. 43

Please call if you have any queries,

Thank you,

Kind regards,

s. 40(2)  
s. 40(2)

Direct: s. 40(2)  
s. 40(2) peterbrett.com



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s. 40(2)

**From:** s. 40(2)  
**Sent:** 21 March 2019 11:06  
**To:** s. 40(2) s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting  
**Attachments:** Land at Novers Hill v3.pdf

Hi s. 40(2)

Many thanks for this.

I've had a quick review before I send this on to our solicitors. All looks ok, but please can you provide the following?

- Updated red line plan – in my last conversation with s. 40(2) we agreed to exclude the ex-school site because it will be bought forward separately for community housing. Please can you provide an updated red line plan? I attached the previous one.
- I note that the self cert makes reference to a Farm Business Tenancy and the need to make details enquiries of BCC's property team as to whether notice has been served. I am sure this is something that our solicitor will enquire about – so it may be worth you getting the ball rolling on this, with details of the lease etc.

Many thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

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Bristol  
BS1 6EH

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---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 20 March 2019 14:17  
**To:** s. 40(2) s. 40(2) 0(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Hi s. 40(2)

I've uploaded title and registration documents [s. 43 s. 43] for the outstanding parcel at Novers Hill with the self-certification document covering titles BL106510, BL106493 and BL106534.

Please let me know if you require any other documents.

Kind regards

s. 40(2)

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**From:** s. 40(2) s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
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**Cc:** s. 40(2)  
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Hi s. 40(2)

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Thanks, s. 40(2)

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/772919/CH\\_F\\_prospectus\\_-\\_FINAL\\_updated\\_16.1.19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772919/CH_F_prospectus_-_FINAL_updated_16.1.19.pdf)
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Crucially, Homes England wants to be reassured that the site will be delivered, and that grant spending will not be spent on sites which later become stalled.

Any questions, please let me know.

Many thanks, [REDACTED]

[REDACTED]  
[REDACTED]



[REDACTED]  
[REDACTED]

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Bristol  
BS1 6EH

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---

**From:** [REDACTED]  
**Sent:** 04 March 2019 11:18  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Novers Hill Tech Report and meeting

Thanks [REDACTED]

[REDACTED] – yes can we please meet tomorrow, as planned?

It would be useful to discuss:

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- BCC's proposed programme (note – under LA-AC all money must be spend before March 2021)
- BCC's response to the various enabling activities PBA's tech report identifies (ecological surveys, obtaining planning consent, confirming access and undertaking earthworks and retaining walls)

Many thanks, [REDACTED]

---

**From:** [REDACTED]  
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**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Novers Hill Tech Report and meeting

Sorry I can't now make today. Can I suggest you go ahead tomorrow without me?

[REDACTED]  
[REDACTED]



Homes  
England

Homes England | 2 Rivergate | Temple Quay | Bristol | BS1 6EH  
E: [REDACTED] [homesengland.gov.uk](mailto:[REDACTED]@homesengland.gov.uk)  
M: 07976 73381  
T: 01179377224

[@HomesEngland](#)

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---

**From:** [REDACTED] [mailto:[REDACTED]] [REDACTED] [bristol.gov.uk](mailto:[REDACTED]@bristol.gov.uk)  
**Sent:** 04 March 2019 10:30  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Novers Hill Tech Report and meeting

Hi both

I could switch another meeting and get to you this afternoon if that still works for you?

Let me know.

Regards

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 28 February 2019 09:09  
**To:** s. 40(2) | s. 40(2)  
**Cc:** s. 40(2)  
**Subject:** RE: Novers Hill Tech Report and meeting

Thanks s. 40(2)

Do any of the other suggested times work for you s. 40(2) Otherwise I'm on leave the second half of next week, and would perhaps suggest we keep Tuesday in the diary for s. 40(2) and I to meet re. LA-AC and I can give a high level overview of our discussions Helen, then depending on outcome we could meet for more detail re. CHF the week after?

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**Cc:** s. 40(2)  
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Sorry s. 40(2) and s. 40(2) I can no longer make this time as my previous meeting has been extended. Could we try another date?  
Helen

s. 40(2)  
s. 40(2)



Homes England | 2 Rivergate | Temple Quay | Bristol | BS1 6EH  
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M: s. 40(2)  
T: s. 40(2)

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**Sent:** 28 February 2019 08:44  
**To:** s. 40(2) (s. 40(2))  
**Cc:** s. 40(2) (s. 40(2))  
**Subject:** RE: Novers Hill Tech Report and meeting

Hi s. 40(2)

Can we meet next Tuesday the 5<sup>th</sup> at 3.30? Happy to come to you.

Regards

s. 40(2)

---

**From:** s. 40(2) (s. 40(2)) [mailto:s. 40(2)](s. 40(2)) homesengland.gov.uk  
**Sent:** 26 February 2019 12:08  
**To:** s. 40(2) (2)  
**Cc:** s. 40(2) (s. 40(2))  
**Subject:** Novers Hill Tech Report and meeting

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Friday 1<sup>st</sup> - 1.30pm  
Monday 4<sup>th</sup> March - 9am, 11am, 4pm  
Tuesday 5<sup>th</sup> 3.30pm

Please call me if you want to discuss

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)](peterbrett.com)  
**Sent:** 20 February 2019 10:37  
**To:** s. 40(2) (s. 40(2))  
**Cc:** s. 40(2) (2) (s. 40(2))  
**Subject:** Novers Hill Report

Hi s. 40(2)

not in scope

Please see the simple send it link which contains the Novers Hill Report with appendices, here  
s. 43

Please call if you have any queries,

Thank you,

Kind regards,

s. 40(2)  
s. 40(2)

Direct: s. 40(2)  
s. 40(2) peterbrett.com



PBA has joined the Stantec family, find out more at [peterbrett.com](http://peterbrett.com).



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Please forward any Freedom of Information Requests to: [enquiries@homesengland.gov.uk](mailto:enquiries@homesengland.gov.uk)

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s. 40(2)

**From:** s. 40(2) | s. 40(2)  
**Sent:** 13 March 2019 16:17  
**To:** s. 40(2) | s. 40(2)  
**Subject:** Novers Hill - Self Certification

Hi Both

I note that a few title docs have been uploaded onto not in scope lately, but no updated self-cert. Please can you advise the current status / progress of this?

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

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s. 40(2)

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 14 March 2019 09:29  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** RE: Novers Hill - Self Certification

Great – thank you

s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 13 March 2019 17:49  
**To:** s. 40(2) [s. 40(2)] [s. 40(2)]  
**Subject:** RE: Novers Hill - Self Certification

Hi s. 40(2)

We have the documents the solicitors need to produce the self cert, I will chase them again on this.

Kind regards

Valerie

---

**From:** s. 40(2) [s. 40(2)] [mailto:s. 40(2)@homesengland.gov.uk]  
**Sent:** 13 March 2019 16:17  
**To:** s. 40(2) [s. 40(2)] [s. 40(2)]  
**Subject:** Novers Hill - Self Certification

Hi Both

I note that a few title docs have been uploaded onto not in scope lately, but no updated self-cert. Please can you advise the current status / progress of this?

Thanks, s. 40(2)

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

s. 40(2)

**From:** s. 40(2) <s. 40(2)@bristol.gov.uk>  
**Sent:** 18 March 2019 10:33  
**To:** s. 40(2)  
**Subject:** Novers Hill  
**Attachments:** not in scope

Hi s. 40(2)

I have established that previous work was carried out on this site which assists us with your queries in relation to access.

Initial work has been carried out by two architects; s. 40(2) and s. 40(2), both demonstrated access off Novers Lane. Civil and ground engineers Jubb UK also found access via Novers Lane to be the best route into this site.

I attach sketches to demonstrate the access.

Does this provide you with sufficient confidence regarding your access query?

Regards

s. 40(2)

Bristol City Council | City Hall  
Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Community Led Housing

Mobile: s. 40(2)  
Email: s. 40(2)@bristol.gov.uk  
Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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Latest council news: <http://www.bristol.gov.uk/ournews>  
Consultations: <http://www.bristol.gov.uk/consult>



s. 40(2)

**From:** s. 40(2) <s. 40(2)@bristol.gov.uk>  
**Sent:** 27 March 2019 13:25  
**To:** s. 40(2); s. 40(2)  
**Subject:** Novers Hill Programme  
**Attachments:** Novers Hill Programme.pdf

Hi s. 40(2)

I attach a schedule for the delivery of; surveys, planning and enabling works as identified in the technical report produced by Peter Brett Associates.

This presents delivery to be achievable by the March 2021 deadline.

See you Friday

s. 40(2)

Bristol City Council | City Hall

Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Community Led Housing

Mobile: +s. 40(2)

Email: s. 40(2)@bristol.gov.uk

Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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s. 40(2)

**From:** s. 40(2) s. 40(2)  
**Sent:** 07 June 2019 12:03  
**To:** s. 40(2)(2) s. 40(2) s. 40(2) bristol.gov.uk  
**Subject:** Homes England Funding Programmes - Bristol Sites Update

Dear s. 40(2) s. 40(2)

I thought I would send an update of where we are with various Bristol sites being considered under our funds. Please could you confirm Bristol's intention with the below sites, and whether you wish to commence with the funding opportunities?

not in scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**Novers Hill – LA-AC**

I have received the due diligence back from this and I am waiting for the central team to confirm a potential grant offer. I will then need to go through our approvals process before an offer can be made, but hope for this to be done early next month. There are a couple of legal and timeline risks with this one, which I have discussed with s. 40(2) [Redacted] but hope to overcome in order to enter a grant agreements.

not in scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

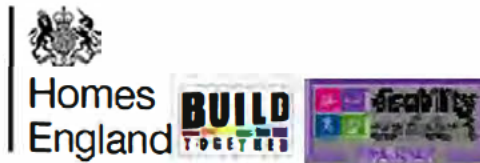
[Redacted]

not in scope

Please give me a call if you want to discuss. I would appreciate your clarity on these - I am getting chased for updates corporately, and as I say the programmes are becoming oversubscribed and therefore grant availability is likely to be time limited.

Thanks, <sup>s. 40(2)</sup>

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)

2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

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s. 40(2)

**From:** s. 40(2) | s. 40(2)  
**Sent:** 25 June 2019 14:29  
**To:** s. 40(2) | s. 40(2)  
**Subject:** RE: Novers hill - LA - AC

Hi s. 40(2)

Thanks – yes – 10 am is fine. Just so we are on the same page, I emailed s. 40(2) | s. 40(2) for an update on all BCC grants with Homes England at the moment and she provided the comment below (I am black, she is red) – we can discuss Friday

**Novers Hill – LA-AC**

I have received the due diligence back from this and I am waiting for the central team to confirm a potential grant offer. I will then need to go through our approvals process before an offer can be made, but hope for this to be done early next month. There are a couple of legal and timeline risks with this one, which I have discussed with s. 40(2) | s. 40(2) but hope to overcome in order to enter a grant agreements. **The title issue you've identified looks like it could be a show stopper on this one but our legal team are reviewing the detail. We'll brief the politicians on 2<sup>nd</sup> July and seek approval to try and negotiate with the tenant, we'll keep you posted, if we can unlock the land issue we'd love to take some grant for this site**

s. 40(2)  
s. 40(2)



s. 40(2)  
s. 40(2)  
2 Rivergate  
Temple Quay  
Bristol  
BS1 6EH

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---

**From:** s. 40(2) [mailto:s. 40(2)@bristol.gov.uk]  
**Sent:** 25 June 2019 14:23  
**To:** s. 40(2)  
**Subject:** RE: Novers hill - LA - AC

Hi s. 40(2)

s. 40(2) can't make Friday this week but I could come along for an update chat. Does 10 o'clock work for you?

Regards

s. 40(2)

s. 40(2)  
Community Led Housing  
Tel: s. 40(2)  
s. 40(2)@bristol.gov.uk

---

**From:** s. 40(2)  
**Sent:** 25 June 2019 12:52  
**To:** s. 4(s. 40(2)) s. 40(2)  
**Subject:** RE: Novers hill - LA - AC

Hello s. 40(2)

I'm free on Friday, I will just check s. 40(2) is free and get back to you.

Regards

s. 40(2)

s. 40(2)  
Community Led Housing  
Tel: s. 40(2)  
s. 40(2)@bristol.gov.uk

---

**From:** s. 4(s. 40(2)) [mailto:s. 4(s. 40(2))@homesengland.gov.uk]  
**Sent:** 25 June 2019 09:30  
**To:** s. 40(2) s. 40(2)  
**Subject:** RE: Novers hill - LA - AC

Hi s. 40(2)

Just following up on the below. Are you available for a catch up soon?

s. 40(2)

---

**From:** s. 40(2) s. 40(2)  
**Sent:** 19 June 2019 09:08  
**To:** s. 40(2) s. 40(2)  
**Subject:** Novers hill - LA - AC



Morning both

Just to keep you posted, I have sent the final consultant reports off to our central team who will review and advise whether a grant offer is to be made and at what level. I will keep you updated on this.

In the meanwhile it might be worth putting in a quick catch up call to discuss next steps, particularly the lease issue and potential programme. Would Friday work? I'm free all day

Thanks s. 40(2)

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s. 40(2)

**From:** s. 40(2) [s. 40(2)]  
**Sent:** 02 July 2019 13:18  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** RE: Novers Hill

Thanks for the update s. 40(2)

For info – the MMC requirement for this would be 'panellised' – in line with the definitions previously sent. If this can be increased, there may be an argument for lowering the pace.

Thanks, s. 40(2)

---

**From:** s. 40(2) [mailto:s. 40(2)](2) [mailto:s. 40(2)](2)@bristol.gov.uk  
**Sent:** 02 July 2019 09:39  
**To:** s. 40(2) [s. 40(2)]  
**Subject:** Novers Hill

Hi s. 40(2)

Just to put you in the picture, the councillor briefing has been put back to 16<sup>th</sup> July. Would have liked the go ahead today. I will get back to you after the 16<sup>th</sup>.

Regards

s. 40(2)

Bristol City Council | City Hall  
Postal Address: Bristol City Council, PO Box 3176, Bristol BS3 9FS



Community Led Housing

Mobile: s. 40(2)  
Email: s. 40(2) [s. 40(2)]@bristol.gov.uk  
Website: [www.bristol.gov.uk](http://www.bristol.gov.uk)

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1 2019 01 28.01 Belstone Walk  
Scale: 1:1000



2 Location Plan  
Scale: 1:5000  
Possible Site Entry Points ▲

Preliminary

dCarb Factory  
Knowle West

Date	Drawn	Checked	Drawing No	Amendment
18/12/2018		CW	2019 01 28.01	
Date	Amended	Checked	Status + Work Stage	
			Preliminary	
Scale @ A3	Site	Scale @ A3		
1:1000 @ A3		1:50 @ A3		
1:500 @				

2019 01 28.01

Belstone Walk

We Can Make

Do not scale this drawing! Check all dimensions on site, if in doubt ask.

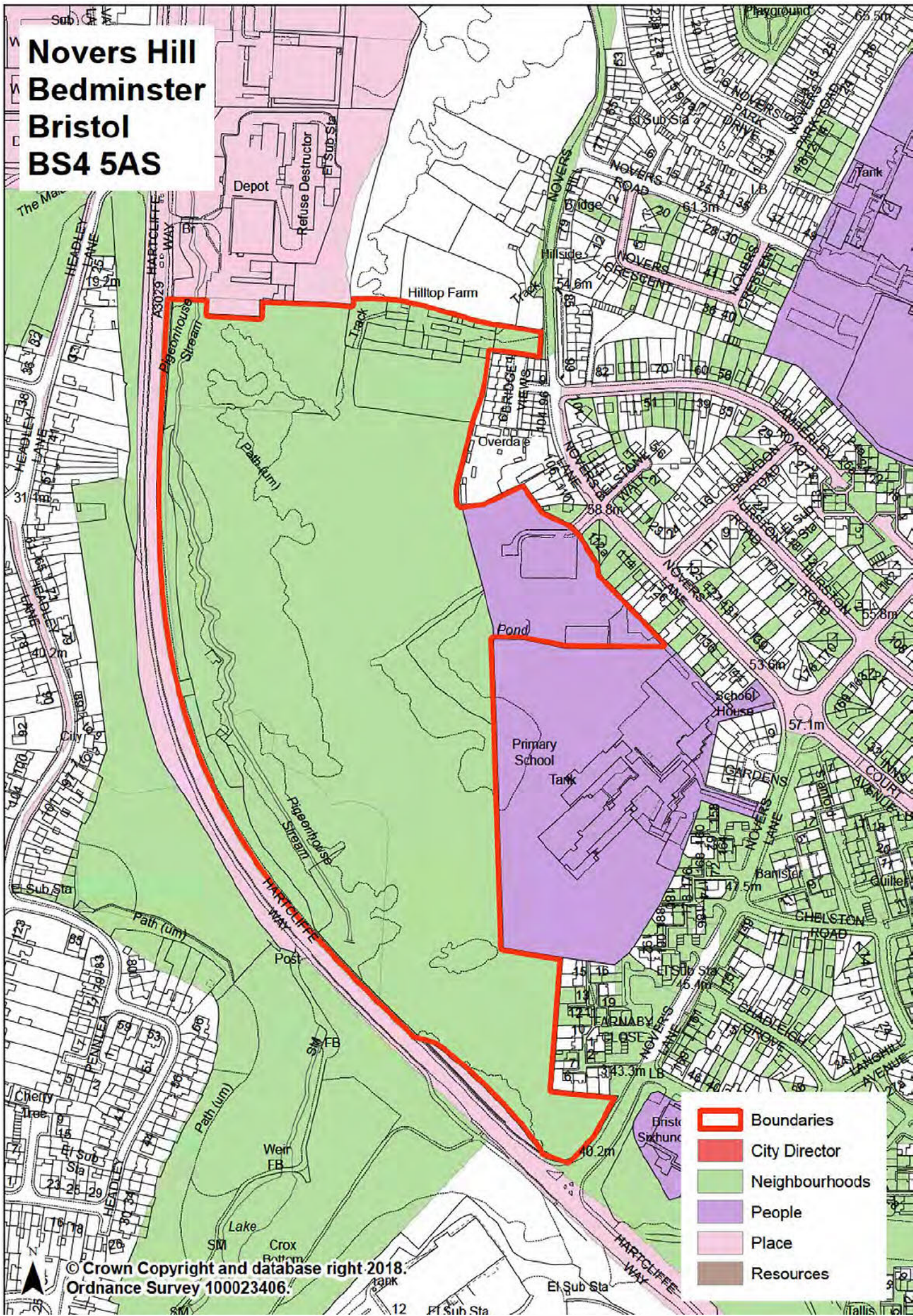
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info@white-design.co.uk  
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Parcel Ref (for Homes England Use)	Site name	Number of parcels within this site (if a	Total number of homes	Total size in Hectares (Ha)	Land type	Previous Use	Estimated funding required (£)	Other Central Gov funding (bids or awards)	Other Central Gov funding details (if required)	Planning status (eg Allocated for housing, Outline consent)	Planning Comment	Assumed tenure mix, if different from housing policy compliant	Comments
s. 43					-					-	-		
s. 43	Novers Hill Site		440		-					-	-		



# Novers Hill Bedminster Bristol BS4 5AS



- Boundaries
- City Director
- Neighbourhoods
- People
- Place
- Resources



## HE Accelerated Construction Technical Due Diligence

### PBA Notes and Assumptions

This Assessment Report has been prepared on the basis of the following:

- Our comments on delivery risk are based on:
  - January 2018 – January 2019 Early Programme Risk (sites to be ready and accessible for remediation / enabling);
  - January 2019- Autumn 2020 Enabling Programme Risks;
  - Start on site by March 2021 – Housing Construction Programme Risks
- This report has been informed by a site reconnaissance undertaken by PBA which comprised a walkover only of accessible areas of the site.
- We have reviewed information provided to us by others and used this information to inform our understanding of the site. PBA cannot certify the accuracy or completeness of the information provided to us.
- Cost estimates provided within this report are based on industry standards and/or PBA experience. We have sought to provide a reasonable approach to identifying costs recognising the limited level of detail currently available. The accuracy of cost estimates should be considered in the context of this level of detail available to us at this stage.
- Where a site does not currently benefit from Outline Planning Permission, we have included an estimate of costs to achieve outline consent. We have assumed that costs for taking a site from Outline Planning through to delivery are included within the Valuation Report.
- We have not included cost estimates for off-site utility upgrades as the extent of any upgrades are unknown at this stage.
- Cost estimates associated with demolition are based on site plans and photographs and should not be considered a substitute for a full and detailed demolition audit, including asbestos surveys.
- We have not included costs associated with re-providing car parking (if appropriate) on-site or off-site as this requirement, and the location of any replacement car parking, can only be determined in consultation with the LPA/highways authority. We have however commented on the planning risk associated with loss of car parking.
- We have assumed that any increased foundation costs for buildings of three plus storeys are included within the Valuation Report, unless otherwise stated in the report.
- Our assessment of deliverability in relation to masterplanning has been informed by a high level review of key planning policy, but does not constitute a full planning appraisal of the likelihood of achieving a timely planning permission.
- Where relevant, our assessment allows only for construction earthworks. Earthworks for flooding or drainage purposes would only be determined during the design process.

## Appendix F Ground Conditions Supporting Information

## Geo-environmental & Geotechnical Desk Study High Level Review

1				Site Details	
<i>Site Name:</i>	Novers Hill	<i>Address:</i>	Novers Hill		
<i>Project:</i>	45623		Bedminster, Bristol, BS4 5AS		
<i>Client:</i>	Homes England	<i>Grid Ref:</i>	358240, 169540		
<i>Operator:</i>	Bristol City Council	<i>Elevation (mAOD)</i>	+55mAOD to + 30m AOD (approximately)		

2		Site Context	
<i>Current Site Use:</i>	<p>The Site is located between the Bedminster and Lower Knowle suburbs of Bristol, approximately 3.5km to the south of the centre of Bristol.</p> <p>The western boundary is formed by Hartcliffe Way (A4174), the northern boundary is formed by the northern edge of the Hilltop Farm site. The eastern boundary is formed variably by the rear gardens of properties fronting onto Novers Lane, the edge of the grounds of an adjacent primary school and by Novers Lane. The southern boundaries are formed by Harcliffe Way and Novers Lane, which join at the southern tip of the Site.</p> <p>The Site occupies an area of approximately 10ha and comprises areas of woodland and grassland (used generally as paddocks for horses). In the northeastern corner of the Site is Hilltop Farm, primarily comprised of stables and yard spaces (including a manure heap). To the north of the adjacent school, on the eastern boundary of the Site is an area of overgrown land, which is partially asphalt surfaced, which is the former site of a now-demolished school.</p> <p>The Pigeonhouse Stream flows from south to north through the Site, near the western boundary.</p> <p>The ground level across the Site slopes somewhat steeply (approximately a 1:6 gradient) from a high point of approximately 55m above Ordnance Datum (mAOD) on the eastern boundary of the Site down to lower ground in the west of the Site towards the Pigeonhouse Stream at approximately 30mAOD.</p>		
<i>Proposed Site Use:</i>	The proposed Site use is residential. It has been assumed that any residential development will include private gardens.		
<i>Ground Cover:</i>	Woodland, grass, limited areas of concrete yard, asphalt former school playgrounds and stable blocks.		
<i>Potentially Contaminative Current on Site Land Uses:</i>	Stables and buildings associated with Hilltop Farm.		
<i>Potentially Contaminative Current Surrounding Land Uses:</i>	Industrial land use associated with Novers Hill Trading Estate to the north of the Site ('Refuse Destructor', 'Works', 'Depots', fire station, warehouses etc.).		
<i>Potentially Contaminative Historical on Site Land Uses</i>	'Refuse tip' formerly recorded in the west of the site (approximately 3.6ha). Former (now demolished) Novers Hill Infant School (potential for asbestos to be present unless adequately controlled during demolition).		
<i>Potentially Contaminative Historical Surrounding Land Uses</i>	Former 'Works' and 'Factory' located to the south of the Site (now Imperial Retail Park). Former 'Works' located along the eastern boundary of the Site (now residential properties).		

3		Consultations	
<i>EA Local Office:</i>	Freedom of Information (FOI) and Environmental Information	<i>Address:</i>	Environment Agency Regulations (EIR) requests PO Box 544 Rotherham S60 1BY
<i>Contact Name:</i>	N/A		
<i>Position:</i>	Customer Service Advisor	<i>Email:</i>	enquiries@environment-agency.gov.uk
<i>Comments:</i>	At the time of writing this report, no response had been received.		
<i>Local Authority:</i>	Bristol City Council	<i>Address:</i>	Bristol City Council Customer Relations (100TS) PO Box 3176 Bristol BS3 9FS
<i>Contact Name:</i>	N/A		
<i>Position:</i>	Customer Services	<i>Email:</i>	FOI@Bristol.gov.uk
<i>Comments:</i>	At the time of writing this report, no response had been received.		

4		Previous Reports		
<input checked="" type="checkbox"/> No previous reports were made available for the Site.				
<i>Date:</i>	<i>Originator:</i>	<i>Title:</i>	<i>Purpose:</i>	<i>Reference:</i>
n/a	n/a	n/a	n/a	n/a
<i>Comment on significant findings:</i>				
n/a				

5		Site History	
<i>Map Edition (s):</i>	<i>Significant Features on Site:</i>	<i>Significant Features off Site:</i>	
1884, 1885 – 1886, 1886, 1890	The Site is undeveloped agricultural land.  A stream (later recorded as the Pigeonhouse Stream) flows south to north near to the western Site boundary.	The land surrounding the Site is generally open agricultural land with dispersed farm settlements and occasional lime kilns, quarries and gravel pits.  A gravel pit and limekiln are located approximately 200m to the east on Novers Lane and approximately 220m west of the Site on Headley Lane.  A 'Fever Hospital' (later labelled Novers Hill Isolation Hospital) is shown approximately 250m north-east of the Site.	
1903, 1904 1904 – 1905	No significant changes indicated.	The limekiln to the east of the Site is recorded as 'Old Limekiln' with the associated excavations now recorded as 'Quarries'.  The Vale Lane Brick and Tile Works and associated clay pit has been constructed approximately 250m to the northwest of the Site.  The limekiln to the west is no longer recorded.	
1916	No significant changes indicated.	The limekiln to the east is no longer recorded.	
1920, 1920 – 1921	No significant changes indicated.	No significant changes indicated.	
1931 1932 – 1933	The Land to the west of the Pigeonhouse stream in the south of the Site is in use as allotment gardens.	General increase in small-scale residential development of the surrounding area. The quarry associated with the former lime kiln to the east of the Site on Novers Lane has been expanded eastwards.  Allotment gardens are present to the west of the Site between the western boundary and the rear of the houses fronting onto Headley Lane.	
1938	No significant changes indicated.	Significant expansion in residential development in the surrounding area, extending to within 250m of the Site.	

1947 – 1948, 1948 – 1960 (1948 quadrants)	The allotment gardens on the western boundary are no longer recorded.	The allotment gardens to the west of the western site boundary are no longer recorded.
1952 – 1977 (1952 quadrant), 1948 – 1960 (1955 quadrant), 1948 – 1955 (1955 quadrants), 1955	Springs are recorded in the south of the site, approximately 30m to the east of where the Pigeonhouse Stream enters the site.	Hartcliffe Way (A4174) has been constructed immediately adjacent to the site's western boundary.  The former quarry to the east of the site has been infilled and developed over as part of the ongoing residential development within the immediate vicinity of the site.  The Novers Lane Junior Mixed School has been constructed approximately 60m to the east of the site.
1950 – 1971 (1960 quadrants)	A school (later recorded as Novers Lane Infant School) has been constructed in the east of the site, accessed off Novers Lane.	A 'Corporation Depot' has been constructed immediately north of the Site.  A 'Works' is present immediately east of the site on Novers Lane.  There is ongoing residential development within the immediate vicinity of the site.
1964 – 1978 (1964 quadrant)	No significant changes indicated.	No significant changes indicated.
1953 – 1978 (1968 quadrant) 1968 – 1975 (1968 quadrant)	An area approximately 100m wide, extending eastwards from the western site boundary is recorded as a 'Refuse Tip'.	The works immediately east of the site is recorded as a 'Shopfitting Works'.  A 'Refuse Destructor' has been added to the corporation depot immediately north of the site.  A fire station has been constructed approximately 250m to the north of the site.  There is ongoing residential development within the immediate vicinity of the site.
1954 – 1970 (1970 quadrant) 1965 – 1971 (1970 & 1971 quadrants) 1972	The course of the Pigeonhouse Stream has been altered, straightening it out as it flows through the Refuse Tip.	There is ongoing residential development within the immediate vicinity of the site.
1976 – 1977 1952 – 1977 (1977 quadrant) 1968 – 1978 (1978 quadrants), 1978	Several small buildings have been constructed in the very northeastern corner of the site (later recorded as Hilltop Farm).  The Refuse Tip is no longer recorded.	Additional warehouses, garages, works and depots have been constructed to the north of the site, within 250m of the site and also to the north of the fire station, forming the Novers Hill Trading Estate.  A large 'Works' (later labelled as a 'Factory') has been constructed approximately 100m to the south of the site, beyond Hartcliffe Way. A separate building in the north of the works site has both cooling towers and two large tanks marked. Searches of the Bristol City Planning website have suggested that this was a tobacco/cigarette factory.
1982 – 1989, 1992	No significant changes indicated.	There is ongoing commercial/industrial development to the north of the site within the Novers Hill Trading Estate.  There is ongoing residential development within the immediate vicinity of the site.
1999, 1999 (Aerial)	Further buildings have been constructed in the northeast of the Site at Hilltop Farm.	The factory to the south of the site is being demolished.

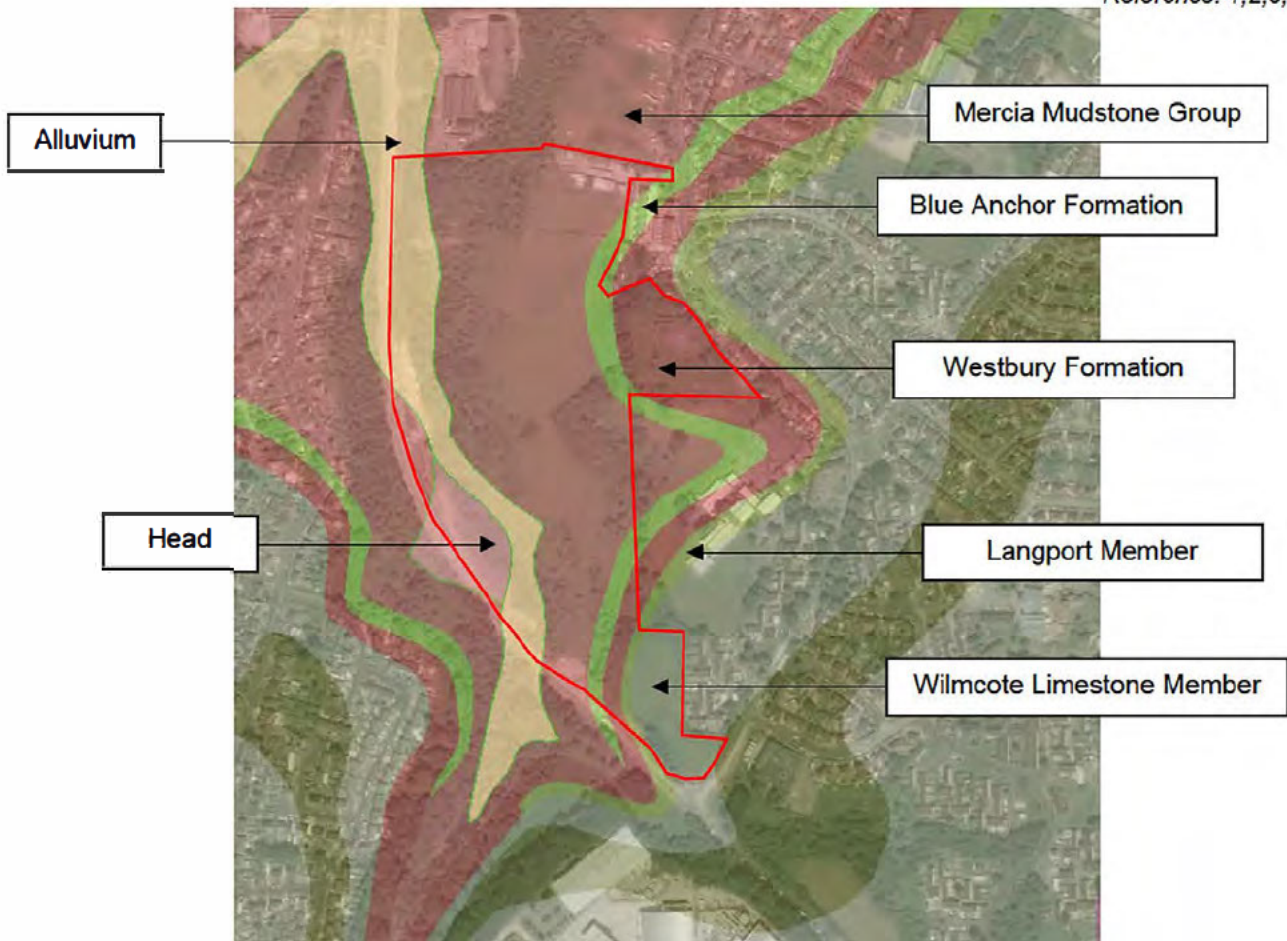


Photograph)		
2006	No significant changes included.	The former factory to the south of the site has been developed as a retail park.
2018	The Novers Lane Infant School has been demolished.	No significant changes indicated.
It is noted that "Nover's" and "Novers" are used interchangeably on the historical mapping. For clarity, "Novers" has been used in all descriptions above.		

Reference: 1

<b>6 Published Geology</b>		
<b>Stratum:</b>	<b>Description:</b>	<b>Anticipated thickness (m):</b>
Made Ground	Recorded on BGS mapping in west of site, coincident with recorded area of historical refuse tip.	Not recorded on BGS mapping or in local borehole records. May exceed 10m in thickness.
Superficial Deposits – Alluvium	Described by the BGS as normally soft to firm consolidated, compressible silty clay, but can contain layers of silt, sand, peat and basal gravel.  Underlies a limited area of the site in the immediate vicinity of the Pigeonhouse Stream (see geological map extract below).	Not expected to exceed 5m.
Superficial Deposits - Head	Described by the BGS as poorly sorted and poorly stratified deposits formed mostly by solifluction and/or hillwash and soil creep. In the Bristol area typically comprises red or brown silt and stony clay with cobbles of hard rock, eg Carboniferous limestone or sandstone.  Underlies a very limited area on the western boundary of the site, to the west of the Pigeonhouse Stream (see geological map extract below).	Not recorded on BGS mapping or in local borehole records. Not expected to exceed 5m.
Bedrock – Wilmcote Limestone Member	Described by the BGS as alternating limestones and mudstones.  Present only in the southern corner of the site (see geological map extract below).	BGS records thicknesses up to approximately 12m thick.
Bedrock – Langport Member	Described by the BGS as porcellanous limestone and calcareous mudstone.  Present only in the southern corner of the site and on the eastern boundary in the vicinity of the former school.  Forms the surface geology as a thin ribbon (approximately 30m across) to the east of the underlying Westbury Formation (see geological map extract below).	BGS records thicknesses of between 1m and 10m.  Given the limited width of exposure mapped on BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), the thickness present is likely to be limited.
Bedrock – Westbury Formation	Described by the BGS as dark grey mudstone or shale with subordinate thin limestones, sandstones and fossiliferous arenaceous units.  Forms the surface geology as a thin ribbon (approximately 30m – 50m across) to the east of the underlying Blue Anchor Formation (see geological map extract below).	BGS records thicknesses of between 5m and 10m.  Given the limited width of exposure mapped on BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), the thickness present is likely to be limited.
Bedrock – Blue Anchor Formation	Described by the BGS as typically pale green-grey, dolomitic silty mudstones and siltstones.  Forms the surface geology as a thin ribbon (approximately 30m across) to the east of the underlying Mercia Mudstone (see geological map extract below).	BGS records typical thickness of between 5m and 20m.  Given the limited width of exposure mapped on BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), the thickness present is likely to be limited.
Bedrock – Mercia Mudstone Group	Described by the BGS as dominantly red, less commonly green-grey, mudstones and subordinate siltstones with thick halite-bearing units in some basal areas. Thin beds of gypsum/anhydrite widespread; sandstones are also present.  Underlies majority of the site (see geological map extract below), thins out to the southeast.	BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), records thicknesses in the area of approximately 50m.

Reference: 1,2,6,8



<b>7</b>	<b>Recorded Ground Conditions</b>
<input checked="" type="checkbox"/>	No relevant ground investigation data was made available for the Site at the time of writing.
n/a	

<b>8</b>	<b>Ground Gas</b>		
<i>Radon Affected Area</i>	<i>Percentage of homes above action level*</i>		
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> <1	<input type="checkbox"/> 3 - 5	<input type="checkbox"/> 10 - -30
<input type="checkbox"/> No	<input checked="" type="checkbox"/> 1 - 3	<input type="checkbox"/> 5 - 10	<input type="checkbox"/> >30
The Envirocheck Report indicates the site is in an Intermediate probability radon area where between 1% and 3% of homes are estimated to be above the 200bqm <sup>-3</sup> action level, and that no radon protective measures are necessary in the construction of new dwellings or extensions.			
<i>*It should be noted that the Radon mapping is being continuously updated and consequently the risk may change in the future</i>			

Reference: 1,8

<b>9</b>	<b>Hydrogeology</b>		
<i>Stratum:</i>	<i>Aquifer Designation:</i>		
Superficial - Alluvium	<input type="checkbox"/> Principal	<input checked="" type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Superficial - Head Deposits	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input checked="" type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Bedrock - Mercia Mudstone Group	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input checked="" type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Bedrock - Blue Anchor Formation	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input checked="" type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Bedrock - Westbury Formation	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input checked="" type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata

Bedrock – Langport Member	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input checked="" type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata		
Bedrock – Wilmcote Limestone Member	<input type="checkbox"/> Principal	<input checked="" type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata		
Groundwater flow direction is anticipated to be to the west and north towards the Pigeonhouse Stream and, at distance, the River Avon.					
<b>Stratum:</b>	<b>Soil Class:</b>				
Superficial - Alluvium	<input checked="" type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> U
Superficial - Head Deposits	<input checked="" type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> U
Bedrock – Mercia Mudstone Group	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Blue Anchor Formation	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Westbury Formation	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Langport Member	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Wilmcote Limestone Member	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
<b>Groundwater Source Protection Zone:</b>			<b>Sited on Site:</b>		<b>Sited off Site:</b>
					<b>Distance (m):</b>
					<b>Direction:</b>
<input type="checkbox"/> Inner (SPZ1) <input type="checkbox"/> Outer (SPZ2) <input type="checkbox"/> Total (SPZ3) <input checked="" type="checkbox"/> Absent <1km			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
<b>Drinking Water Safeguard Zones and Drinking Water Protected Areas:</b>					
<input checked="" type="checkbox"/> There are no (Groundwater) Drinking Water Safeguard Zones or Drinking Water Protected Areas relevant to the Site					
<b>Risk Status:</b>	<b>Sited on Site:</b>	<b>Sited off Site:</b>		<b>Reference:</b>	<b>Substance (s)</b>
		<b>Distance (m):</b>	<b>Direction:</b>		
<input type="checkbox"/> At Risk <input type="checkbox"/> Safeguard Zone <input type="checkbox"/> Probably at Risk <input type="checkbox"/> Probably not at Risk <input type="checkbox"/> Not at Risk	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				

References: 1,7,9

<b>10</b>	<b>Hydrology</b>				
<input type="checkbox"/> There are no ponds, ditches, streams or rivers on or adjacent to the Site					
<b>Surface water Feature</b>	<b>GQA</b>	<b>Distance (m)</b>	<b>Flow Direction</b>	<b>Up/Down Stream</b>	
Pigeonhouse Stream (flowing near to the western site boundary)	Not Provided	n/a – On site	North	Stream is on site.	
<b>Drinking Water Safeguard Zones &amp; Protection Areas (Surface Water):</b>					
<input checked="" type="checkbox"/> There are no (Surface) Drinking Water Safeguard Zones or Protected Areas relevant to the Site					
<b>Sited on Site:</b>	<b>Sited off Site:</b>		<b>Reference:</b>	<b>Substance(s):</b>	
	<b>Distance (m):</b>	<b>Direction:</b>			
<input type="checkbox"/>					
<b>Pollution Incidents, Abstraction Permits, Discharge Consents etc.</b>					
There are no active Abstraction Permits or entries in the Substantiated Pollution Incident Register or recorded Pollution Incidents to Controlled Waters in the last ten years within 250m of the site.					



There are 3 active Pollution Prevention and Controls recorded within 250m of the site:

- Ep211: Local Authority Air Pollution Control, PG1/14 Petrol filling station. Located approximately 62m north-west of the site.
- Ep108: Local Authority Pollution Prevention and Control, Part B – General Mineral Process. Located approximately 234m to the north-west of the site.
- EP264: Local Authority Pollution Prevention and Control, PG3/16 Mobile screening and crushing processes. Located approximately 234m to the north-west of the site.

There is one withdrawn Pollution Prevention and Control recorded within 250m of the site:

- EP040: Local Authority Air Pollution Control, Part B – General Mineral Process. Located approximately 17m north-west of the site.

There are two active discharge consents within 250m of the site:

- 102979 v.2 operated by Wessex Water Services Limited. Located approximately 57m south of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into Pigeonhouse Stream.
- 101826 v.1 operated by Wessex Water Services Limited. Located approximately 134m north-west of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into the River Malago.

There are four revoked discharge consents within 250m of the site.

- 102979 v.1 operated by Wessex Water Services Limited. Located approximately 56m south of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into Pigeonhouse Stream (revoked 2017).
- 101821 v.1 operated by Wessex Water Services Limited. Located approximately 56m south of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into Pigeonhouse Stream (revoked 2005).
- 100573/Cs/01 v.1 operated by Wessex Water Services Limited. Located approximately 63m south of the site. Allowing for the discharge of "Public Sewage: Storm Sewage Outflow" into the River Malago (revoked 2002).
- 011268 v.1 operated by Wessex Water Services Limited. Located approximately 143m north-west of the site. Allowing for the discharge of "Public Sewage: Storm Sewage Overflow" into the River Malago (revoked 2002).

Reference: 1,7

11 Quarrying, Mining and Landfill		
<input checked="" type="checkbox"/> There is recorded evidence of quarrying on or adjacent to the Site		
<input type="checkbox"/> There is recorded evidence of mining on or adjacent to the Site		
<input checked="" type="checkbox"/> There is recorded evidence of licensed landfills on or adjacent to the Site		
<b>Quarrying – Off-site</b>		
Several small quarries have been present historically in the vicinity of the site, typically associated with earlier limekilns. The nearest of these was a former quarry located approximately 200m east of the site, which had been (on the basis of existing topography) infilled by the mid-1940s and developed over with housing		
<b>Landfill – Off-site</b>		
The Envirocheck Report records a Historical Landfill Site named Vale Lane approximately 110m northwest of the site. The licence holder for this record (Ref: EAHL34798) is not supplied. The record states that deposited waste included household waste. The first input date is listed as 31 <sup>st</sup> December 1945 and a final input date is not provided.		
<input type="checkbox"/> A search of the PBA Mining Cavities Database has not identified any natural cavities records on or within a 500m radius of a point at the centre of the site.		
<input checked="" type="checkbox"/> A search of the PBA Mining Cavities Database (non-coal) has not identified any mining (non-coal) cavity records within a 500m radius of a point at the centre of the site.		
Relevant Feature:	Distance (m) and Direction:	Comments:
ST 5815 6925	150 (SSW)	1 x Decalcification of Calcareous Rock Matrix
ST 5825 6915	230 (S)	
ST 5965 6945	1420 (E)	
ST 5975 6935	1520 (E)	
<b>Coal Authority Information</b>		
Information provided by The Coal Authority's online interactive map indicates that:		
<ul style="list-style-type: none"> <li>• The whole site is within a Surface Coal Resource Area and Coal Mining Reporting Area (Bristol).</li> <li>• There are three mine abandonment plans which either wholly or partly include the area beneath the site.</li> <li>• There are no mine entries recorded within 50m of the site boundary. Two entries are present within approximately 500m of the site, located approximately 250m to the southeast and 340m to the northeast.</li> <li>• The site is not within a development high risk area, the nearest recorded area (aside from a limited area immediately surrounding the above detailed mine entries) being located approximately 1.5km to the northwest.</li> <li>• The site is not within an area of probable shallow coal mine workings, the nearest recorded area being located approximately 1.5km to the northwest.</li> <li>• The site is not within an area of past shallow coal mine workings, the nearest recorded area being located approximately some 2km to the north-west</li> </ul>		



- The site is not within an area of surface mining (past and present).

The Envirocheck Report indicates that the site is indicated to be within "an area which may be affected by coal mining".

#### Additional Coal Mining Information

The Envirocheck Report does not record any collieries within the extent of the provided mapping. A search of the BGS archive reveals several deep borehole records to the northeast of the site, the nearest being approximately 1.4km to the northeast, that suggest coal mining was taking place in this area. A selection of these are detailed as follows:

- ST57SE68 – located approximately 1.4km to the northeast of the site at Hedgers Pit.
- ST57SE67 – located approximately 1.6km to the northeast of the site at New Deep Pit.
- ST57SE77 - located approximately 1.8km to the northeast of the site at South Liberty (Upcast).
- ST57SE78 - located approximately 1.8km to the northeast of the site at South Liberty (Great Engine Pit)
- ST57SE79 - located approximately 1.8km to the northeast of the site at South Liberty,
- ST56NE1 - located approximately 2.2km to the northeast of the site at Old Engine Pit

ST57SE77 records the following coal seams:

- Bedminster Top at approximately 190m depth;
- Bedminster Great Vein at approximately 230m depth;
- Bedminster Toad at approximately 350m depth;
- Ashton Top at approximately 400m; and,
- (Ashton Great?) at approximately 430m.

ST56NE1 records the following coal seams:

- Bedminster Top at approximately 75m;
- Bedminster Great Vein at approximately 110m; and,
- Bedminster Little Vein at approximately 140m.

As per the BGS Solid and Drift Sheet 264, the Bedminster seams form part of the Aegiranum (Croft's End) Marine Band within the Middle Coal Measures, and the Ashton seams form part of the Vanderbeckei (Harry Stoke) Marine Band within the Lower Coal Measures. Geological Section 2 on this sheet suggests that these coal measures could lie within 100m of ground level at the site.

Reference: 1,2,3,6,8

12	Unexploded Ordnance
<input checked="" type="checkbox"/>	There is a High Bomb Risk recorded for the Site
<input type="checkbox"/>	There is a Moderate Bomb Risk recorded for the Site
<input type="checkbox"/>	There is a Low Bomb Risk recorded for the Site
<input type="checkbox"/>	There is no recorded Bomb Risk for the Site
<b>Summary of UXO Risk:</b>	
Available information from ZETICA UXB Risk Maps and OS Historical Maps suggest that the Site is at a High risk from Unexploded Ordnance (UXO).	

Reference: 1,4

13	Sensitive Land Use			
<input checked="" type="checkbox"/>	There are considered to be no sensitive land uses relevant to the Site			
<b>Relevant Sensitive Land Use:</b>	<b>Sited On Site:</b>	<b>Sited Off Site:</b>	<b>Distance (m):</b>	<b>Direction:</b>
<input type="checkbox"/> Area of Outstanding Natural Beauty	<input type="checkbox"/>			
<input type="checkbox"/> Local Nature Reserve	<input type="checkbox"/>			
<input type="checkbox"/> National Nature Reserve	<input type="checkbox"/>			
<input type="checkbox"/> National Park	<input type="checkbox"/>			
<input type="checkbox"/> Nitrate Vulnerable Zone	<input type="checkbox"/>			
<input type="checkbox"/> Ramsar Site	<input type="checkbox"/>			
<input type="checkbox"/> Site of Special Scientific Interest	<input type="checkbox"/>			
<input type="checkbox"/> Special Area of Conservation	<input type="checkbox"/>			
<input type="checkbox"/> Special Protection Area	<input type="checkbox"/>			
<input type="checkbox"/> Other: Areas of Adopted Green Belt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	839	Northwest

Reference: 1,7

14	Estimated Soil Chemistry			
<input type="checkbox"/>	BGS Estimated Soil Chemistry data is not relevant to the Site			
<b>Potentially Harmful Element:</b>	<b>Estimated Mean Concentration Within Site Boundary (mg/kg):</b>			
Arsenic	<input checked="" type="checkbox"/> <15 <input type="checkbox"/> 45 - 60	<input checked="" type="checkbox"/> 15 – 25 <input type="checkbox"/> 60 - 120	<input checked="" type="checkbox"/> 25 – 35 <input type="checkbox"/> >120	<input checked="" type="checkbox"/> 35 – 45

Cadmium	<input checked="" type="checkbox"/> <1.8 <input type="checkbox"/> >6.0	<input type="checkbox"/> 1.8 – 2.2	<input type="checkbox"/> 2.2 – 3.0	<input type="checkbox"/> 3.0 – 6.0
Chromium	<input type="checkbox"/> <20 <input checked="" type="checkbox"/> 90 - 120	<input type="checkbox"/> 20 – 40 <input type="checkbox"/> 120 - 180	<input type="checkbox"/> 40 – 60 <input type="checkbox"/> >180	<input checked="" type="checkbox"/> 60 - 90
Lead	<input checked="" type="checkbox"/> <100 <input type="checkbox"/> 600-1200	<input type="checkbox"/> 100 – 200 <input type="checkbox"/> >1200	<input type="checkbox"/> 200 - 300	<input type="checkbox"/> 300 - 600
Nickel	<input type="checkbox"/> <15 <input type="checkbox"/> 60 - 80	<input checked="" type="checkbox"/> 15 – 30 <input type="checkbox"/> 80 - 100	<input checked="" type="checkbox"/> 30 – 45 <input type="checkbox"/> >100	<input type="checkbox"/> 45 - 60

The BGS estimated soil chemistry indicates Chromium concentrations at levels above the S4UL for hexavalent chromium but below the S4UL for trivalent Chromium. For the purposes of risk assessment and costing we have assumed that concentrations of hexavalent Chromium do not exceed the S4UL at this site, and this will need to be confirmed by ground investigation in due course.

Similarly, the BGS estimated soil chemistry indicates a potential range of Arsenic concentrations that may exceed the Category 4 Screening Level (C4SL). For the purposes of risk assessment and costing we have assumed that concentrations of Arsenic do not exceed the C4SL at this Site, and this will need to be confirmed by ground investigation in due course.

Reference: 1

<b>15</b>	<b>Previous Encountered Soil Concentrations</b>
<input type="checkbox"/> Previous ground investigation(s) did not include chemical testing of soil and or groundwater <input checked="" type="checkbox"/> There are no records of previous testing or soil or groundwater	

<b>16</b>	<b>Geotechnical Risk</b>
<p>The Envirocheck Report records the following likely ground condition hazard levels as:</p> <ul style="list-style-type: none"> <li>▪ Very Low relating to collapsible ground stability hazards;</li> <li>▪ Moderate relating to compressible ground stability hazards;</li> <li>▪ Very Low relating to ground dissolution stability hazards;</li> <li>▪ Moderate relating to landslide ground stability hazards;</li> <li>▪ Very Low to Low relating to running sand ground stability hazards; and</li> <li>▪ No Hazard to Low relating to shrinking or swelling clay ground stability hazards.</li> </ul> <p>PBA would generally agree with this assessment for the site.</p>	

Reference: 1

<b>17</b>	<b>Geo-environmental Risk</b>
<p>The review of the potential geo-environmental risk is based on the findings of this Phase 1 non-intrusive study only, utilising the reviewed information and additional publicly available sources referenced below. In accordance with CLR 11, a conceptual site model has been developed to identify the principal sources of contamination, the sensitive receptors and the pathways that link them and hence identify potential pollutant linkages.</p>	
Potential Sources of Contamination	<ul style="list-style-type: none"> <li>• On-site – Hydrocarbons (TPH and PAH), metallic and metalloid and asbestos contamination associated with historical refuse tip in west of the Site.</li> <li>• On-site –Asbestos within Made Ground associated with old buildings, demolished former Novers Hill Infant School and Hilltop Farm sheds (unless adequately controlled during demolition).</li> <li>• On-site – Ground gases associated with historical refuse tip and alluvial deposits associated with the Pigeonhouse Stream.</li> <li>• On-Site – Leachate seepages associated with historical Refuse Tip.</li> <li>• Off-site – Hydrocarbons (TPH and PAH), metallic and metalloid contamination associated with nearby works sites.</li> </ul>
Potential Receptors	<ul style="list-style-type: none"> <li>• Human health (Current Users) – Members of the public, people grazing horses, workers at Hilltop Farm.</li> <li>• Human health (Neighbours) – Children and staff in adjacent primary school and residential properties.</li> <li>• Human health (Site Workers).</li> <li>• Human health (Future Users) – occupiers of new homes.</li> <li>• Groundwater (Secondary A and Secondary B Aquifers).</li> <li>• Surface Water (Pigeonhouse Stream).</li> <li>• Future buildings, structures and services.</li> </ul>
Potential Pathways	<ul style="list-style-type: none"> <li>• Ingestion of potentially contaminated soil/dust indoors.</li> <li>• Ingestion of potentially contaminated soil/dust outdoors.</li> <li>• Ingestion of potential contamination through consumption of Site grown vegetables as part of residential development.</li> <li>• Inhalation of landfill gases and vapours – outdoor.</li> <li>• Inhalation of landfill gases and vapours – indoor.</li> </ul>

	<ul style="list-style-type: none"><li>• Dermal absorption via direct contact with soil.</li><li>• Direct contact between foundations/services and the made ground/groundwater.</li><li>• Leaching of contaminants in made ground into the superficial and bedrock aquifers.</li><li>• Migration of groundwater via natural/anthropogenic pathways.</li><li>• Migration of landfill leachate into groundwater and surface water.</li></ul>
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*Conceptual Site Model*

#### References

1. Envirocheck Report 191289386\_1\_1 (2019);
2. BGS Geology of Britain Viewer: (Online, Accessed January 2019);
3. PBA Natural and Mining Cavities Database;
4. Zetica: UXO Database;
5. Coal Authority, Online Interactive Map Viewer, (Online, Accessed January 2019);
6. BGS, Solid and Drift Geology Map, BGS Sheet 264 – Bristol, 2004;
7. DEFRA MAGIC viewer: (Online, Accessed January 2019).
8. Environment Agency: Check for Drinking Water Safeguard Zones and NVZs. (Online, Accessed January 2019).





Known Control of Major Accidents Hazards	Site Overview					Development Capacity					Services / Utilities				
	Indicative Net Developable Area (Ha)	Total estimated Abnormal Costs £	Comments on Cost	Programme Achievable by [DATE]	Comments on Programme	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments
unknown	3.17	£ 5.43	no planning application yet, technical work required for disciplines and survey work required	Yes	early programme risks not achievable, enabling programme risks achievable, start on site by march 2021 achievable	£ 5.43	5	4	9	Site is allocated, no planning application yet submitted.	£ 5.43	5	5	10	Some diversions and disconnections will be required
									0					0	
									0					0	

Highways and Access					Ground conditions					Ecological					Water			
Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined
£ 5.43	10	12	22	Development limited without a secondary access and risks associated with secondary access options	£5.43	20	10	30	Slope instability will require engineering to mitigate, and earthworks will be required for development platforms	£5.43	5	20	25	Extended Phase 1 should commence before April 2019	£5.43	5	10	15
			0					0					0					0
			0					0					0					0

		Buildings and Demolition				Historic					Noise / Air					
Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £
Hydraulic assessment of Pigeonhouse stream and possible level raising	£5,433	25	15	40	Retaining structures will be required due to steep slopes	£5,433	6	4	10	Archaeological DBA	£5,433	4	4	8	Reports for planning applications	
				0					0					0		
				0					0					0		

Other 1				Other 2					Other 3				
Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments	Cost £	Cost Risk	Delivery Risk	Combined	Comments
		0					0					0	
		0					0					0	
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Greenfield  
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Other

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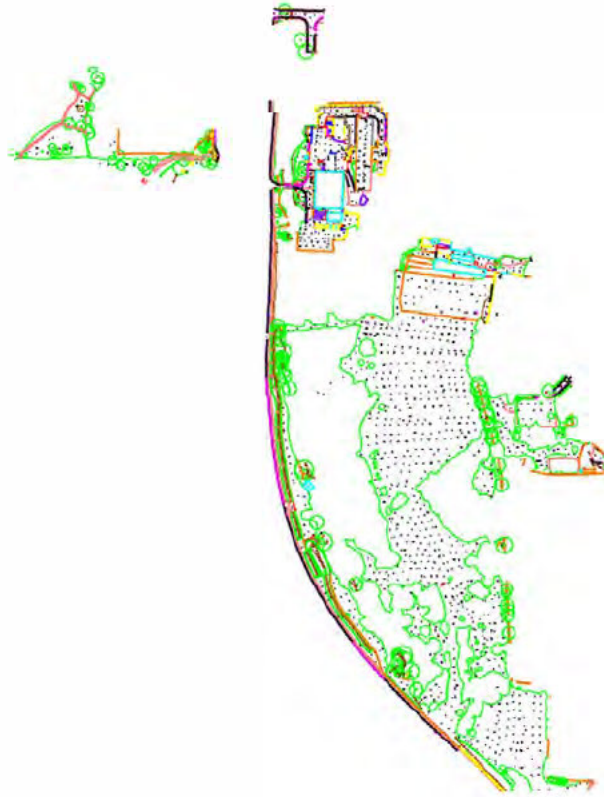
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SUPERCEDES ANY PREVIOUS INFORMATION SENT TO YOU  
THIS DIGITAL INFORMATION IS REVISION NO. 0

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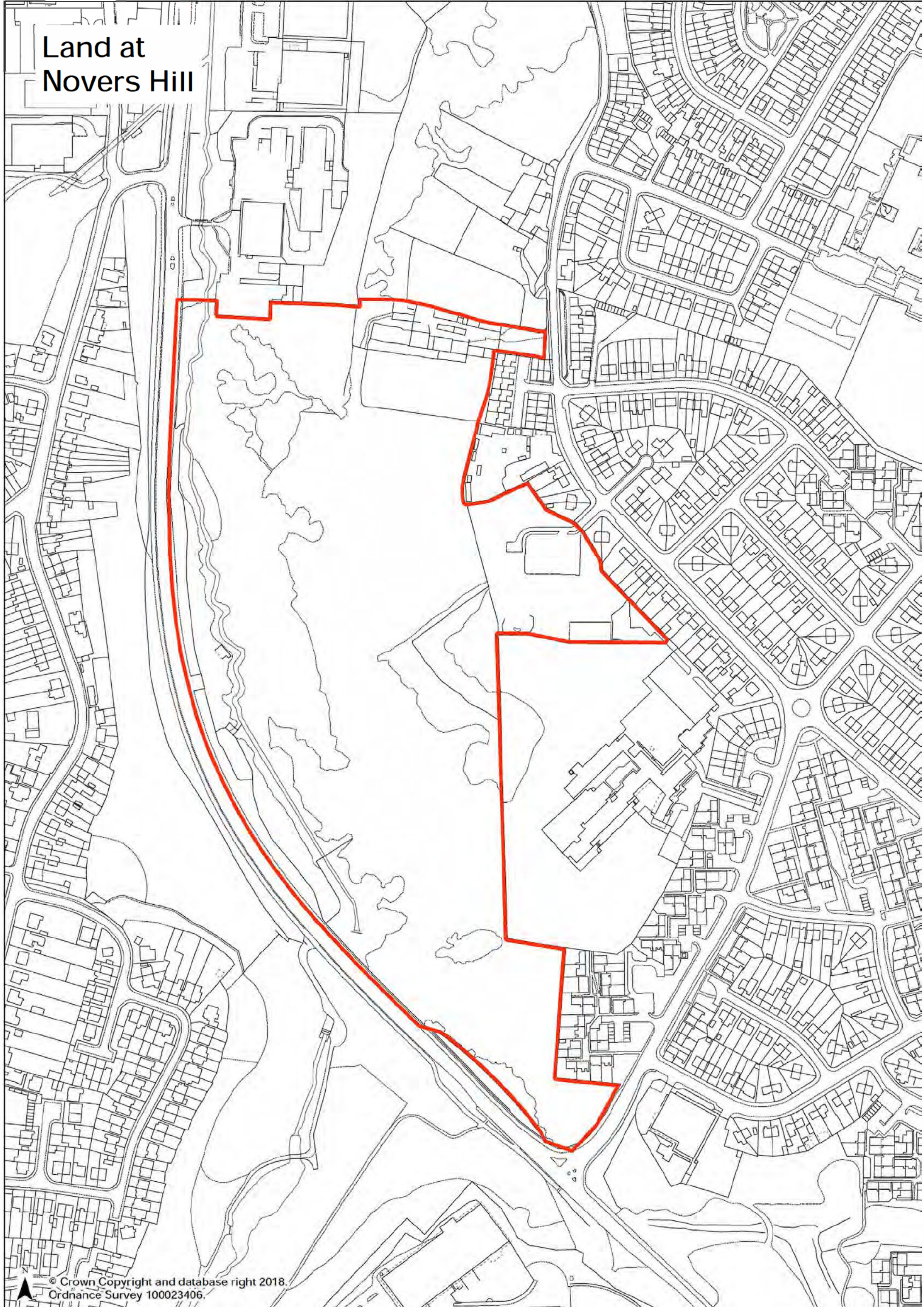
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LAND ADJACENT  
TO HARTCLIFFE WAY  
BRISTOL  
RSB SURVEY





# Land at Novers Hill







Homes  
England

# ACCELERATED CONSTRUCTION


## Technical Due Diligence

### Assessment Report

<b>Date:</b>	03/06/2019
<b>Version:</b>	Final
<b>Prepared by:</b>	<b>Peter Brett Associates LLP, now part of Stantec</b>
<b>Site Name:</b>	Novers Hill, Bristol
<b>Site ID:</b>	<b>S. 43</b>
<b>Site Address:</b>	Novers Hill, Bedminster, Bristol, BS4 5AS

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## A. Approvals and Version Control

<b>A-1. Version Control</b>				
<b>Consultants Name:</b>		Peter Brett Associates LLP		
				
<b>Issue:</b>		<b>Prepared By:</b>	<b>Checked By:</b>	<b>Authorised By:</b>
Final	03/06/2019	Various Technical Consultants	s. 40(2)	s. 40(2)
Draft 2	22/05/2019	Various Technical Consultants	s. 40(2)	
Draft 1	19/02/2019	Various Technical Consultants	s. 40(2)	

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	ES. 43	

## B. Executive Summary

<b>B-I. Site Summary Table</b>	
<b>Local Authority:</b>	Bristol City Council (BCC)
<b>Site Name:</b>	Novers Hill, Bristol
<b>Site Address:</b>	Novers Hill, Bedminster, Bristol, BS4 5AS
<b>Grid Reference:</b>	ST 58300 69414
<b>Site Area (Ha):</b>	11.48 Ha
<b>Development Viability Assessment (Figure given in the DVA):</b>	ES. 43 (from DVA v3 Low density plus community, dated 25 April 2019)
<b>Indicative Net Development Area (Figure following assessment of Technical Issues)</b>	4.07Ha

<b>B-II. Summary of Site - Narrative</b>
<p>The site is situated on the southern edge of Bedminster, to the east of Hartcliffe Way / A4174 and to the west of Novers Lane in Bristol.</p> <p>The site is irregular in shape and extends to approximately 11.48 ha. In the east section of the site is the location of the former Novers Hill Infant School. The buildings have been removed but 2 areas of hardstanding from the former school remain in situ. In the north of the site are some temporary farm buildings and some hardstandings associated with 'Hilltop Farm'. The remainder of the site comprises of grazed fields interspersed with hedgerows and some mature trees. Within the western part of the site are areas of dense shrubs and Pigeonhouse stream runs within the site boundary along the western site boundary.</p>

<b>B-III. Summary of Potential Development Showstoppers</b>
<p>No development showstoppers have been identified. There are very high costs associated with the requirement for engineering works, earthworks and retaining structures due to the steep slopes on the site. Potential constraints relating to access have been identified, which could limit the number of units that can be delivered within the LA/AC programme.</p>

<b>B-IV. Summary of Potential Planning Issues</b>
<p>Early programme risks relating to planning have been identified: a planning application has not yet been submitted, further assessment is required regarding a secondary access option from Novers Hill and ecology surveys are required prior to planning application submission [Preliminary Ecological Assessment (PEA)]</p>



<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

#### B-IV. Summary of Potential Planning Issues

before April 2019].

#### B-V. Summary of Delivery Risks, Cost Risks and Estimated Costs (see Updated Risk Matrix and Guidance- Annex C)

Risk Summary Table					
Study Area & Page No	Delivery Risk	Cost Risk	Total Risk Score (Delivery + Cost)	Estimated Costs (Most Likely)	Comments
Development Capacity	4	5	9	£s. 43	Site is allocated, no planning application yet submitted.
Services / Utilities	5	5	10	£s. 43	Some diversions and disconnections will be required
Access and Highways	16	15	33	£s. 43	Development limited without a secondary access and risks associated with secondary access options
Ground Conditions	10	20	20	£s. 43	Slope instability will require engineering to mitigate, and earthworks will be required for development platforms
Ecology	20	5	20	£s. 43	Extended Phase 1 should commence before April 2019
Water Management	10	5	15	£s. 43	Hydraulic assessment of Pigeonhouse stream and possible level

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	£s. 43	

Risk Summary Table					
					raising
<b>Buildings</b>	15	25	40	£s. 43	Retaining structures will be required due to steep slopes
<b>Historic Environment</b>	4	6	10	£s. 43	Archaeological DBA
<b>Noise / Air</b>	4	4	8	£s. 43	Reports for planning applications
<b>Estimated Abnormal Costs Total</b>		£		£s. 43	

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	£. 43	

High Level Costs Analysis				
Overall Estimated Abnormal Costs	Min	Most Likely	Max	Comments
	£. 43			+/- 20%
<b>Professional Opinion</b>	The most likely costs represent approximately 74% of the Residual Land Value. Therefore, the overall cost risk is assessed as being low.			RLV = £. 43

High Delivery Analysis		
Delivery Target	Achievable Y / N	Comments
January 2018 - January 2019 Early Programme Risks	N	<p>Planning application not yet been submitted.</p> <p>Access off Belstone Walk will be for the c.35 community elf-build plots and MMC factory only. Secondary access option from Novers Hill requires further assessment.</p> <p>Ecology surveys required prior to planning application submission (PEA before April 2019).</p>
January 2019 - autumn 2020 Enabling Programme Risks	Y	<p>Former Novers Hill Infant School foundations may require removal.</p> <p>Secondary Access options</p>
Starts on site by March 2021	Y	<p>Slope instability will require engineering to mitigate.</p> <p>Earthworks will be required for development platforms.</p> <p>Retaining structures will be required due to steep slopes</p>

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### B-VI. Summary of Risk Table

High cost risks have been identified that are associated with the requirement for engineering works, earthworks and retaining structures due to the steep slopes on the site.

A further high risk is identified that a secondary access is likely to be required from Novers Hill, if development is not to be limited.

A high risk has also been identified due to the requirement for an Extended Phase 1 ecology survey to commence before April 2019.

A medium risk is identified in relation to the potential requirement for hydraulic modelling of Pigeonhouse Stream, although it is noted that no development is planned in the vicinity of the stream.

### B-VII. Summary of Options to De-risk Site

Key recommendations include:

- Early engagement with BCC's planners to establish whether the details of access and density/layout/scale parameters proposed are likely to be acceptable. This should include discussions to confirm that any likely Section 106 obligations and financial contributions are compliant with the CIL Regulations and the NPPF.
- The network capacity investigations should be progressed in the next phase of assessment to better understand the supply costs.
- Early concept design will be required to determine the secondary access option. This will require early engagement with BCC.
- It is recommended that a detailed site-specific desk study is completed to confirm the geoenvironmental and land stability risks applicable to the site. This will then inform the scope of intrusive ground investigation, including trial pits and assessment of slope stability, extent of the historical 'refuse tip', ground gas and groundwater regimes to be undertaken at an appropriate time (prior to any application for planning consent) to assess the anticipated ground conditions and to confirm the assumptions in this report.
- PEA will confirm further survey requirements and will provide greater understanding of the risk associated with possible presence of reptiles, badgers, bat roosts, great crested newts and other protected or notable species. It will inform the project programme and scheme layout, and initial advice regarding mitigation.
- A Flood Risk Assessment and drainage strategy will be required.




<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## C. Table of Contents

<b>A. Approvals and Version Control</b>	<b>I</b>
<b>B. Executive Summary</b>	<b>II</b>
B-I. Site Summary Table	II
B-II. Summary of Site - Narrative	II
B-III. Summary of Potential Development Showstoppers	II
B-IV. Summary of Potential Planning Issues	II
B-V. Summary of Delivery Risks, Cost Risks and Estimated Costs (see Updated Risk Matrix and Guidance- Annex C)	III
B-VI. Summary of Risk Table	VI
B-VII. Summary of Options to De-risk Site	VI
<b>C. Table of Contents</b>	<b>VII</b>
<b>1. Site Description</b>	<b>1</b>
1.1 Site Description	1
1.2 Locality Description	2
<b>2. Development Capacity</b>	<b>3</b>
2.1 Existing Reports / Information Referred To	3
2.2 Overview	3
2.3 Considered Risks	4
2.4 Estimated Costs	4
2.5 Recommended Work to De-risk Site	5
2.6 Any critical planning issues including Environmental Impact Assessment (EIA)	5
<b>3. Services and Utility Capacity</b>	<b>6</b>
3.1 Existing Reports / Information Referred To	6
3.2 Overview	6
3.3 Estimated Costs	9
3.4 Recommended Work to De-risk Site	9
<b>4. Highways and Access</b>	<b>10</b>
4.1 Existing Reports / Information Referred To	10
4.2 Overview	10
4.3 Estimated Costs	13
4.4 Recommended Work to De-risk Site	14
<b>5. Ground Conditions</b>	<b>15</b>
5.1 Existing Reports / Information Referred To	15
5.2 Overview	15
5.3 Estimated Costs	16

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

5.4	Recommended Work to De-risk Site .....	17
<b>6.</b>	<b>Ecology.....</b>	<b>18</b>
6.1	Existing Reports / Information Referred To .....	18
6.2	Overview .....	18
6.3	Estimated Costs.....	23
6.4	Recommended Work to De-risk Site .....	26
<b>7.</b>	<b>Water Management.....</b>	<b>27</b>
7.1	Existing Reports / Information Referred To .....	27
7.2	Overview .....	27
7.3	Estimated Costs.....	29
7.4	Recommended Work to De-risk Site .....	30
<b>8.</b>	<b>Buildings Issues .....</b>	<b>31</b>
8.1	Existing Reports / Information Referred To .....	31
8.2	Overview .....	31
8.3	Estimated Costs.....	32
8.4	Recommended Work to De-risk Site .....	33
<b>9.</b>	<b>Historic Environment Issues.....</b>	<b>34</b>
9.1	Existing Reports / Information Referred To .....	34
9.2	Overview .....	34
9.3	Estimated Costs.....	36
9.4	Recommended Work to De-risk Site .....	37
<b>10.</b>	<b>Noise, Air Quality and Vibration .....</b>	<b>38</b>
10.1	Existing Reports / Information Referred To .....	38
10.2	Overview .....	38
10.3	Estimated Costs.....	39
10.4	Recommended Work to De-risk Site .....	39
<b>11.</b>	<b>Appendices .....</b>	<b>40</b>
	Appendix A : Site Plans and Aerial Image .....	40
	Appendix B : Site Photographs .....	41
	Appendix C : Technical Supporting Material .....	47

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 1. Site Description

### 1.1 Site Description

The following site description is based on a site reconnaissance undertaken by S. 40(2) and S. 40(2) of Peter Brett Associates (PBA) LLP, now part of Stantec, on 23<sup>rd</sup> January 2019.

A site plan is provided in **Appendix A** and a selection of site photographs is provided in **Appendix B**.

#### 1.1.1. Site Location

The site is situated on the southern edge of Bedminster, to the east of Hartcliffe Way / A4174 and to the west of Novers Lane in Bristol.

#### 1.1.2. Site Layout

The site is irregular in shape and extends to approximately 11.48 ha. In the east section of the site is the location of the former Novers Hill Infant School. The buildings have been removed, but 2 areas of hardstanding from the former school remain in situ. In the north of the site are some temporary farm buildings and some hardstandings associated with 'Hilltop Farm'. The remainder of the site comprises of grazed fields interspersed with hedgerows and some mature trees. Within the western part of the site are areas of dense shrubs and Pigeonhouse stream runs within the site boundary.

#### 1.1.3. Existing Boundaries

The site is bound by Hartcliffe Way / A4174 to the west and separated from it by dense mature trees and vegetation, mostly associated with Pigeonhouse stream which runs within the site parallel to the western boundary. Bristol Waste's Hartcliffe depot is located to the north-west of the site, with open fields used for grazing horses (at the time of writing) to the north-east of the site.

The majority of the eastern boundary comprises the rear gardens of residential dwellings along Novers Lane, with the new Bridge Views development forming the site boundary in the north-east of the site. The ground of Greenfield Primary School also forms part of the eastern boundary.

The E-ACT academy and its associated playing fields is located immediately to the south-east of the site on the other side of Novers Lane.

#### 1.1.4. Access Arrangements

The site is not accessible to the public. Private vehicular access to the site at Hilltop Farm is via an access point on Novers Hill in the north-east corner of the site. A further access is located along the eastern boundary from Novers Lane which was the access to the former Novers Hill Infant School.


#### 1.1.5. Site Uses

The site is largely open, undeveloped land, used for agriculture and grazing. An eastern parcel of the site is the site of the former Novers Hill Infant School, where some hardstanding remains. In the north of the site are some temporary farm buildings and some hardstandings associated with 'Hilltop Farm'.

#### 1.1.6. Topography

The site slopes very steeply from approximately +59m AOD on the east boundary to +21m AOD on the west boundary of the site.



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 1.1 Site Description

### 1.1.7. Buildings and Structures

There are temporary buildings on site associated with Hilltop Farm in the north-east corner of the site. Some hardstandings associated with the former Novers Hill Infant School also remain in the east of the site.

### 1.1.8. Services

Services were not identified during the site visit. It is possible that some services relating to the former Novers Hill Infant School could remain.

### 1.1.9. Roads and Access

The site is not accessible to the public. Private vehicular access to the site at Hilltop Farm is via an access point on Novers Hill in the north-east corner of the site. A further access is located along the eastern boundary from Novers Lane which was the access to the former Novers Hill Infant School.

### 1.1.10. Vegetation and Ecology

Approximately half of the site is covered with dense mature trees and vegetation in the form of scrub. Pigeonhouse stream lies within the site to the west.

### 1.1.11. Surface Water Features, Flooding and Drainage

The majority of the site is in Flood Zone 1, a low probability flood zone. Most of the west boundary of the site lies in Flood Zone 2 and Flood Zone 3, which are medium probability and high probability, respectively, where Pigeonhouse Stream runs within the west site boundary.

## 1.2 Locality Description

### 1.2.1. Key Connections

The site is located approximately 2.8km from the centre of the city of Bristol. The west boundary of the site is bound by Hartcliffe Way / A1474 which is a main road in to the centre of Bristol. Approximately 2.8km to the east of the site lies Wells Road / A37 which extends to Dorchester and Weymouth and approximately 10km to the west of the site is the M5 which extends to Exeter to the south and Birmingham to the north.

### 1.2.2. Governance

The site is within the jurisdiction of BCC.

### 1.2.3. Surrounding Land and Uses

The site is approximately 0.3km east of the residential area of Filwood Park and 0.1km west of the residential area of Novers Park in Lower Knowle. The site is located approximately 1.8km south of Bedminster, Bristol.

### 1.2.4. Key Points of Interest Nearby

There are two Grade II listed buildings in a 1km radius around the site; the Holy Cross Inns Court Vicarage lies approximately 0.5km east of the site and the Lakeshore, the former Wills Tobacco Headquarters, approximately 700m south of the site. Approximately 3km north of the site lies the Ashton Court Registered Parks and Gardens.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 2. Development Capacity

### 2.1 Existing Reports / Information Referred To

- Carter Jonas Development Appraisal
- Planning application records and planning policy information held by BCC
- The Richards Partnership drawings 18-06-SK01 and SK02 dated October 2018
- Sections 3 to 9 of this Technical Due Diligence Report.

### 2.2 Overview

The site is undeveloped, sloping land which is surrounded by existing residential development.

The local planning authority with jurisdiction for the site is BCC.

#### **Bristol City Council's Development Plan**

BCC's development plan currently comprises the adopted Bristol Core Strategy 2011 and the adopted Bristol Site Allocations and Development Management Policies Local Plan 2014 (the BSADMP).

Policy BCS20 of the Core Strategy requires new residential development to have a minimum indicative net density of 50 dwellings per hectare (dph), except where a lower density is essential to safeguard the special interest and character of the area.

The BSADMP shows the site as a housing allocation 'BSA 1108' (under Policy SA1) with a site area of 10.6 hectares and proposed for 440 dwellings. The principle of residential development at the site is acceptable therefore, subject to various technical and environmental criteria listed in the allocation.

The Council is in the process of preparing a new Local Plan, with a draft published for consultation during March - April 2018. The new plan will retain site allocations included in the BSADMP and paragraph 3.3.18 confirms that bringing forward allocated sites such as this one remains a priority.

#### **Density**

The development appraisal and The Richards Partnership drawings assume a net developable area of 4.27 hectares and a total of 260 dwellings (comprising a mix of apartments and 2, 3 and 4 bedroom houses, with 30% affordable housing), at a net density of 61 dwellings per hectare. This density complies with Policy BCS20 of the Core Strategy and is reasonable in view of the allocation of the site in the development plan and the fact that a substantial undeveloped buffer would remain to the south-west of the developed area.

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	s. 43	

### 2.3 Considered Risks

#### Site Abnormals / Issues

Our overview above establishes that the principle of residential development at the site is likely to be acceptable in planning terms, although there is as yet no planning permission for such.

In terms of development capacity, the remaining sections of this report, apart from the Highways and Access section, have not identified any significant issues that would reduce the developable area of the site. Within Section 4, Highways and Access, it is noted that access will limit the development that can be delivered off Belstone Walk. This is discussed further in Section 4. The remaining technical sections do set out a number of significant issues that will require further investigation. The outcome of these investigations may impact on cost risks and the commercial viability of the proposed residential development. These issues are discussed further in later sections of this report.


#### Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item
No delivery risks have been identified						
<b>Overall Risk Score:</b>				4		

### 2.4 Estimated Costs

As the site does not currently benefit from outline planning permission for residential development, we set out below potential costs associated with planning consultant and architect fees. Other estimated costs associated with technical work required to secure outline planning permission are set out within other sections of this report.

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item
Planning Statement	Early programme	5	Required to support planning application.	1	s. 43	30%	Costs based on similar schemes.	5
Other Planning Consultant Fees	Early programme	5	Required to manage submission and negotiation of planning permission.	1	s. 43	30%	Costs based on similar schemes.	5
Masterplanning and Design and Access Statement	Early Programme	5	Required to support outline planning application.	1	s. 43	30%	Costs based on similar schemes.	5
<b>Average Risk Score:</b>				5				
<b>Total</b>					s. 43			

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 2.5 Recommended Work to De-risk Site

Early engagement with BCC's planners to establish whether:

- the details of access and density/layout/scale parameters proposed are likely to be acceptable. This should include discussions to confirm that any likely Section 106 obligations and financial contributions are compliant with the CIL Regulations and the NPPF.

In order to ensure the development capacity is in line with current expectations, other recommended works to de-risk the site identified elsewhere within this report should be implemented.

## 2.6 Any critical planning issues including Environmental Impact Assessment (EIA)

Key planning issues are highlighted above, and we confirm our view that the principle of the residential development of the site as proposed is likely to be acceptable. However, there is as yet no planning permission for such.

The details of proposed mix, access, scale and layout should be reviewed with BCC, as should the likely Section 106 obligations and financial contributions, which may impact on the commercial viability of the proposed residential development.

It is considered unlikely that the site proposals constitute EIA development, although the number of dwellings proposed is above the 150 dwellings threshold whereby EIA is normally considered more likely to be required.



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### 3. Services and Utility Capacity

#### 3.1 Existing Reports / Information Referred To

- Contact with Utility Providers
- Linesearch website

This section is to be read in conjunction with the record mapping included within **Appendix E**.

#### 3.2 Overview

The following table identifies the Statutory Undertakers that have confirmed their presence within the vicinity of the site and summarises likely requirement for diversion or protection of any existing infrastructure.

Utility Medium	Statutory Undertaker	Existing Infrastructure On/Near Site	Potential Diversionary / Disconnection Works Required
Electricity	Western Power Distribution	Yes/On Site	Yes
Gas	Wales and West Utilities	Yes/Near Site	No
Telecoms	Openreach	Yes/Near Site	No
Telecoms	Virgin Media	Yes/Near Site	No
Potable Water	Bristol Water	Yes/Near Site	Yes
Foul Drainage	Wessex Water	Yes/On Site	Yes

In addition to the above, the following statutory undertakers / IDNO'S have been contacted and confirmed they do not have assets within the vicinity of the proposed development: ENGIE, Energetics, GTC, COLT, CenturyLink, CityFibre, Interoute, KPN, MBNL, Sky UK, Sota, Utility Assets, Vodafone and Verizon.

The information on utilities contained within this section of the report has been derived from data provided by the main public utility companies. No information is provided in relation to "private" infrastructure that might be present on site.

The information provided by the statutory undertakers is intended for general guidance and should not be relied upon for construction purposes. Further onsite investigation will be needed to determine the true location and possible presence of onsite infrastructure.

Where Statutory Undertakers have identified services within or near to the site, these services are discussed within the following sections.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### 3.2 Overview

#### **Existing Electrical Infrastructure and Potential Constraints**

##### **Western Power Distribution (WPD)**

###### On-Site

A low voltage (LV) underground cable enters the site from Novers Hill to supply Hilltop Farm.

###### Off-Site

The surrounding area is supplied by high voltage (HV) and LV electricity infrastructure. HV and LV cables are recorded within the footways of Novers Hill and street lighting cables within the footways of Hartcliffe Way.

#### **Existing Gas Infrastructure and Potential Constraints**

##### **Wales & West Utilities (WWU)**

###### On-Site

No WWU infrastructure is recorded within the site boundary.

###### Off-Site

An intermediate pressure (IP) gas main is recorded within the western footway of Hartcliffe Way. The surrounding developments are supplied by low pressure (LP) gas mains.

#### **Existing Telecommunications Infrastructure and Potential Constraints**

##### **Openreach and Virgin Media**

###### On-Site

No Openreach or Virgin Media infrastructure is recorded within the site boundary.

###### Off-Site

Openreach underground cable ducts and overhead lines are recorded within the surrounding highways and footways including along Hartcliffe Way and Novers Hill.

Virgin Media also supply the surrounding area. Virgin Media underground cable ducts are recorded within the footways of Novers Hill.

#### **Existing Potable Water Infrastructure and Potential Constraints**

##### **Bristol Water (BW)**

###### On-Site

A BW supply pipe is recorded to enter the site from Novers Hill to supply Hilltop Farm.

###### Off-Site

Multiple distribution mains are recorded within Novers Hill and the surrounding highways and footways.

#### **Existing Sewerage Infrastructure and Potential Constraints**

##### **Wessex Water (WW)**

###### On-Site

A 525mm diameter foul gravity sewer crosses the site in an approximate south to north alignment. The sewer runs along the path of the existing watercourse to the west of the site. A 225mm diameter and 100mm diameter foul gravity sewer cross the northern section of the site and discharge to the 525mm diameter sewer.

A 450mm diameter foul gravity sewer and a 1950mm diameter surface water sewer run inside a tunnel and

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### 3.2 Overview

cross the southern section of the site in an east to west alignment. Also crossing the southern section of the site are a 225mm diameter foul gravity sewer and a 900mm diameter surface water sewer.

No buildings or structures will be permitted within the following distances either side of the existing onsite foul and surface water sewers

- 525mm and 450mm diameter foul sewer – 3.5m
- 225mm and 100mm diameter foul sewers – 3m
- 1950mm diameter surface water sewer – 5m
- 900mm diameter surface water sewer – 4m

The above offsets are based on the depths of the sewers being no greater than 3m deep. If the sewers are greater than 3m deep the offsets will increase. Further investigations will be needed to determine the size of the tunnel and subsequent offset.

It is noted that development is not expected to occur along the western part of the site but there will potentially be an access point to the south that could cross this infrastructure.

#### Off-Site

The surrounding area is served by foul and surface water gravity sewers.

#### Site Abnormals / Issues

The following diversions and disconnections will be required for the proposed development:

- WPD LV electricity cables supplying Hilltop Farm – to be disconnected.
- Potable water service pipe supplying Hilltop Farm – to be disconnected.
- Foul gravity sewers crossing the site (excluding 100mm diameter to north of site) – to remain in situ.
- 100mm diameter foul gravity sewer crossing site – flows to be accommodated within proposed foul network.
- Surface water sewer crossing the site – to remain in situ and will act as a constraint.

#### Delivery

Based on the assumption that the principal foul and surface water sewers within the site (excluding 100mm diameter foul sewer) will remain in situ and considered within future masterplanning as a constraint, no significant risks have been identified which would suggest the programme cannot be achieved.

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item
Service disconnection works	Enabling works	5	To enable demolition	1	Minor works	5
<b>Average Risk Score:</b>				<b>5</b>		

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### 3.3 Estimated Costs

The table below includes cost estimates for the works identified as being required to enable development of the site.

There is the potential for gas and electricity network reinforcement costs. The need for and extent of these costs is not known at this stage and is therefore not included.

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item
GPR survey to identify private infrastructure	Early programme	5	To identify any private infrastructure	1	£s. 43	+/- 20%	Minor works	5
Utility capacity assessment	Early programme	5	To establish capacity	1	£s. 43	+/- 20%	Minor works	5
Service disconnection works	Enabling works	5	To enable demolition	1	s. 43	+/-20%	Minor works	5
<b>Average Risk Score:</b>					5			
<b>Total</b>					£s. 43			

### 3.4 Recommended Work to De-risk Site

Due to the size and locations of the foul and surface water sewers crossing the site, we would recommend that they remain in situ and are considered within future masterplanning. The flows from the 100mm diameter foul sewer crossing the site could potentially be accommodated within the future foul network to minimise its constraint on development.

The network capacity investigations should be progressed in the next phase of assessment to better understand the supply costs, which don't form part of this report. This will confirm if the local utility networks can support the development requirements and whether network reinforcement works will be required to facilitate the development proposals.

A formal tender should be undertaken to obtain firm quotes for new supplies to the proposed development and potential diversions. We would recommend that in addition to the Statutory Undertakers, Independent Connection Providers (electric) and Utility Infrastructure Providers (gas) are also approached for the provision of electric and gas infrastructure.



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 4. Highways and Access

### 4.1 Existing Reports / Information Referred To

- Site reconnaissance visit notes 23/01/19;
- 18-06-SK01 Novers Hill\_ Emerging Sketch Layout;
- 18-06-SK02 Novers Hill\_ Wider Allocation Emerging Framework Plan Option 1 & 2;
- Bristol Local Plan Policy Map;
- Bristol Local Plan – Site Allocations and Development Management Policies – NP11 Filwood, Knowle and Windmill Hill, Site Reference: BSA1108;
- Google and Bing online mapping (including the use of Street View); and GoogleEarth Pro.
- Email s. 40(2), White Design to s. 40(2), BCC with information relating to the MMC factory including delivery vehicle requirements, dated 25/04/2019.

### 4.2 Overview

The Land at Novers Hill is a 10.6 council-owned site allocated within the Site Allocations Document in 2014 (ref BSA1108) for a mix of housing, open space, children's playground and improvements to the surrounding highway/transport network. This report focuses on the southern part of the allocated site within BCC ownership.

This site is located approximately 4.2 miles south of Bristol city centre; and is bounded to the north by the private owned part of land at Novers Hill, to the east and south is Novers Lane and a primary school, and to the west is Hartcliffe Way.

Novers Lane is approximately 7.6m wide for the most part. Novers Lane transitions to Novers Hill at the Camberley Road junction. Novers Hill / Novers Lane provide access to existing industrial estates, residential developments and a school along their length. Hartcliffe Way is a wide A road on the Metrobus route, it also has shared cycle/foot way and bus lanes.

The emerging sketch layout shows a two-way access off Belstone Walk. This is a viable wide access point with footways on either side. The sketch shows that this access will serve the area designated for approximately 35 community self-build plots and an MMC factory only. This access has been discounted as a possibility of supporting the remainder of the site (development of approximately 170 units) due to topographical issues, which prevent a formal road link.

PBA had raised concerns about articulated lorries accessing the site via Belstone Way to the MMC factory, through a predominantly residential area. However, additional information relating to access and vehicular requirements has been received, as set out below. PBA considers that access via Belstone Way for the deliveries is considered appropriate.

It is understood (from s. 40(2), White Design who is working on the MMC factory element) that the factory will assemble flatpack panels predominantly and therefore large articulated vehicles are not proposed for this site. In addition, the Factory will use Just in Time lean manufacture to avoid large storage requirements. The deliveries in and out of the site will use smaller flat bed vehicles. The MMC factory will make components specifically to work on microsites, so panel sizes would be typically no bigger than 2.4m wide and up to 5m long only. This is to avoid the need for large articulated vehicles.

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 4.2 Overview

The Factory will serve the immediate housing needs of Knowle West with the aspiration to provide solutions for other projects in Bristol. The Factory is a temporary build with an anticipated life of a minimum of 10 years. Once completed, it will be disassembled and relocated.

Therefore, the area being considered for access to the remainder of the site for up to 170 units is the Green area inside the red line boundary only, given that the Belstone Walk (purple) site is to be accessed separately as per above.

Within Option 1 and Option 2 there are three access points:

- A) **Access from the southern end of Novers Lane.** This would result in all development traffic travelling through the site. A new access road would join Novers Lane within the confines of the new signalised junction layout. Due to its proximity to the junction, any new junction will interact with the traffic entering and exiting Novers Lane and require modification of the current lane arrangement. There are 2 alternatives for access:
- Option A1** is a left-in only junction to allow access to the site but not exit to minimise the impact on the signalised junction.
- Option A2** which is a ghost island all moves junction which will require the right turn lane for the signal junction to be partly removed and replaced with the ghost island right turn for this new junction. This layout in principal would allow vehicles existing the site to utilise the right turn lane to wait if opposed by main line traffic. The layout may need to consider a form of keep clear markings to prevent blockage of the eastbound traffic flow on Novers Lane.
- B) **Novers Hill Lane north of the site (2-way access).** With the exception of Access A, this is the only other access location which lies within the red line boundary and links onto the public highway. Given the possible issues at Access A, this could provide a two-way simple T-junction access onto Novers Hill/Lane, however it is noted that beyond the current plateau there may need to be gradient considerations for the road and footpaths (noting the footpaths could be remote to the road to separate permitted gradient differences for each user type). There may need to be some localised levelling at the site access, however it would appear an access is viable. The main issue is the gradient to link to the internal road.
- C) **Alternate access off Novers Hill Lane,** if the internal link road was extended north outside of the red line boundary then an alternate access point off Novers Hill Lane is required. This is likely to be a T junction in the vicinity of where Novers Road joins Novers Hill Lane. Note that this needs additional third party land and is therefore potentially a ransom strip). Footpaths are intermittent on Novers Hill Lane (one side only).

The lower site could be considered to support a higher density leading to around 200 units. The comments above about the access options would be unaltered by this net increase in units as it is unlikely to have a material impact on the options. An additional 30 units could generate around a further 15 vehicle trips per peak hour, which would have limited impact on the access or link capacity's.

There is a Public Right of Way (PROW) footpath BCC/547/30 skirting the western edge of the site along Hartcliffe Way (A4174) and around Headley Park. The Malago Greenway cycle route is a 5km loop which runs along Hartcliffe Way and follows the Malago River.

The nearest bus stops are located on Novers Lane bordering the south of the site. These are served by bus routes 91, 96 and m1. These services provide access to Hengrove Park, Cribbs Causeway, Hengrove, Cabot Circus and Brislington.

The nearest railway station to the site is Parson Street, located approximately 1.2km north of the site which is approximately a 4-minute cycle or 15-minute walk. Parson Street train station is located 3.2 km away from Bristol Temple Meads and provides train connections for the nearby areas of Bishopsworth, Ashton Gate, and Ashton Vale.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 4.2 Overview

### Delivery

The site appears to be viable for residential land use, subject to accesses being established for Option 1 and Option 2.

The site appears suitable to support construction work, compound storage and HGV traffic.

The following table identifies the possible maximum parking provision that will be required for the lower part of the site, for the development of up to 170 units as assessed in the DVA., based on Bristol City Council 2014 Parking Standards:

Option 1 does not include unit numbers, therefore it has not been included below.. Unit Type	Number of Units	Maximum Parking	
		Council Parking Standards	Possible Parking Provision
1 bed flat	20	1 per unit	20
2 bed flat	31	1.25 per unit	39
2 bed house	35	1.25 per unit	44
3 bed house	64	1.5 per unit	96
4 bed house	20	1.5 per unit	30
Visitor		No standards set out.	
<b>TOTAL</b>	<b>170</b>		<b>229</b>
Disabled		5% provision	12

The following table identifies the possible cycle parking provision:

Unit Type	Number of Units	Maximum Cycle Parking	
		Council Parking Standards	Possible Parking Provision
1 bed flat	20	1 per unit	20
2 bed flat	31	2 per unit	62
2 bed house	35	2 per unit	70
3 bed house	64	2 per unit	128
4 bed house	20	3 per unit	60
<b>TOTAL</b>	<b>170</b>		<b>340</b>
Visitor		1 space per 10 unit	17

### Site Abnormals / Issues

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item	Risk Mitigations
Transport Assessment & Travel Plan	Early Programme	3	Necessary to achieve planning permission	2	Although required for planning and addressed at early stages, it will have a	6	Complete documents for planning submission

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

4.2 Overview							
					material impact on any S278 or S106 matters		
Belstone Walk Access for emerging sketch layout to serve community self-build and MMC factory	Early Programme	3	Complications with ownership of existing access road	2	Existing Junction	6	Early master planning consulting with BCC
Access C	Early Programme	4	Third Party Land ownership	4	Inability to provide in current red line	16	Early master planning consulting with BCC
Access A	Early Programme	4	Proximity to current junction	4	Requirement to reconfigure new signal junction if possible	16	Early master planning consulting with BCC and land owners
Access B	Early Programme	3	Possible topography issues	4	Only other point of direct access to public highway	12	Early master planning consulting with BCC
<b>Average Risk Score</b>							<b>10</b>

4.3 Estimated Costs									
Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item	Risk Mitigations
Transport Assessment & Travel Plan	Early Programme	5	Necessary to achieve planning permission	1	S. 43	10%	Fixed price from consultant	5	Complete documents f10or planning submission
Traffic Surveys	Early Programme	5	Necessary to achieve planning permission	1	S. 43	10%	Fixed price from suppliers	5	Required for Transport Statement
Belstone Walk Access for emerging sketch layout	Early Programme	5	Necessary to achieve planning permission for more than 150 homes	1	S. 43	20%	Based on similar scheme size	5	Kerb radii/road width adjustments and TROs
Access C (Junction only)	Early Programme	5	Necessary to achieve planning permission	3	S. 43	20%	Based on similar scheme size	15	Early master planning consulting with BCC
Access A (junction only)	Early Programme	4	Necessary to achieve planning permission	3	Option A2: S. 43 (Option A1:	20%	Based on similar scheme size	12	Early master planning consulting with BCC



<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

4.3 Estimated Costs									
					S. 43				
Access B (junction only)	Early Programme	5	Necessary to achieve planning permission	3	S. 43	20%	Based on similar scheme size	15	Early master planning consulting with BCC
2 new bus stops on Hartcliffe Way	Early Programme	5	Post application would require preparation (in the S278) of formal TRO in agreement with bus company and council	1	S. 43	20%	Based on similar scheme size	10	Early master planning consulting with BCC and bus operators
<b>Average Cost Score</b>								<b>15</b>	
<b>Total:</b>								<b>£S. 43</b>	

4.4 Recommended Work to De-risk Site
<p>Early concept design will be required to determine the access option. This will require early engagement with BCC. Sufficient detail of the site access construction will be required at the concept change to limit changes post-consent.</p> <p>A Transport Assessment and Travel Plan will be required, including traffic surveys, the scope of which will need to be agreed with the Local Highways Authority.</p>

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 5. Ground Conditions

### 5.1 Existing Reports / Information Referred To

The following list of previous reports, websites or other information was used to gather relevant information on the site from which this review of ground conditions was based:

- Envirocheck Report 191289386\_1\_1 (2019);
- BGS Geology of Britain Viewer: (Online, Accessed January 2019);
- PBA Natural and Mining Cavities Database;
- Zetica: UXO Database;
- Coal Authority, Online Interactive Map Viewer, (Online, Accessed January 2019);
- BGS, Solid and Drift Geology Map, BGS Sheet 264 – Bristol, 2004;
- DEFRA MAGIC viewer: (Online, Accessed January 2019);
- Environment Agency: Check for Drinking Water Safeguard Zones and NVZs. (Online, Accessed January 2019).

### 5.2 Overview

#### Site Abnormals / Issues

The information reviewed indicates that the site has remained largely undeveloped. A 'Refuse Tip' was identified on historical maps in the western parts of the site (circa 3.6ha in plan located on the lower, western, parts of the site). The composition and precise extent of any deposited materials is currently unknown. It is understood that current development concepts avoid built development in this part of the site. If development was proposed across this area, then there is potential that removal / improvement of historical fill will be necessary to facilitate development.

Novers Hill Infant School was located in the eastern parts of the site but has been demolished; the tarmacadam hardstanding associated with the playground remains in place. Stables, garages and yard spaces associated with 'Hilltop Farm' are located in the north-eastern corner of the site. There is potential for localised 'hotspots' to be present around these historical land uses that could require localised mitigation to facilitate development.

The site topography is relatively steep, and any development at the site will require significant earthworks and retaining structures in order to provide appropriate development platforms. The earthworks would form part of an outline planning application. The potential for historical land stability issues to be present, requiring additional retaining structures, is currently unconfirmed.

Whilst the site is in a Coal mining reporting area, there is no evidence of workings or seams at shallow depth.

#### Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item	Risk Mitigations
Phase 1 Desk Study	Early Programme	5	Necessary for planning permission	1	Programme is sufficient to enable a Phase 1 desk study to be undertaken	5	Undertake Phase 1 desk study
Preliminary Ground	Early Programme	5	Necessary for planning	2	Programme should be	10	Undertake Preliminary

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	s. 43	

5.2 Overview							
Investigation			permission		sufficient to enable a prelim. GI to be undertaken		GI
Area where a coal mining report is required	Early Programme	5	Necessary for planning permission	1	Programme should be sufficient to enable risks to be identified	5	
Slope instability affects layout design and/or requires engineering to mitigate	Early programme	2	Site noted to be relatively steep. Potential for instability to affect development subject to review by ground investigation	2	Programme should be sufficient to enable risks to be identified	4	Confirm conditions as part of early phase GI
Clearance of residual hardstanding at former school site	Enabling programme	5	Hardstanding area identified	1	Limited area only. Make-up of hardstanding unknow	5	Sample blacktop as part of GI to confirm disposal costs
Earthworks to deliver development platforms through sloping site	Construction programme	5	Regrading works necessary to facilitate development. Precise scope subject to masterplanning	1	Programme should be sufficient to enable design details to be defined	5	
<b>Average Risk Score:</b>				<b>10</b>			

5.3 Estimated Costs								
Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item
Phase 1 Desk Study	Early Programme	5	Necessary for planning permission	1	s. 43	+/- 20	Costs based on similar size scheme	5
Preliminary Ground Investigation	Early programme	5	Necessary for planning permission	2	s. 43	+/- 20	Costs based on HCA guidance booklet	10
Coal Authority mining and stability report	Early Programme	5	Necessary for planning permission	1	s. 43	0	Fixed price from Coal Authority	5
Slope instability affects layout design and/or requires engineering to mitigate	Early Programme	4	Site noted to be relatively steep. Potential for instability to affect development subject to review by ground investigation	5	s. 43	+/- 100	Requirements unknown. Subject to confirmation by ground investigation	20
Clearance of residual	Enabling programme	5	Hardstanding area identified	1	s. 43	+/- 10	Costs based on similar	5

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

5.3 Estimated Costs								
hardstanding at former school site							sized scheme	
Earthworks to deliver development platforms through sloping site	Construction programme	5	Regarding works necessary to facilitate development. Precise scope subject to masterplanning	3	S. 43 (exact retaining walls. Costs included in the Buildings section)	+/- 30	Costs based on similar sized scheme. Subject to variation depending on layout	15
<b>Average Risk Score:</b>					20			
<b>Total</b>					S. 43			

5.4 Recommended Work to De-risk Site
<p>It is recommended that a detailed site-specific desk study is completed to confirm the geoenvironmental and land stability risks applicable to the site. This will then inform the scope of intrusive ground investigation including assessment of slope stability, extent of the historical 'refuse tip', ground gas and groundwater regimes to be undertaken at an appropriate time (prior to any application for planning consent) to assess the anticipated ground conditions and to confirm the assumptions in this assessment.</p> <p>Based on the geological information reviewed and the Coal Authority resources it is considered that there is a very low risk in relation to the potential for ground instability and ground gas issues relating to coal workings. This will need to be confirmed through the acquisition of a Coal Authority Mining and Stability report and by intrusive investigations.</p> <p>Topography at the site is relatively steep and slope stability will require assessment as part of ground investigations. Any development will require earthworks and retaining structures in order to deliver appropriate development platforms. The extent and form of these measures will be dictated by the development layout. The implications of any legacy stability issues (if present) on retaining structure design will be subject to confirmation by ground investigation and masterplan design.</p> <p>The composition of the residual tarmacadam hardstanding should be assessed by analysis to confirm waste disposal classification.</p>



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 6. Ecology

### 6.1 Existing Reports / Information Referred To

- Site reconnaissance visit notes 23/01/19;
- 18-06-SK01 Novers Hill\_ Emerging Sketch Layout;
- 18-06-SK02 Novers Hill\_ Wider Allocation Emerging Framework Plan Option 1 & 2;
- Bristol Local Plan Policy Map;
- Bristol Local Plan – Site Allocations and Development Management Policies – NP11 Filwood, Knowle and Windmill Hill, Site Reference: BSA1108;
- Bristol Local Plan- Site Allocations and Development Management Policies - Sustainability Appraisal Main Report – March 2013;
- Maps.gov.Bristol.uk (includes non-statutory designated sites) accessed 08/02/19;
- Multi Agency Geographic Information for the Countryside (MAGIC) online portal;
- Google and Bing online mapping (including the use of Street View);
- GoogleEarth Pro; and
- Knowle West Regeneration Framework and Outline Planning Application, Filwood Broadway - Ecological Paper – Capita Symonds – June 2009.

### 6.2 Overview

#### Site Abnormals / Issues

*Site description* –The habitats on Site comprise species-rich calcareous grassland, species-rich neutral grassland, broadleaved woodland, hedgerows, mature trees, dense scrub and tall ruderal vegetation. Hilltop Farm is situated within the northern part of the Site comprising numerous buildings, associated hard standing and meadowland. An area of land formerly occupied by Novers Hill Infant School is located within the central area of the Site. This area comprises rank grassland, scrub and areas of hardstanding associated with the former school's playground and carparking and is bound to the west and north by a mature hedgerow. The information provided above has been informed by the site reconnaissance visit undertaken 23/01/19 and 'Knowle West Regeneration Framework and Outline Planning Application, Filwood Broadway - Ecological Paper – Capita Symonds – June 2009'.

*Ecological context* – The site is within an urban setting and a residential neighbourhood. To the west, broadleaved woodland extends and abuts Hartcliffe Way. Pigeonhouse stream flows south to north within the woodland. This area falls within Pigeonhouse stream and Adjacent Meadows SNCI. Giant hogweed and Japanese knotweed have been recorded within the SNCI (referenced in Capita Symonds, 2009). The presence of these non-native invasive species was not noted during the site reconnaissance visit, but this does not confirm absence as a detailed inspection was not made. Greenfield Primary School is adjacent east of the site. This comprises a number of buildings, hardstanding, large amenity field, scrub, and a hedgerow situated along the western boundary. Residential properties of Novers Hill and Novers Lane are to the east and south of the site and the meadowland associated with Hilltop Farm extends to the north.

The nearest European designated site is the Avon Gorge Woodlands Special Conservation Area (SAC) c.3.5km north-west, which includes the Avon Gorge Site of Special Scientific Interest (SSSI). Collectively the SAC and SSSI are designated as they support high concentration of small-leaved lime *Tilia cordata*, and rare

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 6.2 Overview

whitebeams *Sorbus* spp., including two unique to the Avon Gorge (*S. bristoliensis* and *S. wilmottiana*). There are no statutory designated sites for nature conservation within 2km, and the nearest Site of Special Scientific Interest (SSSI) for nature conservation is Ashton Court SSSI (important for the presence of rich saproxylic invertebrate fauna including many species which are nationally scarce) c. 3km to the north-west. The site lies within the Natural England Impact Risk Zone (IRZ) for this SSSI, but the proposed type of development does not fall within any of the categories requiring consultation regarding potential impacts.

From 'Maps.gov.Bristol.uk' it appears that the majority of the site falls within Pigeonhouse Stream and adjacent Meadows Site of Nature Conservation Interest (SNCI) (apart from the former infant school site). This however is contradicted by the local plan policies map which shows the area for development as falling outside of the SNCI (with the SNCI boundary abutting the development site along the western boundary).

The SNCI supports a range of Habitats of Principal Importance (as defined under the NERC Act 2006) and protected notable species and is an important local ecological site that connects Wildlife Corridor sites from the northern sections of the Filwood, Knowle and Windmill Hill Partnership following the path of the Malago, to Hengrove Park SNCI to the south (Bristol Local Plan, March 2013). The Site is allocated as BSA1108 within the Bristol Local Plan. Within the site allocation it states that the site currently has city-wide importance for nature conservation due to the presence and condition of particular species, habitats and/or features, and the development must be informed by an ecological survey of the site and make provision for compensation and mitigation measures, including compensation for the loss of the 'lowland meadow', 'lowland calcareous grassland' and semi-improved neutral grassland. The new development must also maintain or strengthen the integrity and connectivity of the Wildlife Network and integrate appropriate landscaping to ensure that green infrastructure links to the surrounding area are maintained. The site allocation document BSA1108 makes no specific reference to SNCI being located within the allocation boundary.

A review of OS mapping (Bristol Local Plan Policy Map) shows one pond within 500m of the site, this is located within the area of the former infant school ground.


A Preliminary Ecological Appraisal (PEA) should be completed of the site, which should include the following assessment:

- Desk study record search from BRERC;
- Phase 1 habitat survey to record vegetation and notable ecological features;
- Inspection of the buildings on site for evidence of and suitability for roosting bats;
- Preliminary appraisal of the potential tree roost resource for bats;
- Pond scoping survey to identify all ponds within 500m;
- Reptile habitat assessment of grassland to evaluate the potential for these protected species to be present;
- Survey of suitable habitats within the site and a 30m radius of the site for badger setts;
- Field survey habitat evaluation for other protected species to support the initial desk-based appraisal.

The PEA will be required to be undertaken in 2019 to meet the LA/AC programme deadlines and ecological surveys will be required to support a planning application.

As stated above, the site is deemed to have city-wide importance for nature conservation, therefore time should be allocated within the programme and funds made available to ensure that all the development considerations highlighted within the local plan are met (e.g. on-site or off-site compensation for loss of important grassland etc.).

Further survey may be required following the PEA to inform the design process and to provide the baseline for an Ecological Assessment Report (EAR). An EAR will be needed to inform/support the planning application and satisfy BCC validation and determination requirements. Potential further survey requirements are set out below:

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 6.2 Overview

- Bat roost assessment – if the buildings or trees have suitability to support bats, up to three emergence/ re-entry surveys may be required to determine presence or likely absence of roosting bats. The optimal survey season for bat surveys is May to August.
- Bat activity surveys – if the broadleaved woodland and/or hedgerows are to be affected by the proposed development then activity surveys are likely to be required to determine potential impacts upon commuting and foraging habitat. If the habitat is considered to be of high suitability, then 2 survey visits per month (April to October) will be required.
- GCN eDNA surveys or presence/likely absence surveys – if ponds are found to be present within 500m of the proposed development then surveys will be required to determine the presence. This can either take the form of eDNA surveys (samples can be taken from the 15<sup>th</sup> April to the 30<sup>th</sup> June) or presence/likely absence surveys (4 survey visits mid-March to mid-June with 2 being within the peak period mid-April to mid-May). If GCN are identified and a population size class assessment survey is required then 6 survey visits will be needed mid-March to mid-June, with 3 being within the peak period mid-April to mid-May.
- Reptile survey –if the site supports suitable habitat for reptiles, a survey to determine presence or likely absence will likely be required. This can take several weeks and needs to be completed between April and September (optimal survey timing in April / May or September).
- Botanical surveys – national vegetation classification (NVC) surveys of the species-rich grasslands will be required to inform compensation measures should these habitats be present on-site. Grassland NVC surveys can be carried out May to August with the optimal timing being June/July. Hedgerow surveys will be required if impacted by the development, to ascertain whether hedgerow(s) are deemed 'important' and to inform compensation measures. These can be undertaken April to October with the optimal timing being June/July.

According to the Novers Hill Wider Allocation Emerging Framework Plan, the likely development area lies in the eastern half of the site. The land in the western half definitively falls within the SNCI and comprises broadleaved woodland and Pigeonhouse Stream. No otter, water vole or other riverine species surveys are considered necessary to progress this development through planning as the riparian corridor of Pigeonhouse stream is likely to remain unaffected by development. However, consideration should be given to how this area of land and the SNCI can be managed and enhanced to benefit biodiversity.

Potential ecological constraints identified by this desk study, to be confirmed following the PEA and any further survey work, and which if present would need to be taken into consideration during site clearance during the Enabling Programme, may include:

- Provide mitigation for any loss of bat roosts in buildings - a Natural England mitigation licence would be required if there are predicted impacts on confirmed bat roosts.
- Retain bat roost trees or provide mitigation for the loss of roosts – a Natural England mitigation licence would be required if there are predicted impacts on confirmed bat roosts.
- Retain trees and important/ species rich hedgerows or provide mitigation for loss of bat foraging and commuting habitat.
- Provide mitigation for the loss of GCN habitat and prevent the killing or injury of GCN – a Natural England mitigation licence would be required if there are predicted impacts on GCN.
- Prevention of killing or injury to reptiles – this may require retention of semi-natural grassland habitats. Off-site mitigation to translocate animals can be undertaken, but sufficient time would be needed to identify and/or prepare a suitable receptor site.
- Provide mitigation for loss of any badger setts – a Natural England mitigation licence would be required if there are predicted impacts on badger setts. Badger setts can only be closed July – November inclusive
- Retain areas of important grassland where possible and compensate in line with the local plan allocation where needed (this may involve on-site (preferred) or off-site compensation).

The Avon Gorge Woodlands SAC is within 5km. Consultation will need to be undertaken with BCC to



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 6.2 Overview

determine Habitat Regulations Assessment (HRA) requirements.

Japanese knotweed and Giant hogweed were highlighted as being present along Pigeonhouse Stream (Capita Symonds, 2009). Although this is outside of the likely development area, this falls within BCC landownership and it is best practice to devise and implement an eradication strategy. It is recommended that a specialist contractor is employed to undertake this activity. This has therefore been excluded from the below assessment.

The tables below summarise potential ecological delivery risks and costs for the likely ecological requirements for the site, to secure planning permission and deliver a development platform, based on the information collated for the site to date. It should be noted that ecological survey and assessment works have the potential to uncover additional unforeseen issues that cannot be reasonably predicted at this stage. However, given the habitats present within the site, this risk is considered to be low.

### Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item
PEA	Early programme	5	Mandatory requirement for most planning applications	4	Extended Phase 1 survey should be carried out in the Early Programme (before April 2019).	20
Badger Survey	Early Programme	4	Mandatory requirement for planning applications – broadleaved woodland offers suitable habitat for badgers	3	Optimum time is February to April, coinciding with a peak in territorial activity and a period when vegetation cover is at a minimum – this should be undertaken as part of the extended phase 1 habitat survey.	12
Bat Survey trees & buildings	Early Programme	4	Required if PEA records bat roost features in trees or more than 'negligible' potential for bats in buildings.	3	Seasonal survey constraints Survey work for bats would need to take place May-September inclusive (although Sept suboptimal).	12
Bat activity surveys	Early Programme	4	If the broadleaved woodland and/or hedgerows are to be affected, then surveys will be required to determine potential impact(s) upon commuting and foraging habitat.	3	If the habitat is considered to be of high suitability, then 2 survey visits per month (April to October) will be required	12
GCN surveys	Early Programme	4	Likely required if the PEA records the presence of ponds within 500m of the development site.	3	eDNA surveys are undertaken 15th April to the 30th June).  Presence/likely absence surveys (4 survey visits mid-March to mid-June with 2 being within the peak period mid-April to mid-May). If GCN are identified and a population size class assessment survey is required then 6 survey visits will be needed mid-	12



<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

6.2 Overview						
					March to mid-June, with 3 being within the peak period mid-April to mid-May.	
Reptile Survey	Early Programme	4	Required if PEA predicts possible presence of these species	2	Seasonal survey constraints Survey work for reptiles would need to take place in spring 2019 or September 2019 (optimal periods).	8
Botanical Survey	Early Programme	4	NVC surveys of the species-rich grasslands will be required to inform compensation measures. Hedgerow surveys will be required if impacted by the development, to ascertain whether hedgerow(s) are deemed 'important' and to inform compensation measures.	2	Seasonal survey constraints Survey work for botany would need to take summer 2019.	8
EAR	Early Programme	5	Necessary to achieve planning permission.	1	Providing survey work described above is undertaken in season.	5
HRA	Early Programme	5	BCC likely to require Screening of Likely Significant Effects (LSE) and Appropriate Assessment.	1	A standalone Habitat Regulations Assessment may be required.	5
Ecological mitigation during enabling works.	Enabling Programme	4	Habitat management and careful site clearance with possible seasonal timing constraints to limit risk pertaining to protected species.  Retain areas of important grassland where possible and compensate in line with the local plan allocation where needed (this may involve on-site (preferred) or off-site compensation).	2	Delivery programme can be confirmed at Early Programme Stage	8
Natural England Bat Mitigation Licence.	Enabling Programme	2	Derogation licence would be required where a bat roost is affected by development	3	Licence application is made following planning permission being granted. Delivery programme can be	6

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	s. 43	

6.2 Overview						
			works.		confirmed at Early Programme Stage	
Natural England GCN Mitigation Licence.	Enabling Programme	2	Natural England mitigation licence is required if there are predicted impacts on GCN	3	Licence application is made following planning permission being granted. Delivery programme can be confirmed at Early Programme Stage. If the closure of a sett is necessary than this can only by undertaken July to November inclusive.	6
Natural England Badger Mitigation Licence.	Enabling Programme	2	Natural England mitigation licence is required if a badger sett is to be affected by development works.	3	Licence application is made following planning permission being granted. Delivery programme can be confirmed at Early Programme Stage. If the closure of a sett is necessary than this can only by undertaken July to November inclusive.	6
<b>Overall Risk Score:</b>						

6.3 Estimated Costs								
Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item
PEA	Early programme	5	Mandatory requirement	1	s. 43	0%	Standard scope of work	5
Bat surveys - trees & buildings	Early programme	4	Required if PEA predicts possible presence of roosting bats	1	s. 43	+/- 50%	Follows survey standard guidelines with proportionate level of survey required	4
Bat activity surveys	Early programme	4	If the broadleaved woodland and/or hedgerows are to be affected, then surveys will be required to determine potential impact(s) upon commuting and foraging habitat.	1	s. 43	+/- 50%	Follows survey standard guidelines with proportionate level of survey required	4
Reptile Surveys	Early programme	4	Required if PEA predicts possible presence of reptiles	1	s. 43	+/- 30%	Follows survey standard guidelines with proportionate level of survey	4


<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

6.3 Estimated Costs								
GCN surveys	Early Programme	4	Required if the PEA records the presence of ponds within 500m of the development site.	1	s. 43	+/- 25%	required Follows survey standard guidelines with proportionate level of survey required	2
Botanical Survey	Early Programme	4	NVC surveys of the species-rich grasslands will be required to inform compensation measures. Hedgerow surveys will be required if impacted by the development, to ascertain whether hedgerow(s) are deemed 'important' and to inform compensation measures.	1	s. 43	+/- 25%	Follows survey standard guidelines with proportionate level of survey required	4
EAR	Early Programme	5	Necessary for planning	1	s. 43	+ 50%	Variable cost determined by complexity of protected species issues	5
HRA	Early Programme	5	BCC likely to require Screening of Likely Significant Effects (LSE) and Appropriate Assessment	1	s. 43	+ 50%	Standard report format. Consultation with BCC required	5
Ecological mitigation during enabling works.	Enabling Programme	4	Required if protected species are present – focussed watching brief  Required is areas of important grassland are to be impacted. Retain areas of important grassland where possible and compensate in line with the local plan allocation where needed (this may involve on-	1	s. 43	+/- 50%	Variable cost	4

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	s. 43	

6.3 Estimated Costs								
			site (preferred) or off-site compensation).					
Natural England Protected Species Licences	Early Programme	2	Required only where badger setts, bat roosts and/ or GCN are to be affected by the proposed development.	1	s. 43	+/-50%	Costs will be dependent on extent of protected species issues	2
Overall Risk Score:								5
Total								s. 43



<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

#### 6.4 Recommended Work to De-risk Site

- PEA will confirm further survey requirements and will provide greater understanding of the risk associated with possible presence of reptiles, badgers, bat roosts, great crested newts and other protected or notable species. It will inform the project programme and scheme layout, and initial advice regarding mitigation.
- Confirming the presence of bat roosts in any buildings and trees will be important for any trees that will need to be removed and to understand the scope of mitigation required for the demolition of any buildings. A full survey to assess the conservation status of bat roosts (or confirm likely absence) can usually be completed by July for studies at the start of the survey season. Surveys need to commence no later than late July/ early August.
- Confirming the impact to the broadleaved woodland and hedgerows and hence potential impacts upon bat commuting and foraging habitat and understanding the scope of mitigation required. If the broadleaved woodland/hedgerows are to be affected by the proposed development, then activity surveys will be required. If the habitat is considered to be of high suitability, then 2 survey visits per month (April to October) will be required.
- Confirming the presence or likely absence of GCN at the earliest opportunity will provide an understanding of the scope of mitigation required. eDNA surveys can be completed within the period April 15<sup>th</sup> to June 30<sup>th</sup> inclusive. Traditional survey methods are completed mid-March to mid-June with 4 survey visits (2 within the peak period mid-April to mid-May) required for presence/likely absence surveys and 6 survey visits (3 within the peak period mid-April to mid-May) required for population size class assessment surveys.
- Confirming the presence or likely absence of reptiles at the earliest opportunity will provide an understanding of reptile habitat requirements for the landscape design. Reptile survey can commence in April, which is an optimal month for survey. Surveys must be completed by September.
- Confirming the presence of badger setts at the earliest opportunity is important to provide an understanding of the need for further survey and the mitigation that will be required to allow the development works to proceed. It is important to note that if the closure of a badger sett(s) is required, then this can only be completed once planning consent is achieved and a licence to disturb badgers is given by Natural England and can only be timed July to November inclusive.
- The required scope of ecological survey, assessment, mitigation and enhancement measures to support any forthcoming planning application for the site should be discussed and agreed in consultation with the BCC ecologist (or relevant nominee). This must be aligned with the development considerations stated in the local plan. Hence provisions should be made to compensate for the loss of any of the 'lowland meadow', lowland calcareous grassland' and semi-improved neutral grassland. The new development must also maintain or strengthen the integrity and connectivity of the Wildlife Network and integrate appropriate landscaping to ensure that green infrastructure links to the surrounding area are maintained.
- The likely development area lies in the eastern half of the land under BCC. The land in the western half definitively falls within the Pigeonhouse Stream SNCI. Consideration should be given to the appropriate management of this area and SNCI to maximise its biodiversity value, and its contribution to a robust green infrastructure network/ wildlife corridor.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 7. Water Management

### 7.1 Existing Reports / Information Referred To

- EA Flood Maps (online, accessed January 2019)
- Envirocheck Flood Screening Report 191289386\_1\_1 (January 2019)
- Envirocheck Report 191289386\_1\_1 (January 2019)
- National Soil Resources Institute (NSRI) Soilscape viewer (accessed January 2019)
- Notes of site reconnaissance visit (January 2019)
- BCC Preliminary Flood Risk Assessment (PFRA) (June 2011)
- BCC PFRA Addendum (December 2017)
- BCC Strategic Flood Risk Assessment (SFRA) (March 2009)
- BCC Central Area Flood Risk Assessment (November 2013)
- BCC Surface Water Management Plan (SWMP) (August 2012)

### 7.2 Overview

#### Site Abnormals / Issues

The OS Water Network Lines Map, as provided in the Envirocheck report, indicates that Pigeonhouse Stream, an EA designated 'Main River', is located just inside the western boundary of the site which flows in a northerly direction where it flows into the River Malago, a further EA designated 'Main River', approximately 400m to the north-west of the site.

The EA Flood Map for Planning indicates that the majority of the site is located in Flood Zone 1 (defined by NPPF as having a 'Low' probability of flooding from rivers and sea). A narrow portion of the site along the course of Pigeonhouse Stream is located in Flood Zone 3 (defined by NPPF as having a 'High' probability of flooding from rivers and sea). Whilst the developable area falls outside FZ3, this will still require consideration for any planning application. It is noted that the EA Flood Map does include a flood extent for Pigeonhouse Stream, suggesting the watercourse has previously been subject to modelling. However, it is not known at this stage if this model is accurate enough to inform development planning, or whether it includes assessment of the projected impacts of climate change based on the latest EA guidance (2016).

Although most of the site is shown to be within Flood Zone 1, any proposed development will need to be informed by consideration of the projected impacts of climate change over its lifetime, which are generally expected to lead to increased river flows and rainfall intensity (based on current EA guidance). Due to the location of the proposed development on land which is significantly elevated above the stream, the development is unlikely to be impacted by fluvial flood risk in the climate change scenarios, but further information should be obtained from the EA to confirm this. If the existing Pigeonhouse Stream model does not account for the latest climate change projections, further hydraulic modelling may be required to confirm the risk from the watercourse.

The EA Updated Flood Map for Surface Water indicates that the majority of the site is at 'Very Low' risk of flooding from surface water, with the exception the route of Pigeonhouse Stream within the western boundary, however this reflects the topographically lower channel of the watercourse and any risk posed by this channel will be defined by assessment of fluvial flood risk, as discussed above.

BGS Flood Data contained within the Envirocheck report indicates that the western portion of the site, along the course of Pigeonhouse Stream, has 'Potential for Groundwater Flooding to Occur at Surface' and a band through the centre of the site has 'Potential for Groundwater Flooding of Property Situated Below Ground Level'. Furthermore, the south of the site is indicated to have 'Limited Potential for Groundwater Flooding to

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 7.2 Overview

Occur' and there is no data for the remainder of the site, including the centre and eastern extents. The GeoSmart Information Groundwater Flood Map, as contained within the Envirocheck Report, suggests a 'Negligible Risk' of groundwater flooding across the entire site. Further review of the potential for groundwater flooding should be undertaken in due course based on the results of detailed ground investigations, but it is likely any risk can be managed through appropriate drainage and level design.

There will be a requirement to develop a robust surface water drainage strategy for any development of the site, using Sustainable Drainage Systems (SuDS) as far as practicable.

Review of the 1:50,000 scale bedrock geology map from the British Geological Survey (BGS), as contained within the Envirocheck Report, suggests the local bedrock geology across the majority of the site is the 'Mercia Mudstone Group' comprising Mudstone and halite stone, which is identified by EA mapping as a Secondary B aquifer. The east and south of the site is split into two different bands of bedrock; the 'Blue Anchor Formation' comprising Mudstone, and, the 'Westbury Formation and Cotham Member' comprising Mudstone and limestone, interbedded. The online BGS 1:50,000 scale superficial geology map indicates that there is no superficial geology recorded across the majority of the site. The superficial geology along the course of Pigeonhouse Stream is identified as 'Alluvium' comprising Clay, silt and sand. The NSRI Soilscape viewer suggests that the majority of the site is located on 'slightly acid loamy and clayey soils with impeded drainage' and the eastern and southern extents of the site are located on 'freely draining shallow lime-rich soils over chalk or limestone'. EA mapping suggests that the site does not lie within a Groundwater Vulnerability Zone.

The above suggests drainage of the site by infiltration to the ground is unlikely to be feasible across the majority of the site but may be feasible in the far eastern and southern extents of the site. Infiltration testing in accordance with BRE Digest 365 will need to be undertaken as part any intrusive ground investigations prior to detailed design to confirm the viability of infiltration. The vulnerability of the underlying groundwater and the risk proposed by infiltration, plus the depth to the underlying water table, will also need to be considered in determining the feasibility of infiltration.

Should infiltration be confirmed as an unfeasible means of discharging surface water from the site, the Pigeonhouse Stream within the west of the site is likely to provide the most appropriate means of discharging surface water from the development.

As the site is considered a greenfield site, any areas of the site which are to be developed are likely to require attenuation to the equivalent greenfield runoff rate. A volume of surface water balancing will need to be provided to manage attenuated flows on site. Consideration of relative levels will be required to ensure that a gravity drainage solution is feasible; a requirement for some land raising on-site cannot be ruled out at this stage. Robust surface water drainage design may also be required to take account of any risk of groundwater flooding; greater storage volumes or design for additional flows may be required.

Surface water drainage design will also be required to take account of the quality and vulnerability of the receiving waterbodies; additional treatment components may be required to mitigate water quality impacts depending on the risk to local waterbodies.

NPPF includes a requirement that Sustainable Drainage Systems (SuDS) are implemented for the management of surface water runoff in major development unless demonstrated to be inappropriate, and this is supported by the Defra 'Non-Statutory Technical Standards for SuDS'. The site is likely to have the potential to support a range of SuDS measures, and early consideration should be given to the integration of SuDS as part of the overall masterplan strategy, to both manage the surface water runoff and provide potential benefits with respect to amenity and biodiversity in line with the wider sustainability, ecology and landscaping aspirations for the development.

Notwithstanding the requirement to mitigate flood risk, there will be a requirement to limit development immediately adjacent to Pigeonhouse Stream, within the Byelaws distance (usually 8-10m from the top of the bank), to allow adequate maintenance access. Flood Risk Activity Permit(s) from the EA for Main Rivers, may be required for any works affecting the watercourse, including the provision of drainage outfall, watercourse crossings, and works within the Byelaw distance.

It is noted that the stand-offs of the proposed development areas from the watercourse as shown in the emerging masterplans are greater than these distances.

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 7.2 Overview


### Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item
Hydraulic assessment of Pigeonhouse Stream	Early Programme	3	Potentially required to inform Flood Risk Assessment	2	Unlikely to be a significant delay providing early engagement with the EA regarding existing model.	6
Flood Risk Assessment	Early Programme	5	Necessary to achieve planning permission	1	Unlikely to be delay providing early engagement with EA and LLFA	5
Development of Surface Water Drainage Strategy	Early Programme	5	Necessary to achieve planning permission	2	Unlikely to be delay providing early engagement with EA, LLFA and sewerage undertaker.	10
Flood Risk Activity Permit	Enabling Programme	3	Potentially required to support works to watercourses.	2	Unlikely to be delay providing early engagement with EA	6
Average Risk Score:						10

## 7.3 Estimated Costs

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item
Hydraulic assessment of Pigeonhouse Stream	Early Programme	3	Potentially required to inform Flood Risk Assessment	1	S. 43	+/-50%	Estimate from consultants	3
Flood Risk Assessment	Early Programme	5	Necessary to achieve planning permission	1	S. 43	+/-20%	Estimate from consultants	5
Development of Surface Water Drainage Strategy	Early Programme	5	Necessary to achieve planning permission	1	S. 43	+/-20%	Estimate from consultants	5
Flood Risk Activity Permit	Enabling Programme	3	Cannot be ruled out at this stage.	1	S. 43	+/-25%	Estimate from consultants	3
Possible requirement for level raising to enable gravity surface water drainage.	Enabling Works	2	Cannot be ruled out at this stage.	Cannot be quantified at this stage.	Cannot be quantified at this stage.			
Total:					S. 43			
Average Risk Score:						5		



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

#### 7.4 Recommended Work to De-risk Site

- Flood Risk Assessment including:
  - Liaison with the EA to confirm flood risk from Pigeonhouse Stream, and further hydraulic assessment of Pigeonhouse Stream if required to define climate change scenarios.
  - Confirm any development constraints due to fluvial flood risk and/or mitigation requirements;
  - Further review risk of groundwater flooding.
- Establish outline Surface Water Management Strategy, including:
  - Infiltration testing in accordance with BRE Digest 365 to be undertaken as part any intrusive ground investigations prior to detailed design in order to establish the method of surface water discharge.
  - Liaison and agreement in principle of discharge arrangements and general drainage strategy with LLFA.
  - Determine likely surface water balancing volume/location and SuDS strategy.
- Confirm likely requirements for level raising based on outcomes of outline drainage strategy and further assessment of risk of flooding from Pigeonhouse Stream.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 8. Buildings Issues

### 8.1 Existing Reports / Information Referred To

- Site reconnaissance report and site photos (PBA)
- Google Maps (including Street View)
- OS Plan showing site and defined boundary
- Envirocheck Report 191289386\_1\_1 (2019)
- Emerging Framework Plans by The Richards Partnership – Oct 2018

### 8.2 Overview

#### Site Abnormals / Issues

The site has a steep slope with an overall level drop of 35+ metres.

The site has been generally undeveloped except for some areas.

Historical maps show in the eastern area of the site the former Novers Lane Infant School (approximate plan area was 1650m<sup>2</sup>). The buildings have been demolished but it is unknown whether the foundations were left on site, so they may require grubbing out during any redevelopment works.

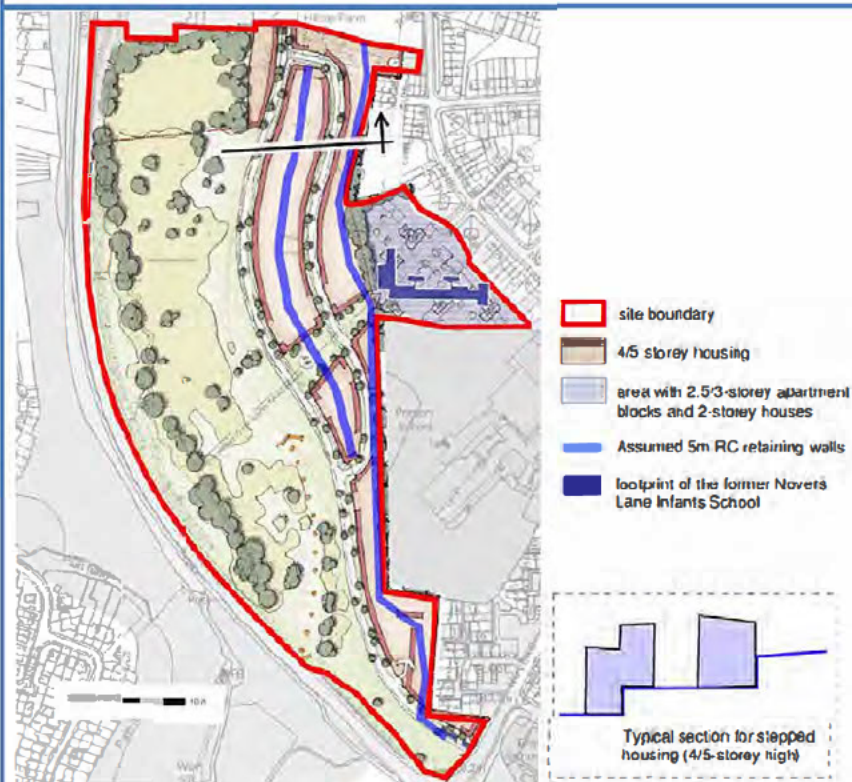
The emerging framework plans by The Richards Partnership shows the eastern area (where the former school was located) allocated for 2.5/3-storey apartment blocks and 2-storey houses. The site will generally be occupied by 4/5-storey housing blocks stepped-up along the slope.

Subject to confirmation from intrusive ground investigation works, geology in the area is likely to include mudstone deposits that would be of medium volume change potential. It is anticipated that the buildings could be founded on traditional strip foundations down to minimum depths in the vicinity of trees to mitigate against ground heave risks. Given the above, additional costs for 'abnormal' foundations are not considered applicable.

Due to the topography of the site, any development will require significant earthworks cut-and-fill balancing to terrace the site (costs included in the ground conditions section), and it is assumed this will include a number of large retaining structures along the length of the site. Based on the proposed scheme, an indicative 975 metres of retaining walls (up to 5m retained height) have been considered. A unit rate per linear metre of wall has been allowed for costing purposes.

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 8.2 Overview



## Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item	Risk Mitigations
Removal of historic foundations – former Novers Lane Infants School	Enabling works	3	Foundations potentially left in the ground after demolition	2	Significant time for removal works	6	Trial pits to confirm existing foundations
Retaining structures due to steep sloped site	Construction works	5	Steep slopes will result in terraced construction	3	Retaining walls to be incorporated in program	15	Ground investigation works
Average Risk Score:				15			

## 8.3 Estimated Costs

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item	Risk Mitigations
Removal of historic foundations – former Novers Lane	Enabling works	3	Foundations potentially left in the ground after demolition	2	S. 43	30%	Cost based on £100/m <sup>2</sup> for grubbing out foundations	6	Trial pits to confirm existing foundations

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### 8.3 Estimated Costs

Infants School									
Retaining structures due to steeply sloped site	Construction works	5	Steep slopes will result in terraced construction	5	S. 43	50%	Cost based on £S. 43/m run or a 5m-high wall*	25	Masterplan to minimise retaining structures
Average Risk Score:				25					
Total				£S. 43					

\*Assumptions for retaining wall: 5m retained height, 450-600mm diameter contiguous piled wall including mobilisation, testing and RC capping beam, but excluding any facing materials.

### 8.4 Recommended Work to De-risk Site

Intrusive site investigations works including trial pits to determine existence of foundations of former buildings is recommended to confirm the need for grubbing out works. If present, historic foundations to be removed.



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 9. Historic Environment Issues

### 9.1 Existing Reports / Information Referred To

- 1km search of the Bristol HER from the site centre (i.e. the study area);
- Know your place website BCC
- National Heritage List for England (all designated heritage assets);
- Pastscape (designated and non-designated archaeological assets);
- Local planning policy and mapping;
- North Fringe to Hengrove Package (NFHP) Metrobus Zone 6, Hartcliffe Way and Novers Lane, Bristol (Wessex Archaeology 2017); and
- Landmark historic ordnance survey mapping.

### 9.2 Overview

#### Archaeological and Historic Summary

The Bristol Historic Environment Record (BHER) records the following finds or features within or immediately adjacent to the site:

- Site of a WWII searchlight cluster site called 'Bishopsworth' (BHER 3226M) in the south of the study site adjacent to Hartcliffe Way.
- Bridge over Pigeonhouse Stream (BHER 3306M) in the north of the study site adjacent to Hartcliffe Way. The stone bridge is first recorded on the 1840 tithe map and was extant until the 1950's.

The BHER records the following finds or features within the 1km study area:

- The study site contains no known prehistoric finds or features. A possible Bronze Age barrow is recorded c. 600m to the south-west of the study site (BHER 1729M). Four flint flakes were retrieved during an evaluation at Merrywood Girls School, c.660m north-west of the study site (BHER 22537). The western part of the study site is underlain by localised areas of alluvium and head deposits associated with the Crox Bottom / Pigeonhouse Stream floodplain.
- The study site contains no known late prehistoric – Romano-British remains. The Iron Age and Romano-British settlement at Inns Court (BHER 2011M) is located on an area of higher ground c. 600m east of the study site.
- The study site does not lie within or close to known medieval settlement sites. Headley and Bishopsworth lie to the west and south-west of the study site with the area characterised as enclosed agricultural on late 19<sup>th</sup> century mapping (OS 1884 1:10,560). Filton or Filwood Deer Park and Inns Court are medieval sites recorded within the wider 1km study area.
- The BHER records a number of post-medieval sites within 1km of the study site, principally relating to historic farms, settlement / transport / industrial sites. A review of historic mapping shows that in the 1970's, possibly associated with the construction of Hartcliffe Way, the western part of the site was used for landfill and Pigeonhouse Stream was diverted slightly. The site contains a late 20<sup>th</sup> century industrial building in the north of the study site. A late 20<sup>th</sup> century school (Novers Hill Infant School), now demolished, was located in the eastern limit of the study site.
- BHER records the site of a searchlight cluster site called 'Bishopsworth' (BHER 3226M) in the south of the study site adjacent to Hartcliffe Way. A number of modern sites are recorded within the 1km study area including industrial and military sites.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 9.2 Overview

### Designated / Built Heritage assets:

- Building stock within the study site include a late 20<sup>th</sup> century works which is of no heritage significance.
- The closest designated heritage asset is the Bishopsworth and Malago Conservation Area, c. 50m west of the study site.
- The closest listed building is the grade II\* listed Holy Cross Inns Court Vicarage (NHLE 1202314), c. 400m east of the study site. Due to the degree of separation and intervening sub-urban development this asset is not considered sensitive to change within the study site.

### Archaeological Probability

The study site has not been subject to previous archaeological investigation. In 2017 Wessex Archaeology undertook a watching brief during groundworks (BHER 25656) associated with the construction of the North Fringe to Hengrove Package, on the western limit of the study site immediately adjacent to Hartcliffe Way. No secure archaeological deposits, finds or features were revealed during the groundworks.

The potential for prehistoric, medieval or early post-medieval finds or features cannot be discounted based on available evidence. Due to the size of the study site it is likely that BCC will request a Desk-Based Assessment to support detailed planning application for the redevelopment of the site. Trial trenching may be requested pre-determination or as a condition of planning consent. The costs provided are based on the eastern part of the site being developed only, as shown in the emerging masterplan.

### Built Heritage Probability

The site contains no non-designated or designated heritage assets. The closest designated heritage asset is the Bishopsworth and Malago Conservation Area, c. 50m west of the study site. Although there is a degree of separation between the study site and the Conservation Area it is noted that the study site is positioned on the south-west facing slope and intervisibility with the Conservation Area is likely. Although significant effects on the setting of the Conservation Area is not considered likely, the effects of moderate to high development within the study site on the setting of the Conservation Area should be considered / assessed with recommendations for design response / mitigation, if required.

### Key Planning Constraints

No statutory designations (Listed Buildings, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens, and Historic Battlefields) are located within the site boundary.

Based on the available evidence, there are no built heritage or archaeological constraints, which would preclude development of the site.

### Site Abnormals / Issues

#### Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item	Risk Mitigations
Works required to support a planning application (Archaeological Desk-Based Assessment).	Early Programme	4	The Development Control Archaeologist may require an Archaeological Desk-Based Assessment.	1	The Archaeological Desk-Based Assessment can be undertaken within a period of 4 weeks and will therefore not impact delivery of the site.	4	Early consultation with LPA
Works required to	Early	3	The City	1	The Heritage	3	Early

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

9.2 Overview							
support a planning application (Heritage Statement).	Programme		Conservation Officer may require a Heritage Statement		Statement can be undertaken within a period of 4 weeks and will therefore not impact delivery of the site.		consultation with LPA
Works required to support a planning application (Archaeological Evaluation)	Early Programme	2	The Development Control Archaeologist may require the suggested programme of archaeological work set out in section 9.4 below	1	An Archaeological evaluation can be undertaken within a period of 7 weeks (including reporting time) and will therefore not impact delivery of the site. Mitigation would take place as a condition of planning.	2	Early consultation with LPA; integration of geotechnical data in DBA.
Post-submission mitigation works (see section 9.4 below).	Enabling Programme	3	The Development Control Archaeologist may require the suggested programme of archaeological work set out in section 9.4 below.	1	Should an archaeological evaluation be requested as a condition of planning it is recommended that this occurs at least 8 weeks prior to construction to allow for possible mitigation works and reporting. Time on site anticipated to be 2 weeks.	3	Early consultation with LPA; integration of geotechnical data in DBA.
<b>Average Risk Score:</b>				<b>4</b>			

9.3 Estimated Costs									
Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item	Risk Mitigations
Archaeological Desk-Based Assessment	Early Programme	4	Necessary to achieve planning permission	1	S. 43	0	Fixed price from consultants	4	Early engagement with LPA to scope the site
Heritage Statement	Early Programme	4	Necessary to achieve planning permission	1	S. 43	0	Fixed price from consultants	4	Early engagement with LPA to scope the site



<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

<b>9.3 Estimated Costs</b>									
Archaeological Mitigation Works	Early Programme / Enabling Programme	3	Condition of planning consent	2	S. 43	+/- 30%	Final area requiring investigation and depth of made ground will effect speed of evaluation.	6	Early engagement with LPA to scope the site
<b>Average Risk Score:</b>					6				
<b>Total</b>					S. 43				

<b>9.4 Recommended Work to De-risk Site</b>
Archaeological Desk-Based Assessment will be required to support a planning application and an archaeological evaluation may be requested to inform the planning decision.
Archaeological evaluation may be required as a condition of planning consent. Further mitigation works may be required subject to the results of an evaluation which are not possible to cost at this stage.



<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 10. Noise, Air Quality and Vibration

### 10.1 Existing Reports / Information Referred To

- Notes of site reconnaissance visit
- Bristol Local Plan (currently under review 2019)
- Bristol Development Framework Core Strategy (2011)
- Air Quality: Defra, Local Authority Air Quality Annual Status Report, Environmental Agency
- Notes of site reconnaissance visit
- Bristol Development Framework - Core Strategy (2011)
- Bristol Air Quality and Land Use Planning Guidance (2016)

### 10.2 Overview

#### Site Abnormals / Issues

Based on a desktop review of the site location and the results of the site reconnaissance, the following sources of environmental noise in the vicinity of the site which may act to constrain the development of the site are noted:

- Vehicular movements from the local road network, particularly the A4174 (Hartcliffe Way) to the west and Novers Hill to the east of the site;
- Building services plant noise from Imperial Park to the south and Redford Trading Estate to the north;
- Building services plant noise from Greenfield E-Act Academy to the east of the site and Bristol Community Links South to the south of the site;
- Noise associated with Greenfield Primary School; and
- Noise associated with emergency vehicles stationed at the Avon Fire & Rescue Service located approximately 300 m to the north of the site.

The development itself is not expected to be a significant source of noise. However potential impacts arising from building services plant serving the development on both development and nearby noise sensitive receptors should be considered.

Vibration from road traffic on the surrounding road network is not expected to be of concern.

The construction of the proposed development may have a noise and vibration impact on the surrounding and proposed noise sensitive receptors. Typically impacts can be controlled by a Construction Environmental Management Plan (CEMP).

BCC has declared one Air Quality Management Area (AQMA) for exceedances of the annual and 1-hour nitrogen dioxide and 24-hour particulate matter (PM<sub>10</sub>) objectives, covering the city centre and parts of the main radial roads including the Hartcliffe Way and Parson Street. The AQMA lies approximately 500 m north of the site.

There are three air quality issues that could potentially arise from the proposed development:

- the impact of the development during construction phase;

<b>Accelerated Construction Technical Due Diligence Report</b>		 <b>Homes England</b>
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 10.2 Overview

- the impact of the development on local air quality, particularly on Bristol Air Quality Management Area (AQMA); and
- the impacts of existing emission sources on the site, in particular local road traffic emissions from the A4174 (Hartcliffe Way/Hengrove Way) to the west.

The main potential effects during construction are dust deposition and elevated PM<sub>10</sub> concentrations. Typically, impacts can be controlled by a Construction Environmental Management Plan (CEMP).

The potential air quality impacts should be assessed at a range of worst-case receptors. For construction activities, these will be existing properties closest to the proposed development. For traffic-related impacts these will be the existing and proposed residential properties that are closest to roads, in particular those close to junctions, where traffic emissions are greatest.

### Delivery

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Impact on delivery	Justification for score	Overall Risk Score for Item
Noise Impact assessment	Early programme	4	Required for planning	1	As it is required for planning it is unlikely to be a delay as long as early engagement with the LPA and the application conditions scoped.	4
Air Quality Assessment	Early programme	4	Required for planning	1	As it is required for planning, it is unlikely to delay as long as early engagement with the LPA and the application conditions scoped.	4
Average Risk Score:						4

## 10.3 Estimated Costs

Abnormal Risk Item	Delivery Stage	Probability	Justification for score	Cost Impact	Cost £	Cost Tolerance %	Justification for score	Overall Risk Score for Item
Noise Impact assessment	Early programme	4	Required for planning permission	1	£. 43	0%	Indicative fixed price from consultant	4
Air Quality Assessment	Early programme	4	Required for planning permission	1	£. 43	0%	Indicative fixed price from consultant	4
Average Risk Score				4				
Total:					£. 43			

## 10.4 Recommended Work to De-risk Site

Prepare an air quality assessment and a noise assessment for the planning application.

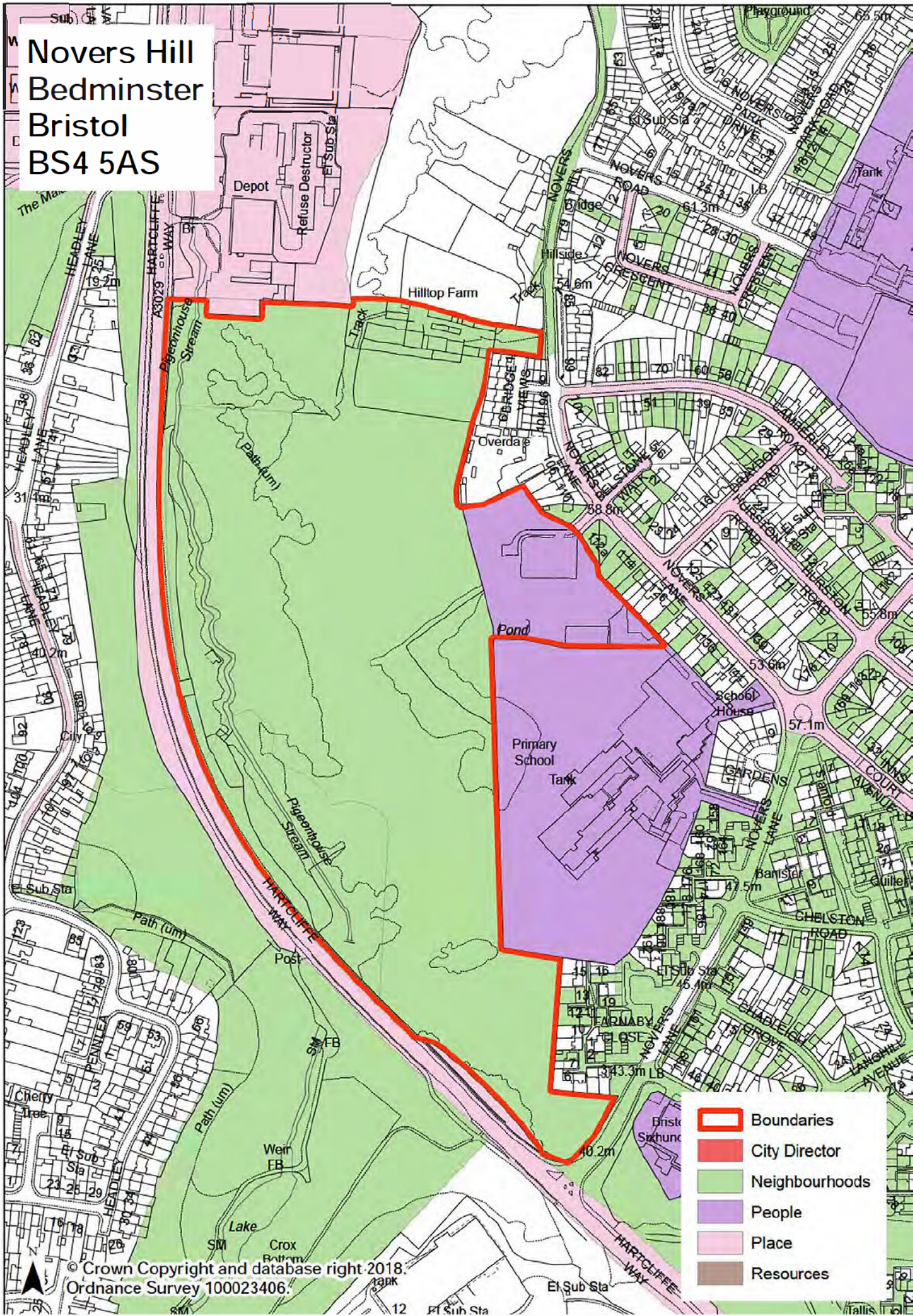
<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## 11. Appendices

### Appendix A : Site Plan



# Novers Hill Bedminster Bristol BS4 5AS



- Boundaries
- City Director
- Neighbourhoods
- People
- Place
- Resources



**Accelerated Construction  
Technical Due Diligence Report**

Site Name: Novers Hill, Bristol  
Site ID: S. 43



Homes  
England

**Appendix B : Site Photographs**



Photo 1:  
Area of  
Existing  
Hardstanding  
associated  
with former  
Novers Hill  
Infant School  
– East  
Boundary



Photo 2:  
Area of  
Hardstanding  
facing east  
boundary, at  
location of  
former Novers  
Hill Infant  
School




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Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	



Photo 3:  
Existing trees  
and scrub on  
site, looking  
west



Photo 4:  
Pigeonhouse  
stream on  
west boundary




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Site ID:	S. 43	



Photo 5:  
Potential  
Access from  
Novers Hill –  
north-east  
corner of site  
boundary



Photo 6:  
View looking  
toward the  
north-west  
part of site




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Site ID:	S. 43	



Photo 7:  
View looking  
toward the  
south site  
boundary, at  
the site of the  
former Novers  
Hill Infant  
School



Photo 8:  
View looking  
south-west,  
showing  
mature  
hedgerows  
and trees



**Accelerated Construction  
Technical Due Diligence Report**Homes  
England

Site Name: Novers Hill, Bristol

Site ID: S. 43

Photo 9:  
View of  
junction and  
potential site  
access to  
south of sitePhoto 10:  
View of north-  
west boundary  
adjacent to  
the Bristol  
Waste site.



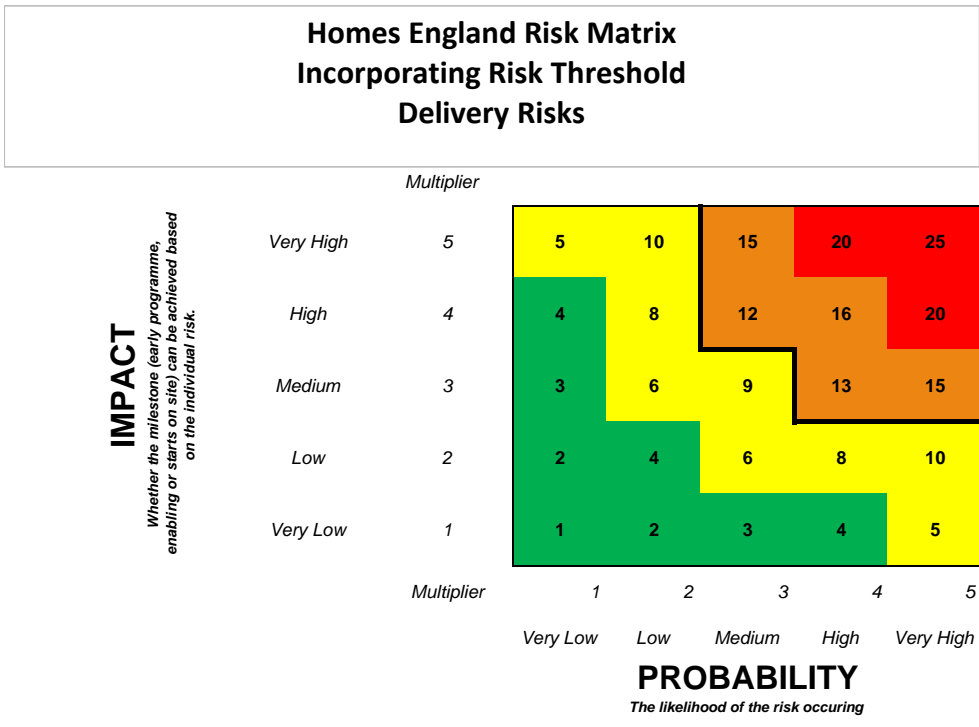
<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
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Site ID:	S. 43	



Photo 11:  
View of site  
from Hartcliffe  
Way on west  
boundary

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Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

### Appendix C : Homes England Risk Matrix



### Homes England Severity Scoring

20-25	Unacceptable level of risk exposure. The site will not be able to meet the estimated delivery programme. <b>No further investment in the site and the site does not progress.</b>
12-16	A high level of risk exposure. The site is unlikely to meet the delivery programme unless significant issues are addressed. <b>Further investment and site progression should not be made unless major issues are addressed</b>
5-10	An acceptable level of risk exposure. The site is likely to meet the estimated delivery programme. <b>Further investment and site progression once minor issues are addressed.</b>
1-4	A low level of risk exposure. The site should comfortably meet the estimated delivery programme. <b>Further investment to be made and the site to progress.</b>

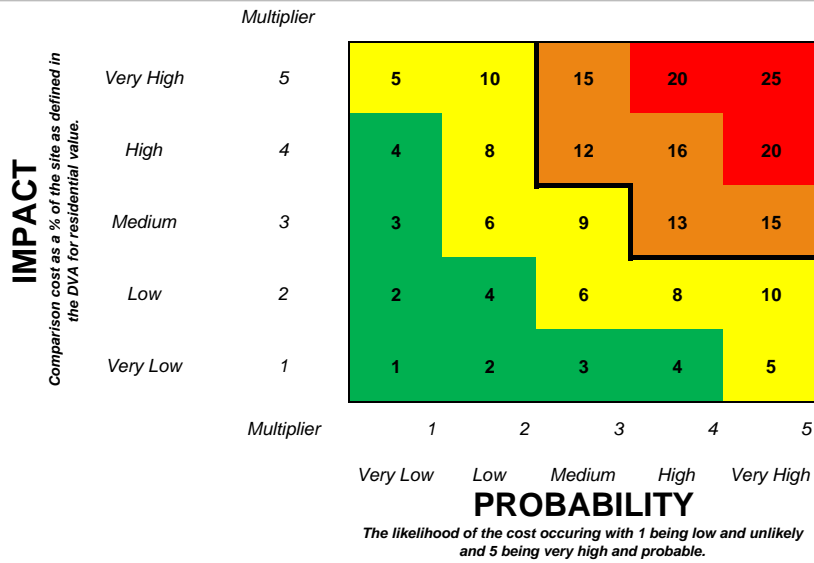
#### Delivery Definitions

Probability	Score	Definition
Very High	5	Very high likelihood of occurrence
High	4	Highly likelihood of occurrence
Medium	3	Moderate / Average chance of occurrence
Low	2	Low likelihood of occurrence
Very Low	1	Very Low likelihood of occurrence

Impact	Score	Definition
Very High	5	The impact on the delivery programme is severe / site unlikely to meet programme without major intervention
High	4	The impact on the delivery programme high / site unlikely to meet programme unless some major issues are addressed.
Medium	3	The impact on the delivery programme is moderate / the site may meet the delivery programme once some issues are addressed
Low	2	The impact on the delivery programme is low / the site likely to meet the delivery programme once some minor issues are addressed
Very Low	1	The impact on the delivery programme is very low / the site likely to meet the delivery programme with little intervention



## Homes England Risk Matrix Incorporating Risk Threshold Cost Risks



### Homes England Severity Scoring

20-25	Very high level of risk exposure. <b>Discussions necessary to understand whether Homes England would tolerate the high cost risk</b>
12-16	A high level of risk exposure. <b>Cost risks are high and Homes England will need to address the issues before investment is made.</b>
5-10	An acceptable level of risk exposure. <b>Cost risks are medium and Homes England likely to be able to fund the risk item with some issues to be addressed.</b>
1-4	A low level of risk exposure. <b>Cost risks are minimal and Homes England likely to be able to fund the risk item with little or no issues to be addressed.</b>

### Cost Defintions

Probability	Score	Definition
Very High	5	Very high likelihood of occurrence
High	4	Highly likelihood of occurrence
Medium	3	Moderate / Average chance of occurrence
Low	2	Low likelihood of occurrence
Very Low	1	Very Low likelihood of occurrence

Impact	Score	Definition
Very High	5	Cost Risks amount to 60% or more of the residual value.
High	4	Cost Risks amount to 40%-50% of the residual value.
Medium	3	Cost Risks amount to 20%-40% of the residual value.
Low	2	Cost Risks amount to 10%-20% of the residual value.
Very Low	1	Cost Risks amount to less than 10% of the residual value.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	


**Appendix D : PBA Notes and Assumptions**

## HE Accelerated Construction Technical Due Diligence

### PBA Notes and Assumptions

This Assessment Report has been prepared on the basis of the following:

- Our comments on delivery risk are based on:
  - January 2018 – January 2019 Early Programme Risk (sites to be ready and accessible for remediation / enabling);
  - January 2019- Autumn 2020 Enabling Programme Risks;
  - Start on site by March 2021 – Housing Construction Programme Risks
- This report has been informed by a site reconnaissance undertaken by PBA which comprised a walkover only of accessible areas of the site.
- We have reviewed information provided to us by others and used this information to inform our understanding of the site. PBA cannot certify the accuracy or completeness of the information provided to us.
- Cost estimates provided within this report are based on industry standards and/or PBA experience. We have sought to provide a reasonable approach to identifying costs recognising the limited level of detail currently available. The accuracy of cost estimates should be considered in the context of this level of detail available to us at this stage.
- Where a site does not currently benefit from Outline Planning Permission, we have included an estimate of costs to achieve outline consent. We have assumed that costs for taking a site from Outline Planning through to delivery are included within the Valuation Report.
- We have not included cost estimates for off-site utility upgrades as the extent of any upgrades are unknown at this stage.
- Cost estimates associated with demolition are based on site plans and photographs and should not be considered a substitute for a full and detailed demolition audit, including asbestos surveys.
- We have not included costs associated with re-providing car parking (if appropriate) on-site or off-site as this requirement, and the location of any replacement car parking, can only be determined in consultation with the LPA/highways authority. We have however commented on the planning risk associated with loss of car parking.
- We have assumed that any increased foundation costs for buildings of three plus storeys are included within the Valuation Report, unless otherwise stated in the report.
- Our assessment of deliverability in relation to masterplanning has been informed by a high level review of key planning policy, but does not constitute a full planning appraisal of the likelihood of achieving a timely planning permission.
- Where relevant, our assessment allows only for construction earthworks. Earthworks for flooding or drainage purposes would only be determined during the design process.

<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

**Appendix E : Services and Utilities Supporting Information**





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●	○ PL	— — — — —	— S — S —	— P — P —
○	○ Service	— — — — —	— — — — —	○ Pole Mounted Transformer
○	○ LV	— — — — —	— — — — —	□ Ground Mounted Transformer
○	○ HV (11kV)	— — — — —	— — — — —	
○	○ HV (33kV)	— — — — —	— — — — —	
○	○ HV (66kV)	— — — — —	— — — — —	
○	○ HV (132kV)	— — — — —	— — — — —	
— — — — —			— E —	

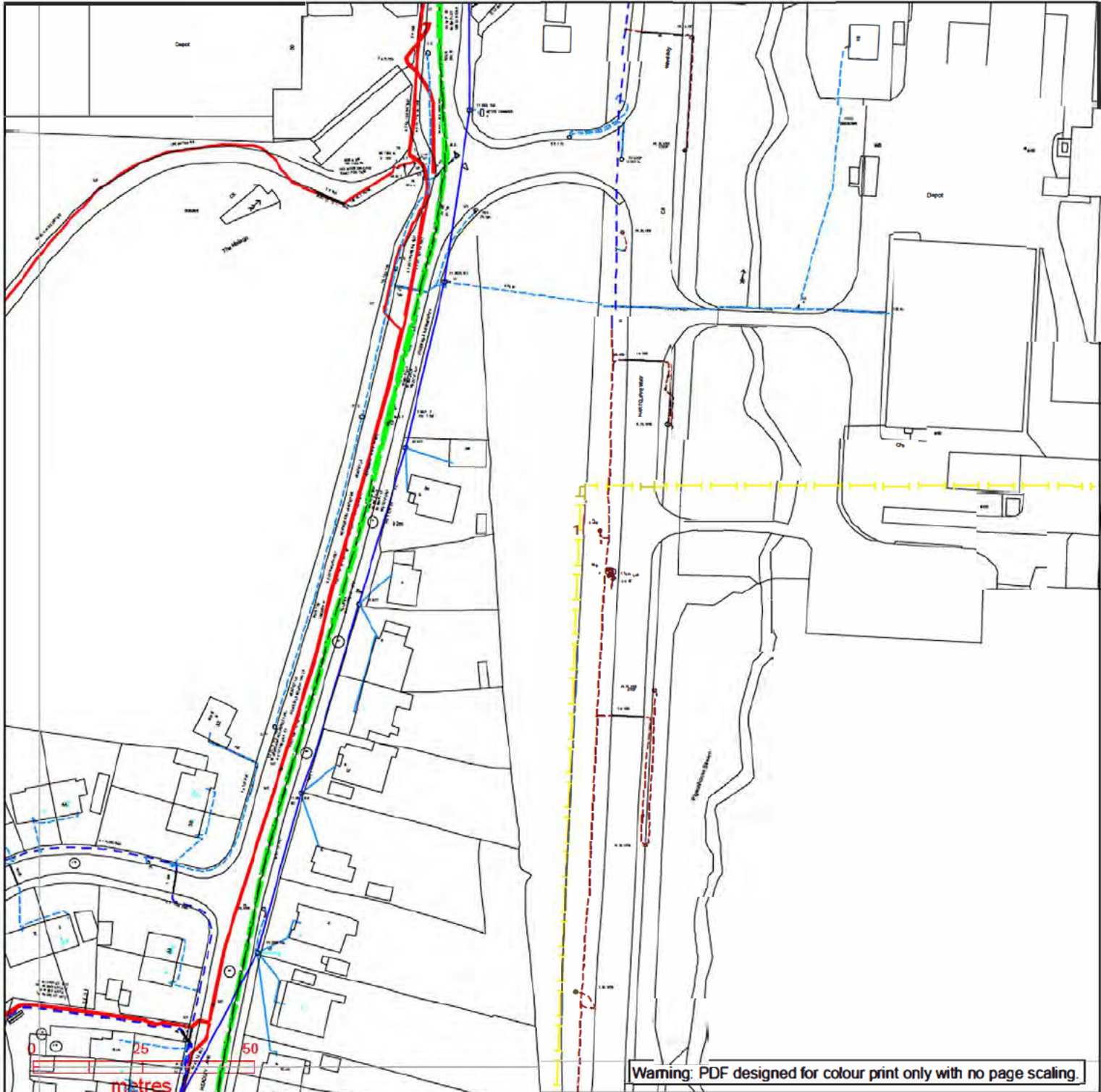
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<b>Site Location</b> Line/Area	PL Service LV HV (11kV) HV (33kV) HV (66kV) HV (132kV)		<b>PME Earth</b> — E —	<b>Pole Mounted Transformer</b> ○
			<b>Underground Earth</b> — E —	<b>Ground Mounted Transformer</b> □

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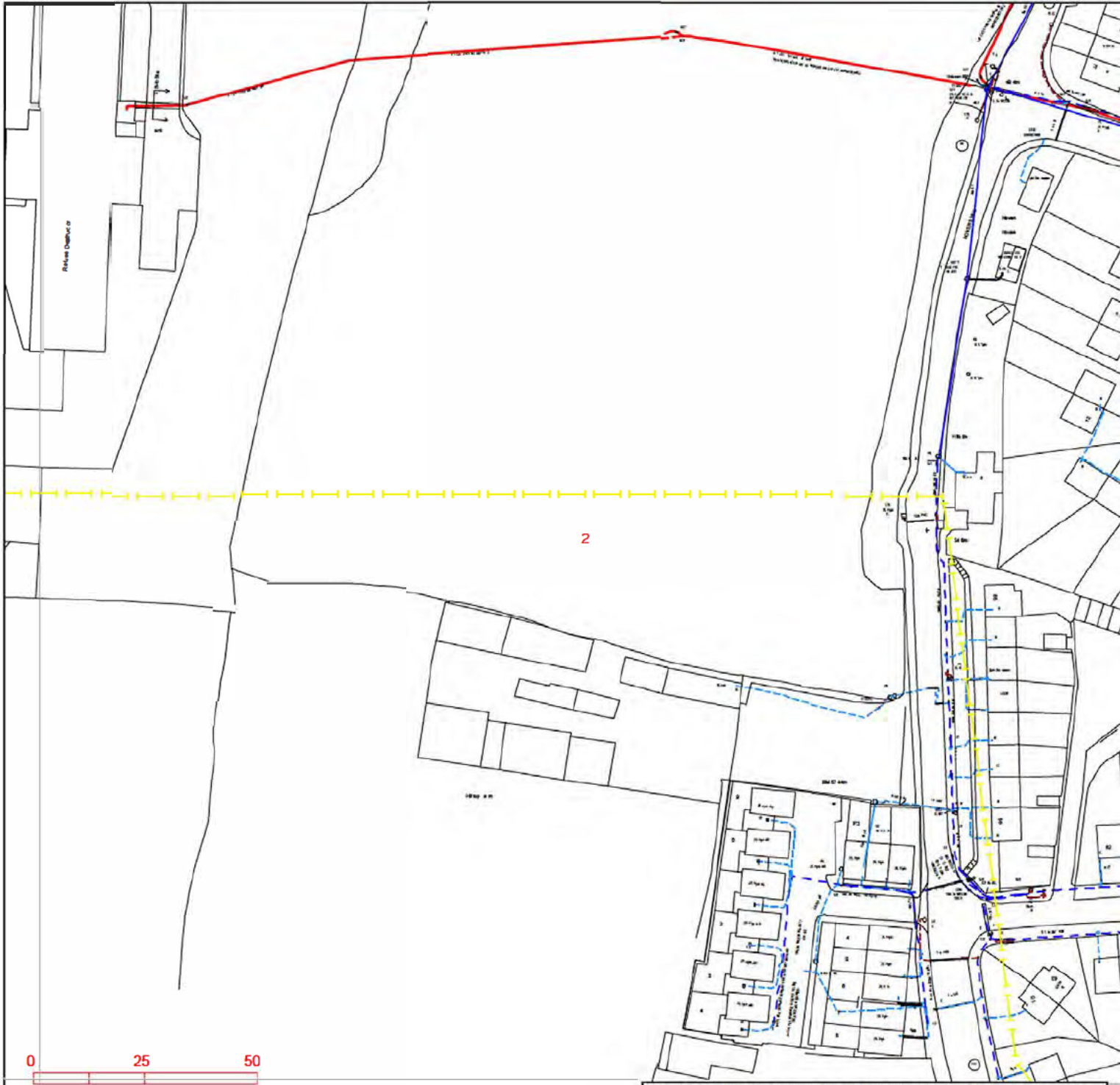
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 s. 40(2)  
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 Novers Hill

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Site Location Line/Area			⎓ PME Earth ⎓ Underground Earth	

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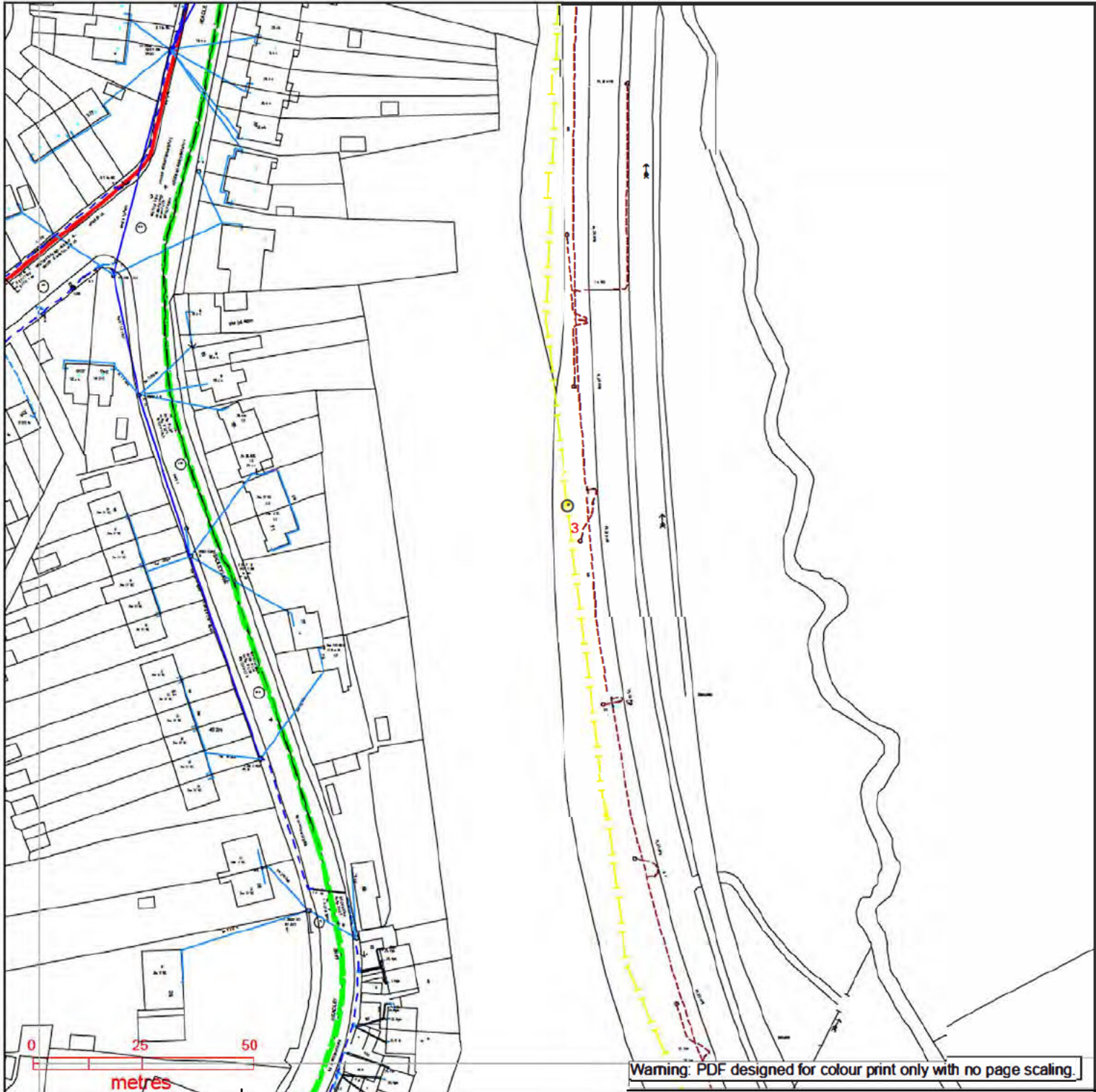
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<b>Link Box</b> ●	<b>Overhead Line</b> ○—○ PL ○—○ Service ○—○ LV (11kV) ○—○ HV (33kV) ○—○ HV (66kV) ○—○ HV (132kV)	<b>Underground Cable</b> —	<b>SURF Telecoms</b> — S — S — — S — S — — S — S — — S — S —	<b>Pilot Cables</b> — P — P — — P — P — — P — P —
<b>Site Location</b> Line/Area 			<b>PME Earth</b> —   —	<b>Pole Mounted Transformer</b> ○
			<b>Underground Earth</b> —E—   —	<b>Ground Mounted Transformer</b> □

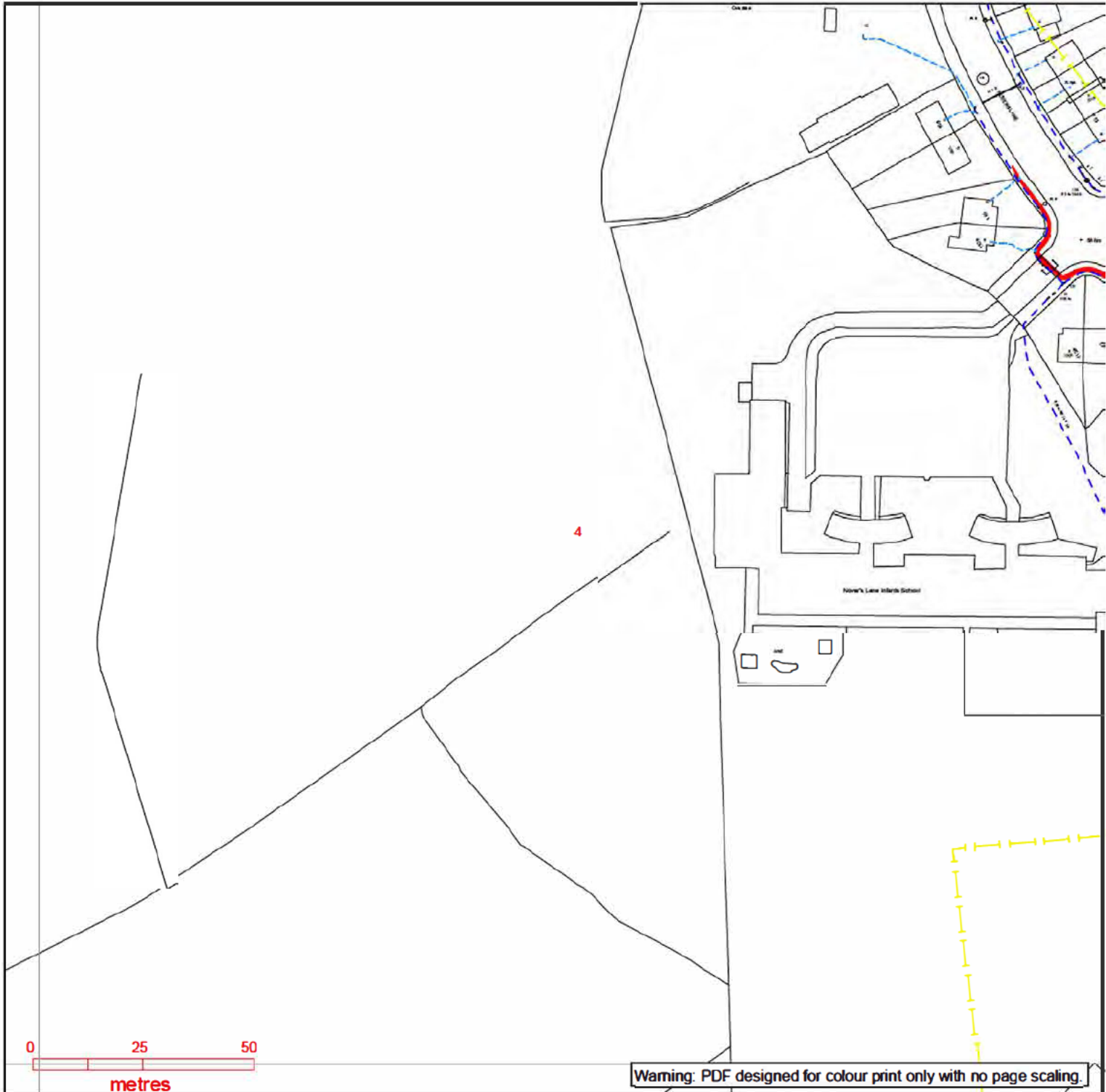
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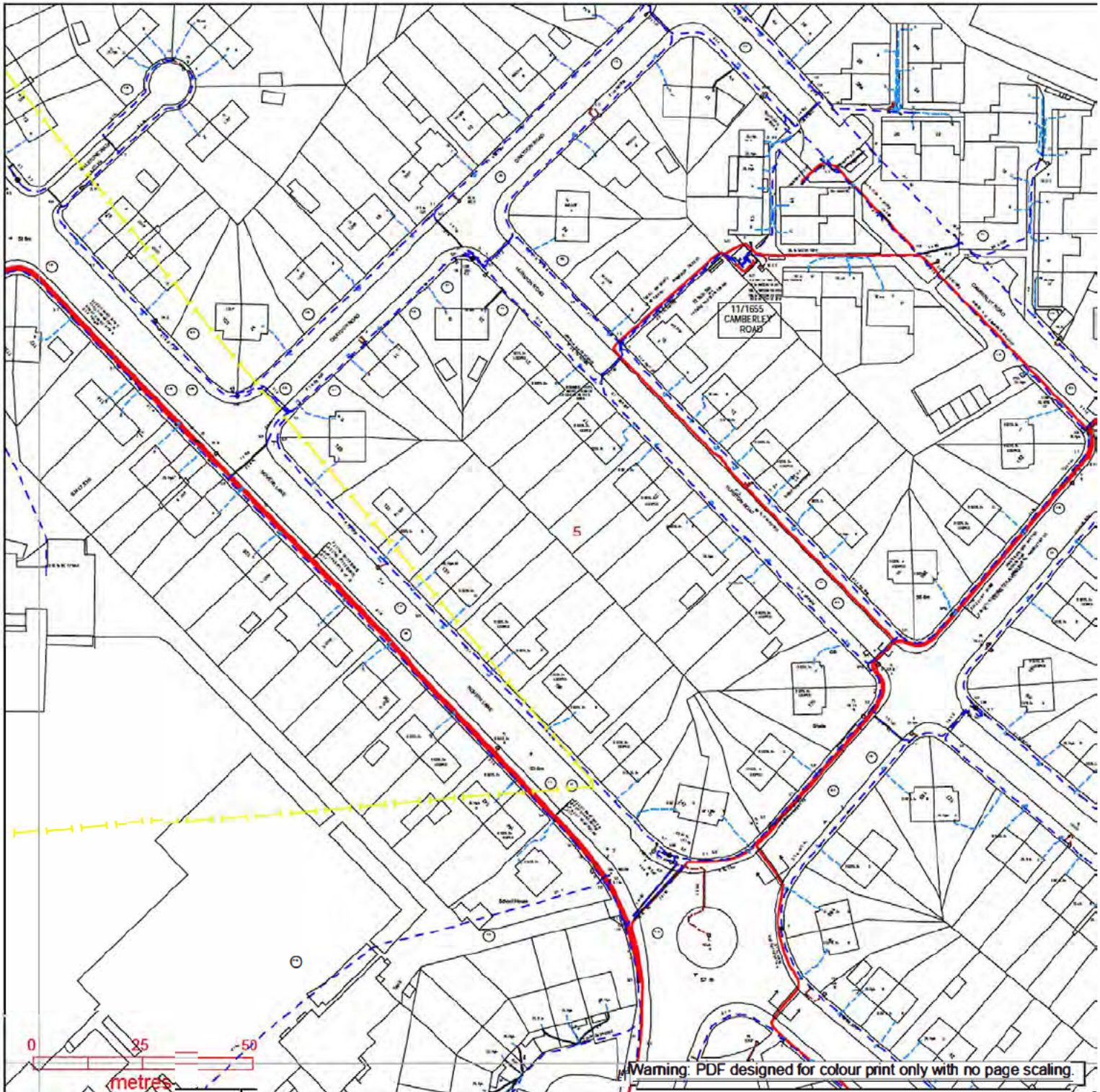
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○	○ Service	---	PME Earth	○ Pole Mounted Transformer
○	○ LV	---	⊥ Underground Earth	□ Ground Mounted Transformer
○	○ HV (11kV)	---		
○	○ HV (33kV)	---		
○	○ HV (66kV)	---		
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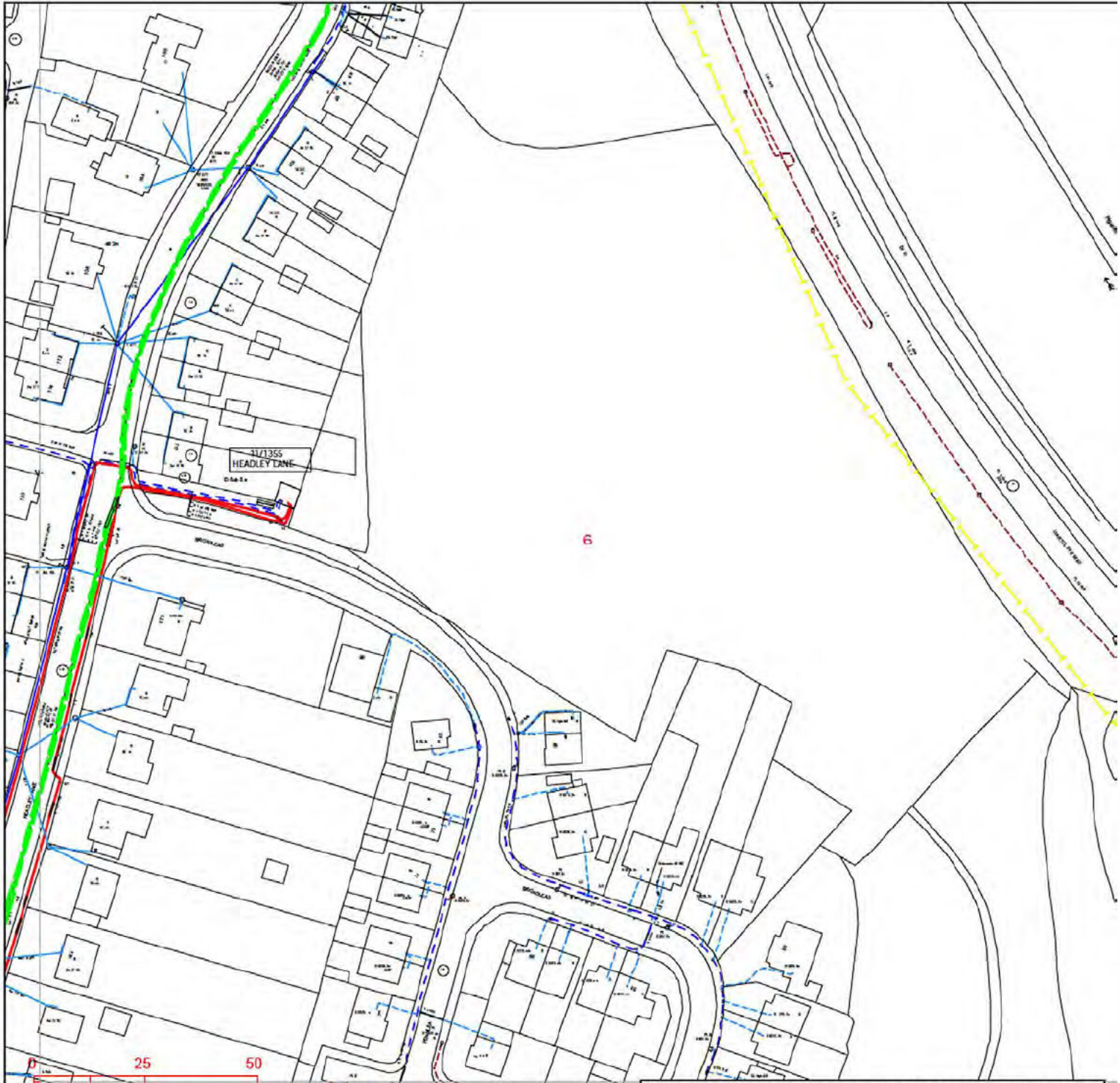
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 1:500 Line dig site





6



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Link Box	Overhead Line	Underground Cable	SURF Telecoms	Pilot Cables
●	○ PL ○ Service ○ LV (11kV) ○ HV (33kV) ○ HV (66kV) ○ HV (132kV)	— —	— S — S — PME Earth Underground Earth	— P — P — Pole Mounted Transformer Ground Mounted Transformer

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Novel's Lane  
Junior Mixed School

7



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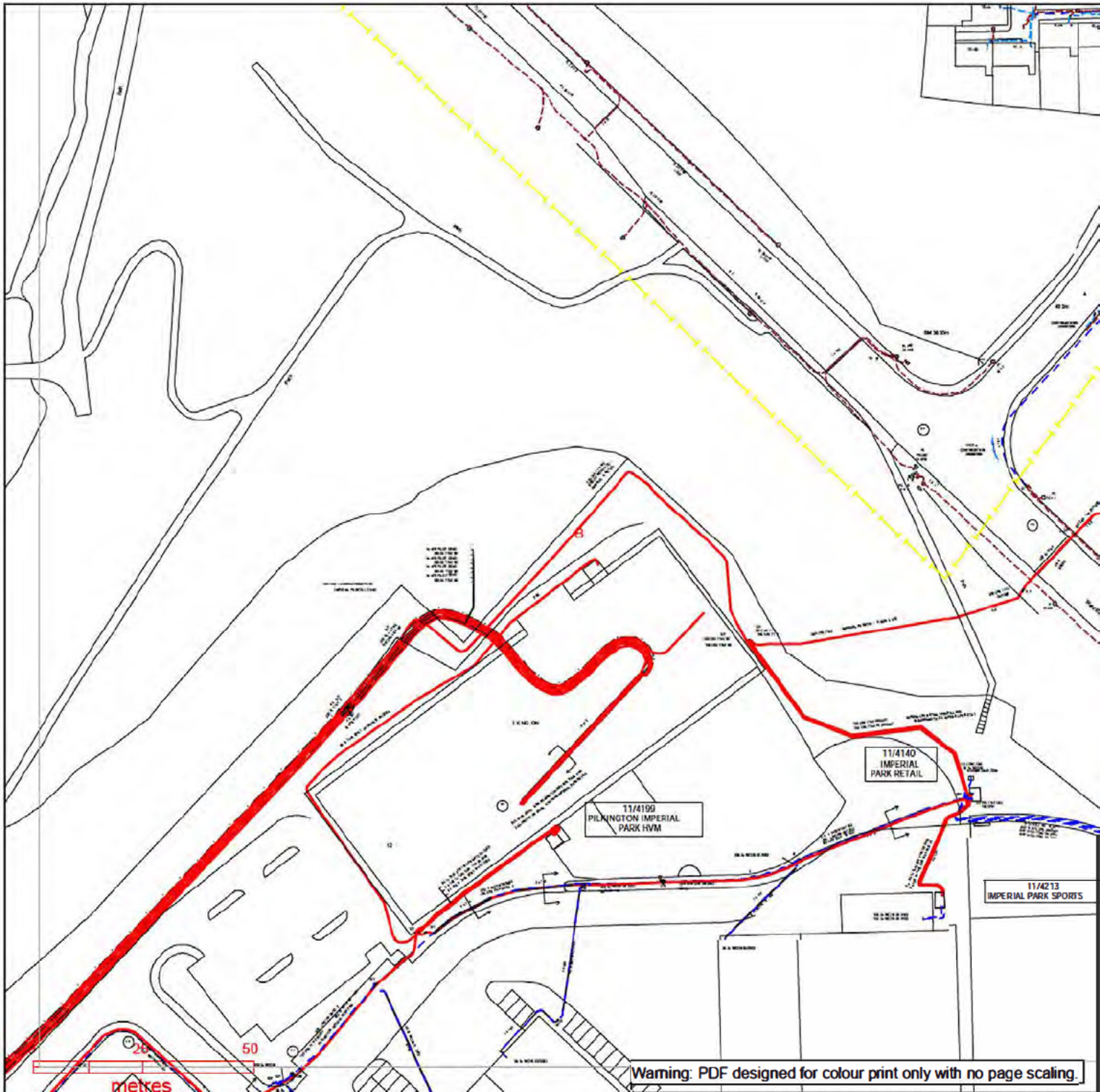
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**General Enquiries:**  
 All areas 0800 096 3080

Link Box	Overhead Line	Underground Cable	SURF Telecoms	Pilot Cables
●	○ PL	— — — — —	— S — S —	— P — P —
○	○ Service	— — — — —	— S — S —	○ Pole Mounted Transformer
○	○ LV	— — — — —	— S — S —	□ Ground Mounted Transformer
○	○ HV (11kV)	— — — — —	— S — S —	
○	○ HV (33kV)	— — — — —	— S — S —	
○	○ HV (66kV)	— — — — —	— S — S —	
○	○ HV (132kV)	— — — — —	— S — S —	
— — — — —			— E —	

**IMPORTANT NOTICES**

- This information is given as a guide only and its accuracy cannot be guaranteed. Services or recent additions to the network may not be shown.
- Cables, overhead lines & substations owned by other electricity network owners or private companies may be present and may not be shown.
- You should always verify exact locations of cables using a cable locator and by careful use of hand tools in accordance with HSE guidance note HSG47.
- When working within 10m of any overhead electric line you should follow the requirements of HSE Guidance Note GS6.
- For further advice on working near our electricity cables or lines, call our General Enquiries number.
- Advice should be sought from the Western Power Distribution General Enquiries team for any work that is to take place in proximity to 132kV underground cables and 132kV overhead lines.

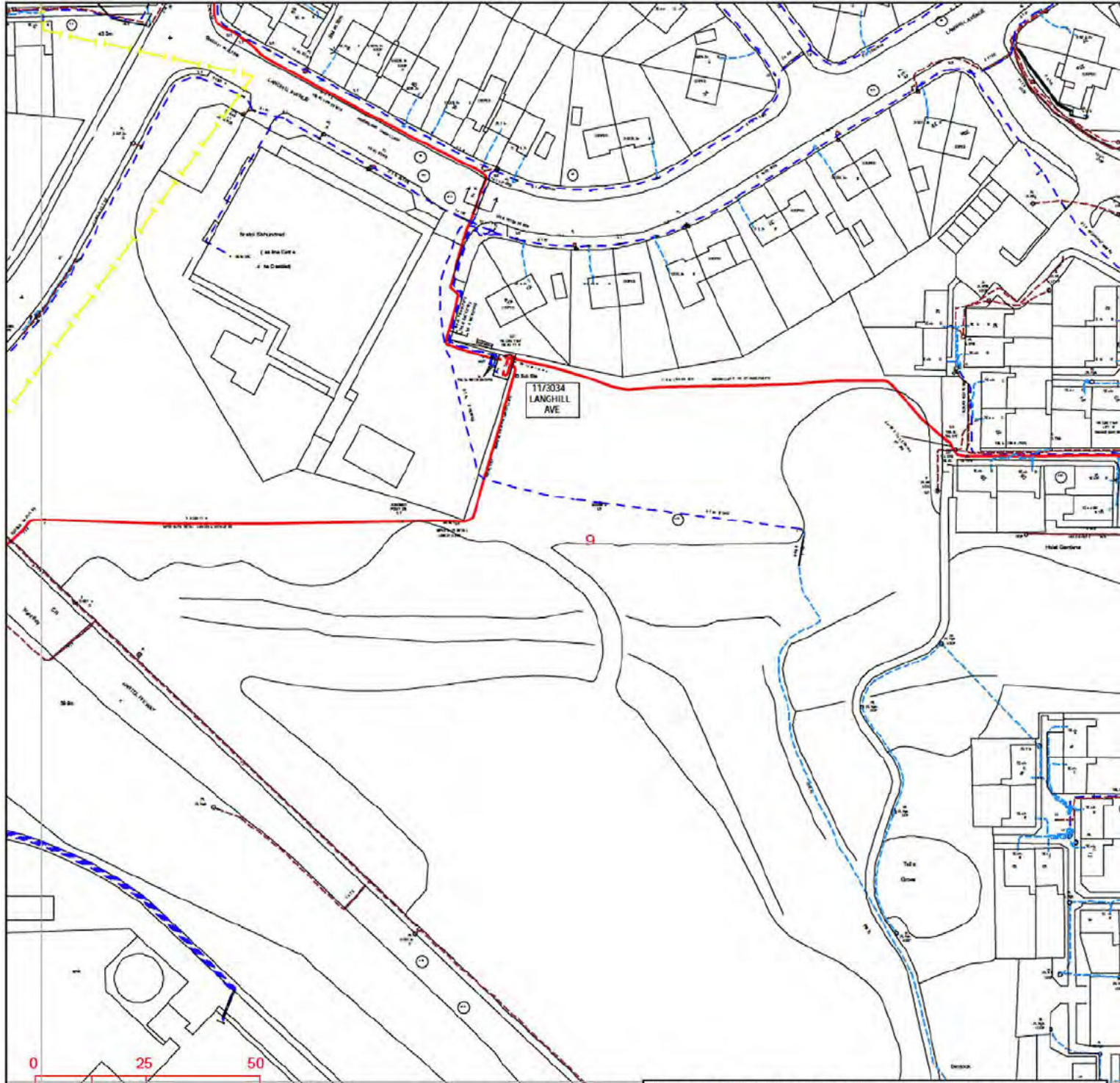
**Report damage immediately – KEEP EVERYONE AWAY FROM THE AREA**  
**0800 6783 105**

Date Requested: 17/01/2019  
 Job Reference: 14624863  
 Site Location: 358295 169347  
 Requested by:  
 s. 40(2)  
 Your Scheme/Reference:  
 Novers Hill

Exact Scales:  
 1:1250 Area or Circle dig site  
 1:500 Line dig site

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**Contact Us**  
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 All areas 0121 623 9780  
**General Enquiries:**  
 All areas 0800 096 3080

Link Box	Overhead Line	Underground Cable	SURF Telecoms	Pilot Cables
●	○ PL	---	S-S	P-P
○	○ Service	---	PME Earth	○ Pole Mounted Transformer
○	○ LV (11kV)	---	—E— Underground Earth	□ Ground Mounted Transformer
○	○ HV (33kV)	---		
○	○ HV (66kV)	---		
○	○ HV (132kV)	---		

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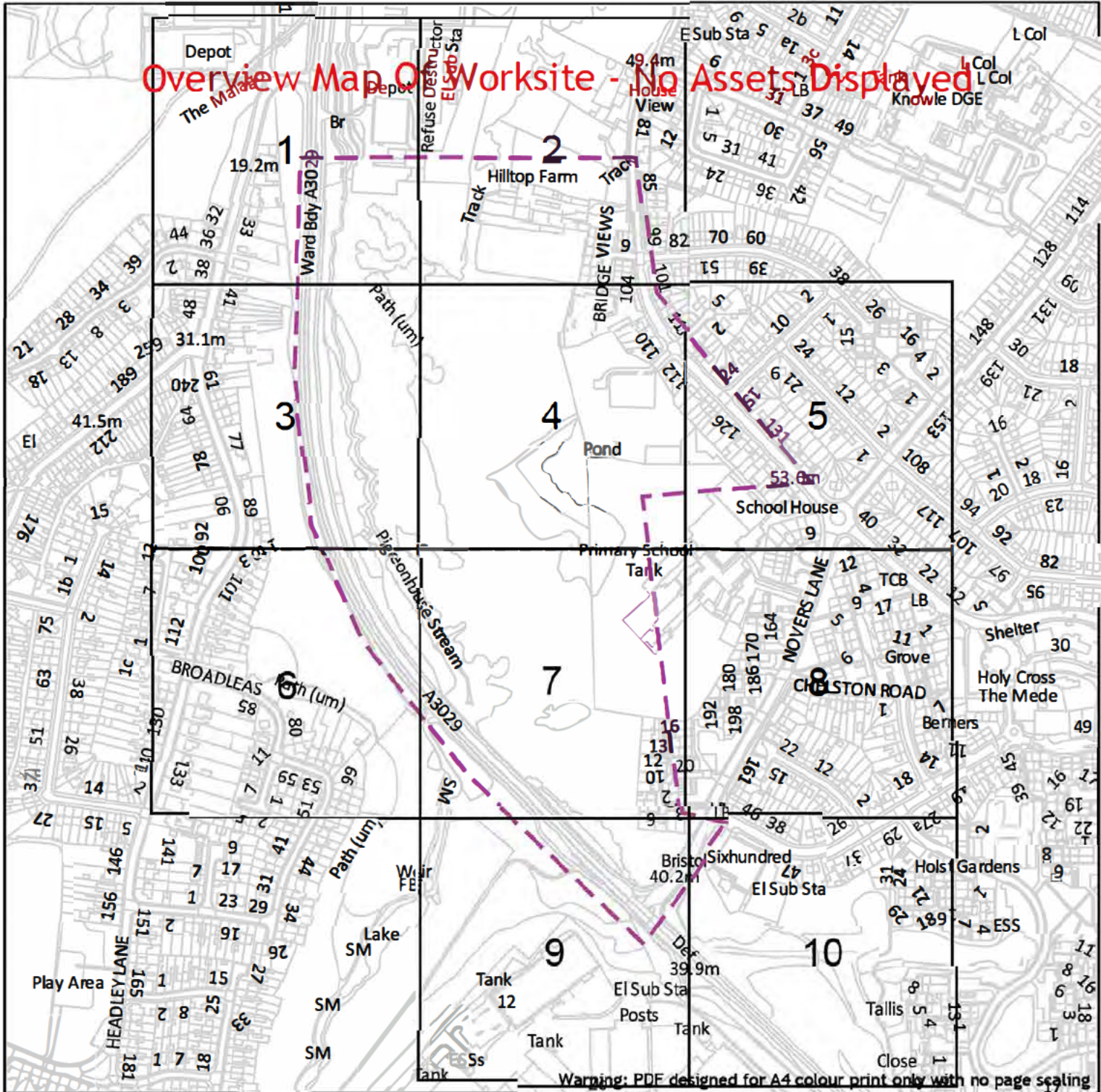
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 Site Location: 358295 169347  
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Exact Scales:  
 1:1250 Area or Circle dig site  
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# Overview Map Of Worksite - No Assets Displayed



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**Contact Us**  
**Mapping Enquiries:**  
 All areas 02920 278 912  
**General Enquiries:**  
 All areas 0800 912 2999

<b>Dig Sites</b>	<b>Area:</b>	<b>Line:</b>
	Low Pressure (LP) 21mbar - 75mbar	
	Medium Pressure (MP) 350mbar - 2bar	
	Intermediate Pressure (IP) 2bar - 7bar	
	High Pressure (HP) >7bar	

	Change of Diameter		Line/Fire Valve
	End Cap		Governor Station
	Depth of cover		

**Date Requested:** 17/01/2019  
**Job Reference:** 14624863  
**Site Location:** 357597 168823  
**Requested by:** s. 40(2)  
**Your Scheme/Reference:** Novers Hill

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- You must use safe digging practices in accordance with HS(G)47 to establish the actual position of mains, services and other apparatus before any mechanical excavation is used
- It is your responsibility to ensure this information is provided to all persons working near our plant
- If in doubt call the WU dig team on 02920 27891

**Report damage immediately – KEEP EVERYONE AWAY FROM THE AREA**  
 0800 111 999

Small gas?  
 Call the Gas Emergency Service on  
 0800 111 999

Dial  
before  
you dig

We need  
all digger  
notices

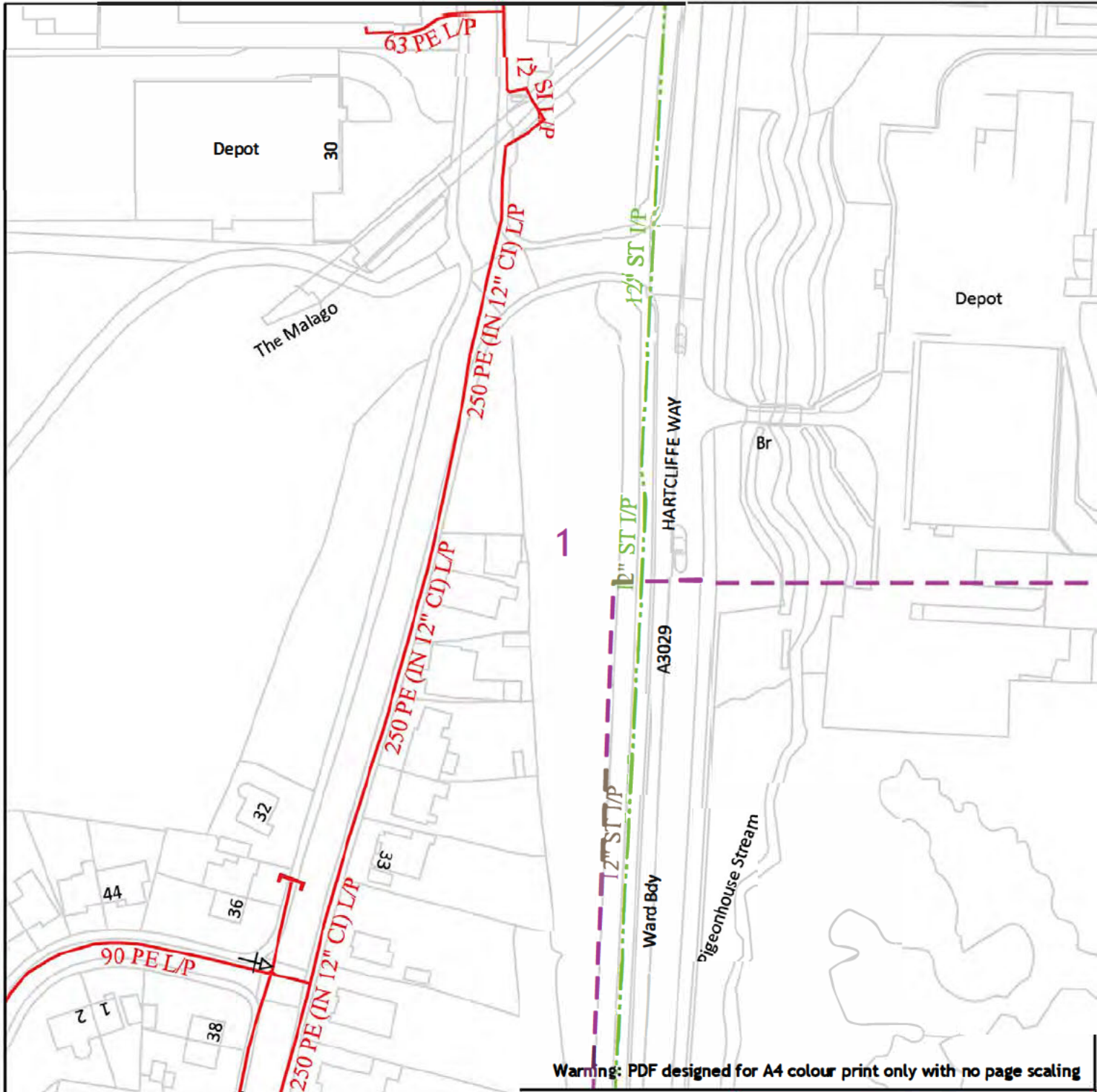
Dial  
Call 029 2027 8912  
before you start work

Investigate  
Before you dig, make sure  
you know what's below.

Go ahead  
Done your research?  
Always go with the flow.

Scale: 1:5125 (When plotted at A4)





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**Contact Us**  
**Mapping Enquiries:**  
 All areas 02920 278 912  
**General Enquiries:**  
 All areas 0800 912 2999

100m

**Dig Sites** Area: [Dashed Purple Box] Line: [Dashed Purple Line]

- Low Pressure (LP) 21mbar – 75mbar
- Medium Pressure (MP) 350mbar – 2bar
- Intermediate Pressure (IP) 2bar – 7bar
- High Pressure (HP) >7bar

- Change of Diameter
- End Cap
- Depth of cover
- Line/Fire Valve
- Governor Station

**TREME CAU ION**  
 Major Accident Hazard Potential in Vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
 Prior to excavation starting you must contact the plant  
 protection team on 0 920 2 8912

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**Date Requested:** 17/01/2019  
**Job Reference:** 14624863  
**Site Location:** 357597 168823  
**Requested by:** S. 40(2)  
**Your Scheme/Reference:** Novors Hill

Scale: 1:1250 (When plotted at A4)

Small gas?  
 Call the Gas Emergency Service on  
 0800 111 999

**Dial**  
 before you dig

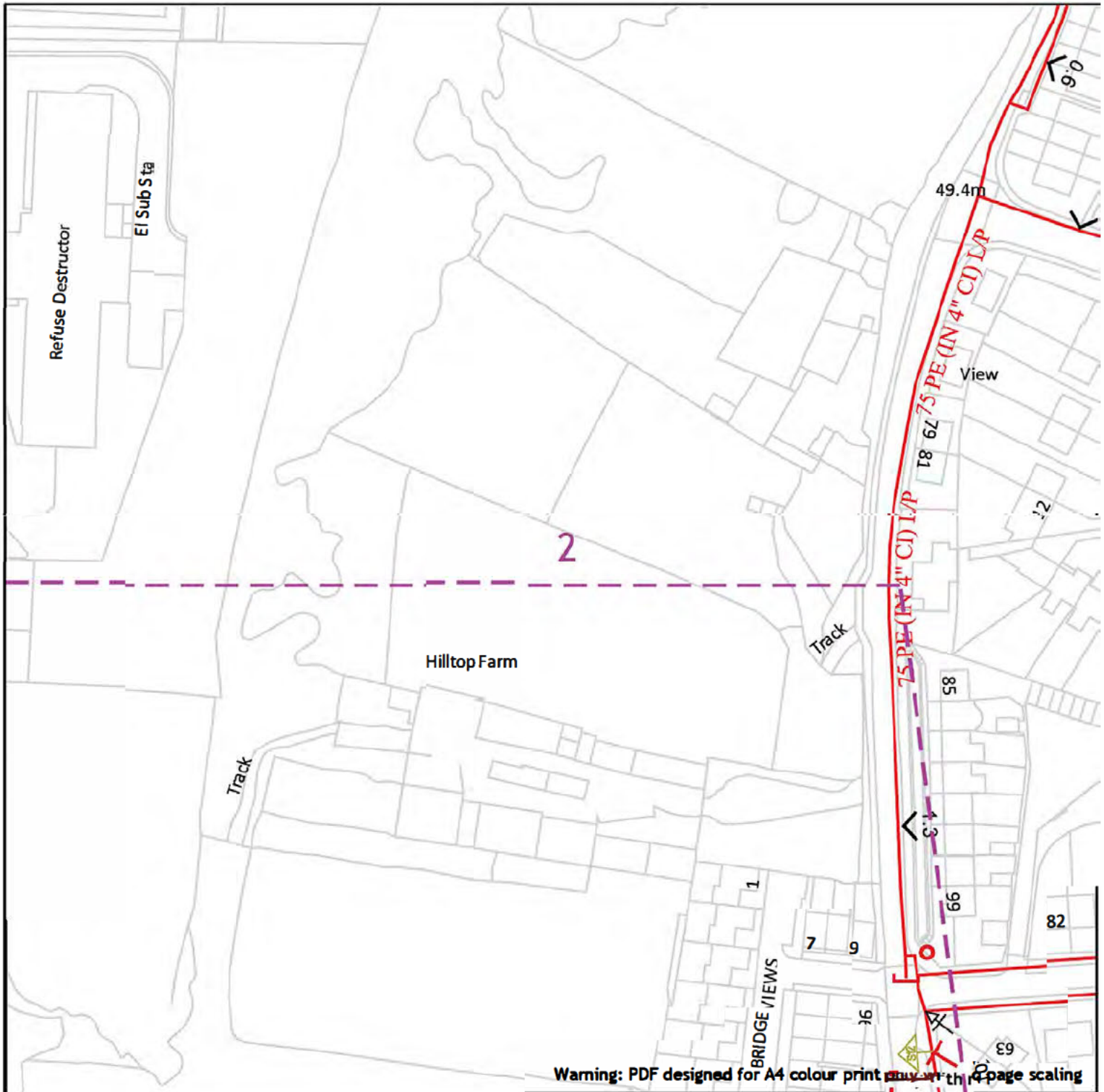
**Investigate**  
 Before you dig, make sure you know what's below.

**Go ahead**  
 Done your research? Always go with the flow.

We need all digger notices

Call 029 2027 8912 before you start work





**Contact Us**  
**Mapping Enquiries:**  
 All areas 02920 278 912  
**General Enquiries:**  
 All areas 0800 912 2999

**Date Requested:** 17/01/2019  
**Job Reference:** 14624863  
**Site Location:** 357597 168823  
**Requested by:** S. 40(2)  
**Your Scheme/Reference:** Novors Hill

100m

<b>Dig Sites</b>	Area:	Line:	<p><b>EXTREME CAUTION</b>                  Major Accident Hazard Potential in vicinity  <b>RISK OF DEATH OR SERIOUS INJURY**</b>                  prior to excavation a testing you must contact the plant                  operation team on 0 920 2 8912</p>		
	Low Pressure (LP) 21mbar – 75mbar				Change of Diameter
	Medium Pressure (MP) 350mbar – 2bar				End Cap
	Intermediate Pressure (IP) 2bar – 7bar				Line/Fire Valve
	High Pressure (HP) >7bar				Governor Station
			Depth of cover		

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Small gas?  
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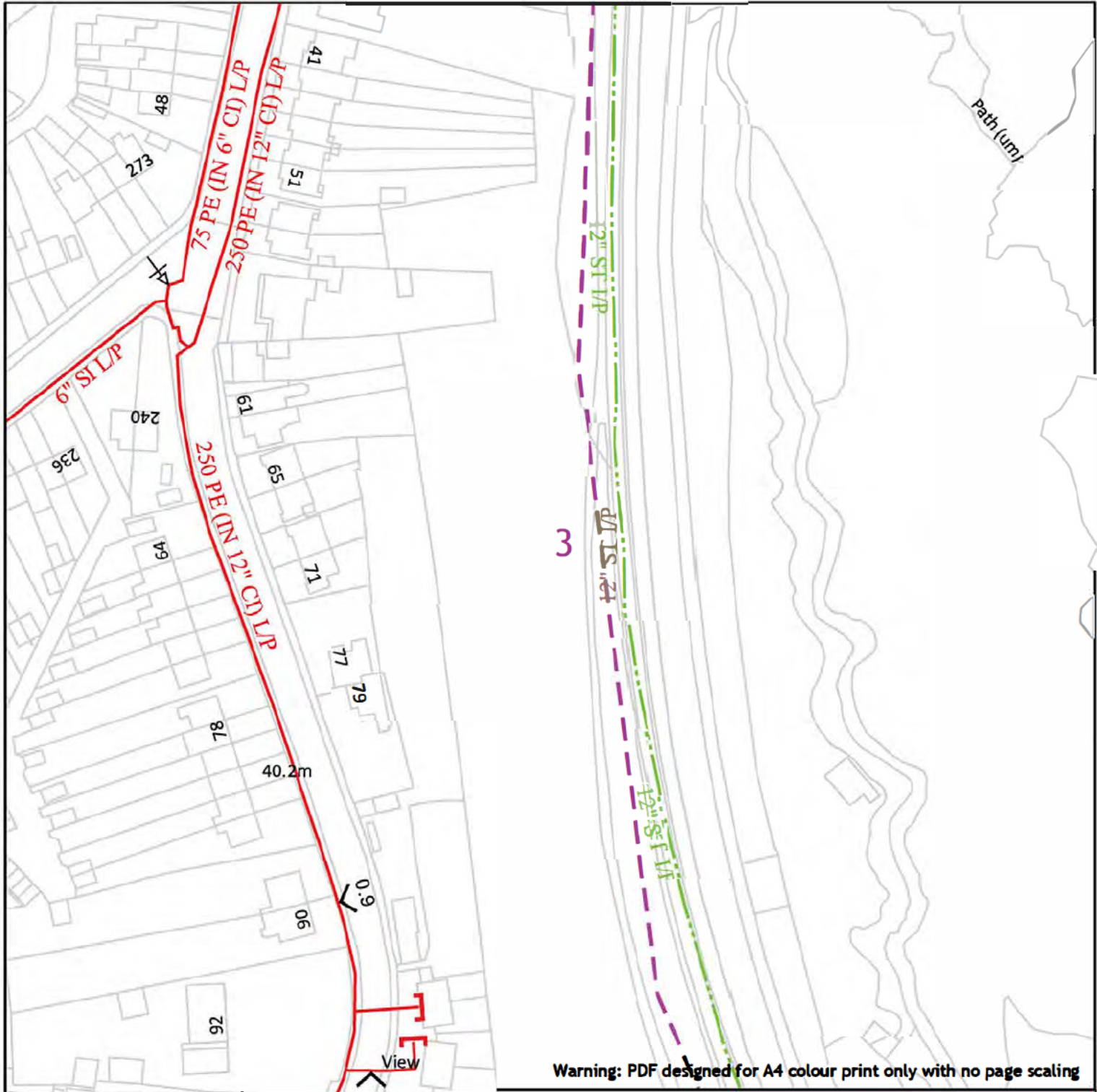
**Dial**  
 before you dig

Call 029 2027 8912  
 before you start work

**Investigate**  
 Before you dig, make sure  
 you know what's below.

**Go ahead**  
 Done your research?  
 Always wear your PPE!

We need all digger notices



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**Contact Us**  
**Mapping Enquiries:**  
 All areas 02920 278 912  
**General Enquiries:**  
 All areas 0800 912 2999

100m

**Dig Sites** Area: [Dashed Purple Box] Line: [Dashed Purple Line]

- [Red Line] Low Pressure (LP) 21mbar – 75mbar
- [Blue Dashed Line] Medium Pressure (MP) 350mbar – 2bar
- [Green Dashed Line] Intermediate Pressure (IP) 2bar – 7bar
- [Orange Dashed Line] High Pressure (HP) >7bar

[Arrow with Plus] Change of Diameter  
 [Bracket] End Cap  
 [Less Than Sign] Depth of cover

**EXTREME CAUTION**  
 Major Accident Hazard Potential in Vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
 Prior to excavation starting you must contact the plant  
 protection team on 02920 278912

[Valve Symbol] Line/Fire Valve  
 [Governor Symbol] Governor Station

**Date Requested:** 17/01/2019  
**Job Reference:** 14624863  
**Site Location:** 357597 168823  
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 0800 111 999

Small gas?  
 Call the Gas Emergency Service on  
 0800 111 999

**Dial before you dig**

Small gas?  
 Call 029 2027 8912  
 before you start work

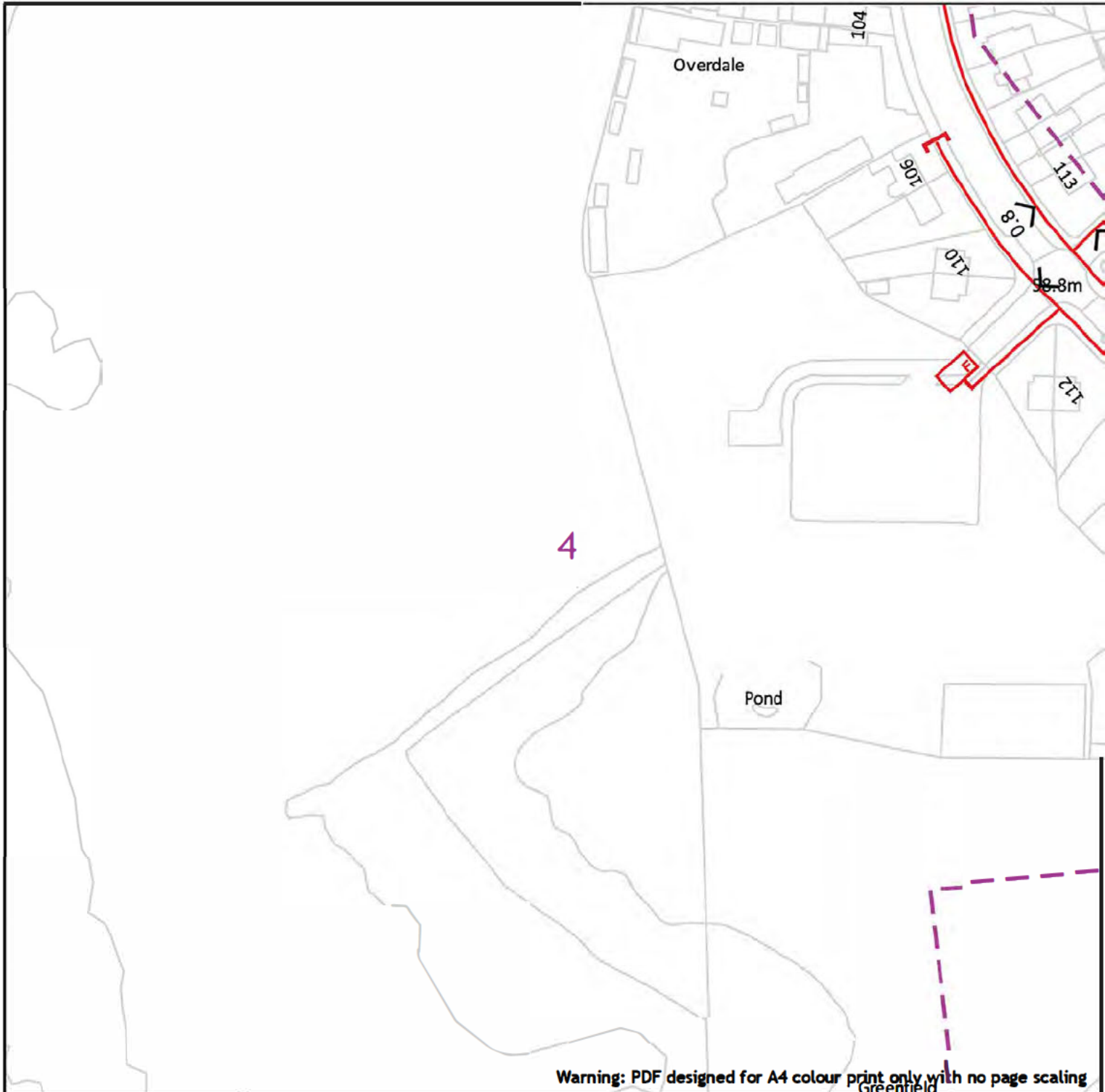
Investigate  
 Before you dig, make sure  
 you know what's below.

Go ahead  
 Done your research?  
 Always go with the flow.

We need all digger notices

Scale: 1:1250 (When plotted at A4)





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**WALES & WEST UTILITIES**

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**General Enquiries:**  
 All areas 0800 912 2999

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**Job Reference:** 14624863  
**Site Location:** 357597 168823  
**Requested by:** S. 40(2)  
**Your Scheme/Reference:** Novors Hill

**Scale:** 1:1250 (When plotted at A4)

**100m**

**Dig Sites** Area: Line:

	Low Pressure (LP) 21mbar – 75mbar		Change of Diameter		Line/Fire Valve
	Medium Pressure (MP) 350mbar – 2bar		End Cap		Governor Station
	Intermediate Pressure (IP) 2bar – 7bar		Depth of cover		
	High Pressure (HP) >7bar				

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 Major Accident Hazard Potential in vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
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Small gas?  
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 0800 111 999

**Dial**  
 before you dig

**Investigate**  
 Before you dig, make sure you know what's below.

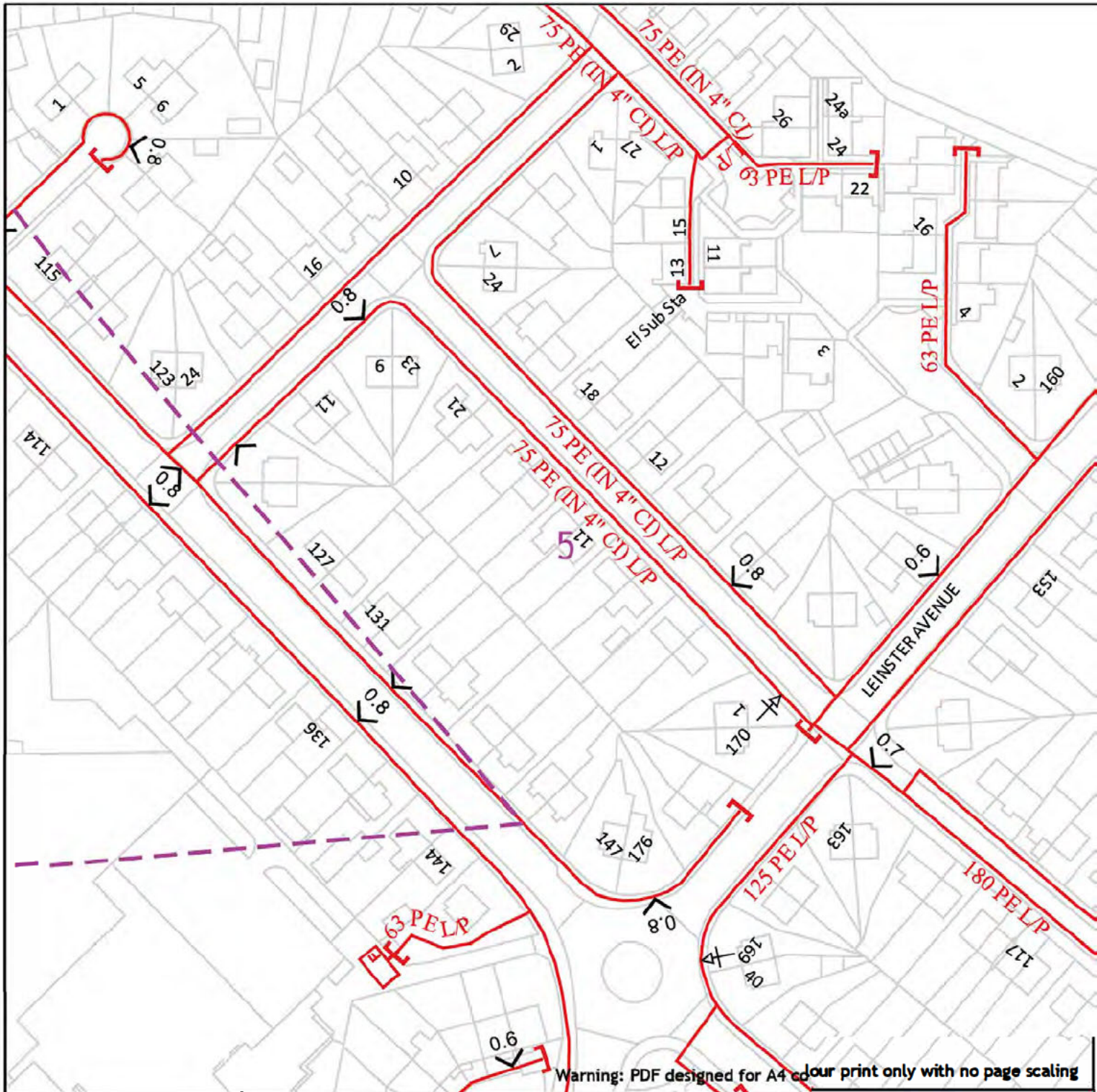
**Go ahead**  
 Done your research? Always go with the flow.

**Call 029 2027 8912**  
 Before you start work

**0800 111 999**  
 Before you dig, make sure you know what's below.

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 Before you dig, make sure you know what's below.

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**General Enquiries:**  
 All areas 0800 912 2999

100m

<b>Dig Sites</b>	Area:	Line:
	Low Pressure (LP) 21mbar – 75mbar	
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	Intermediate Pressure (IP) 2bar – 7bar	
	High Pressure (HP) >7bar	

	Change of Diameter		Line/Fire Valve
	End Cap		Governor Station
	Depth of cover		

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 Major Accident Hazard Potential in vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
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**Date Requested:** 17/01/2019  
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Small gas?  
 Call the Gas Emergency Service on  
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**Dial**  
 before  
 you dig

Dial  
 Call 029 2027 8912  
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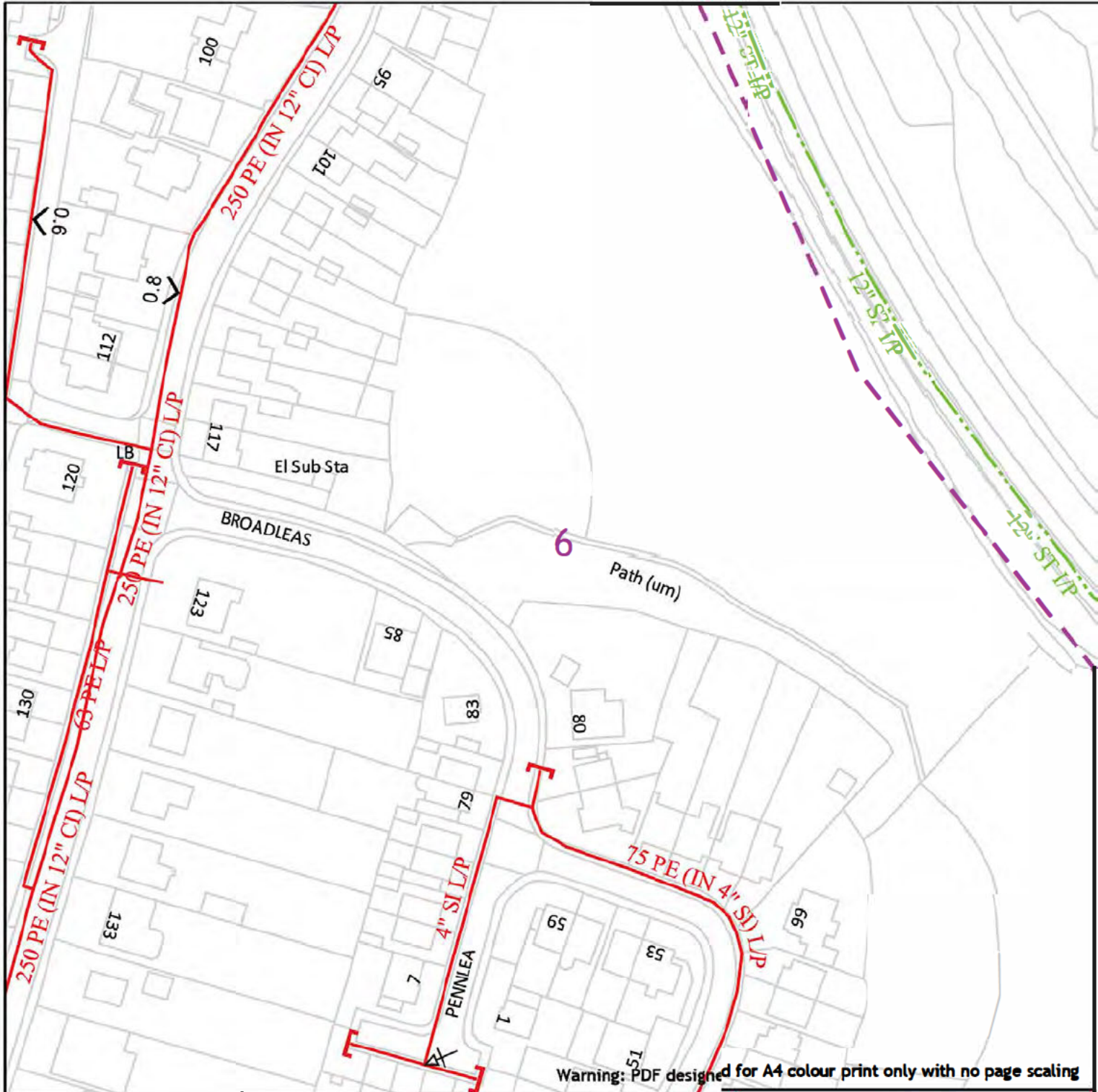
Investigate  
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Go ahead  
 Done your research?  
 It's safe to dig!

We need all digger notices

Scale: 1:1250 (When plotted at A4)





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**Site Location:** 357597 168823  
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**Your Scheme/Reference:** Novors Hill

<b>Dig Sites</b>	<b>Area:</b> [Dashed Purple Box]	<b>Line:</b> [Dashed Purple Line]
[Red Line]	Low Pressure (LP) 21mbar - 75mbar	
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[Orange Dashed Line]	High Pressure (HP) >7bar	

**TREME CAU ION**  
 Major Accident Hazard Potential in vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
 prior to excavation starting you must contact the plant  
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- [Arrow with T] Change of Diameter
- [X] Line/Fire Valve
- [L] End Cap
- [G] Governor Station
- [V] Depth of cover

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**Dial before you dig**

Small gas?  
 Call the Gas Emergency Service on  
 0800 111 999

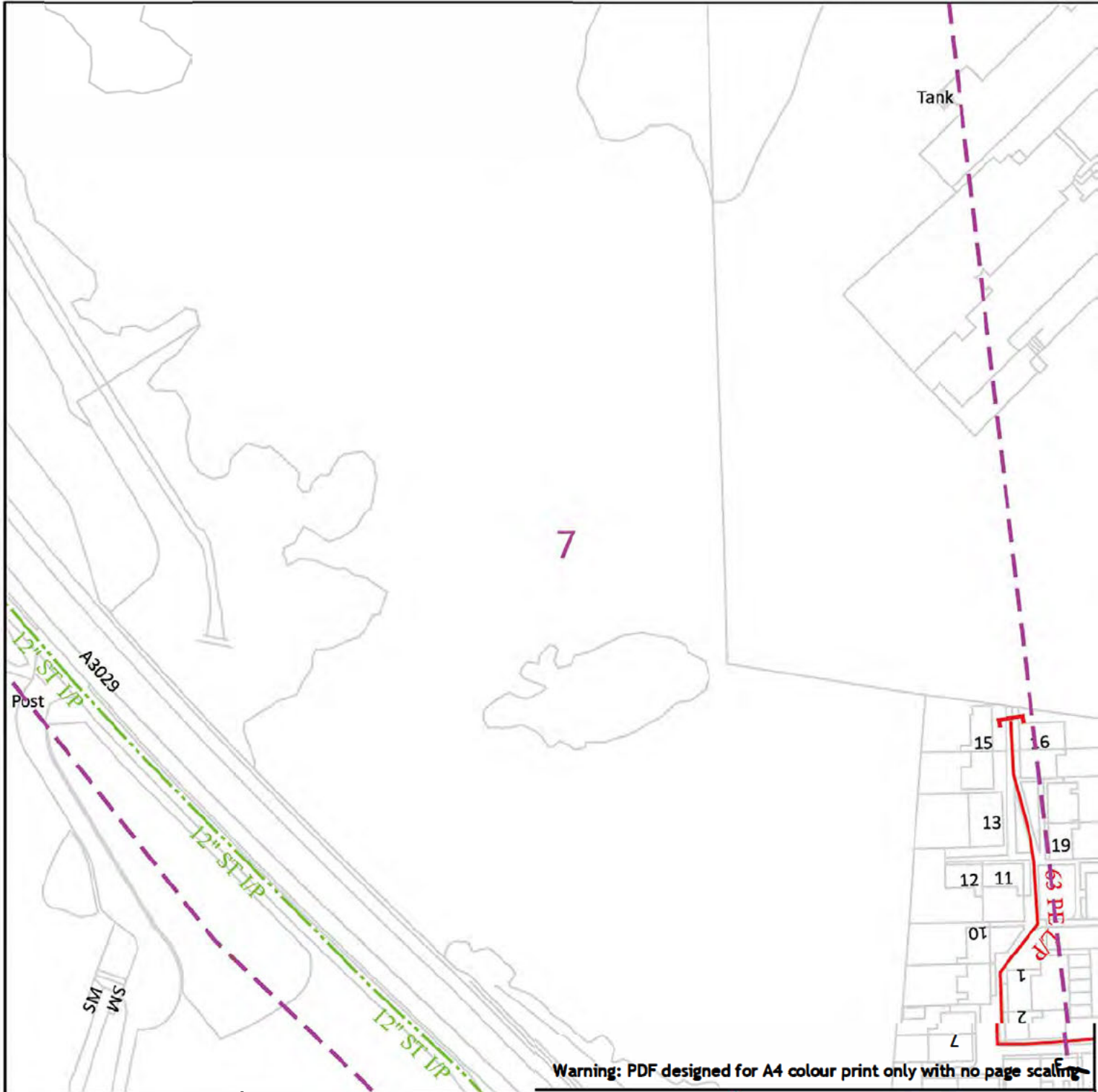
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**Investigate**  
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**Go ahead**  
 Done your research?  
 Above your head?

We need all digger notices

Scale: 1:1250 (When plotted at A4)



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**Contact Us**  
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**General Enquiries:**  
 All areas 0800 912 2999

100m

**Dig Sites** Area: Line:

- Low Pressure (LP) 21mbar – 75mbar
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- Intermediate Pressure (IP) 2bar – 7bar
- High Pressure (HP) >7bar

Change of Diameter

End Cap

Depth of cover

**TREME CAUTION**  
 Major Accident Hazard Potential in vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
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Line/Fire Valve  
 Governor Station

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Small gas?  
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**Dial**  
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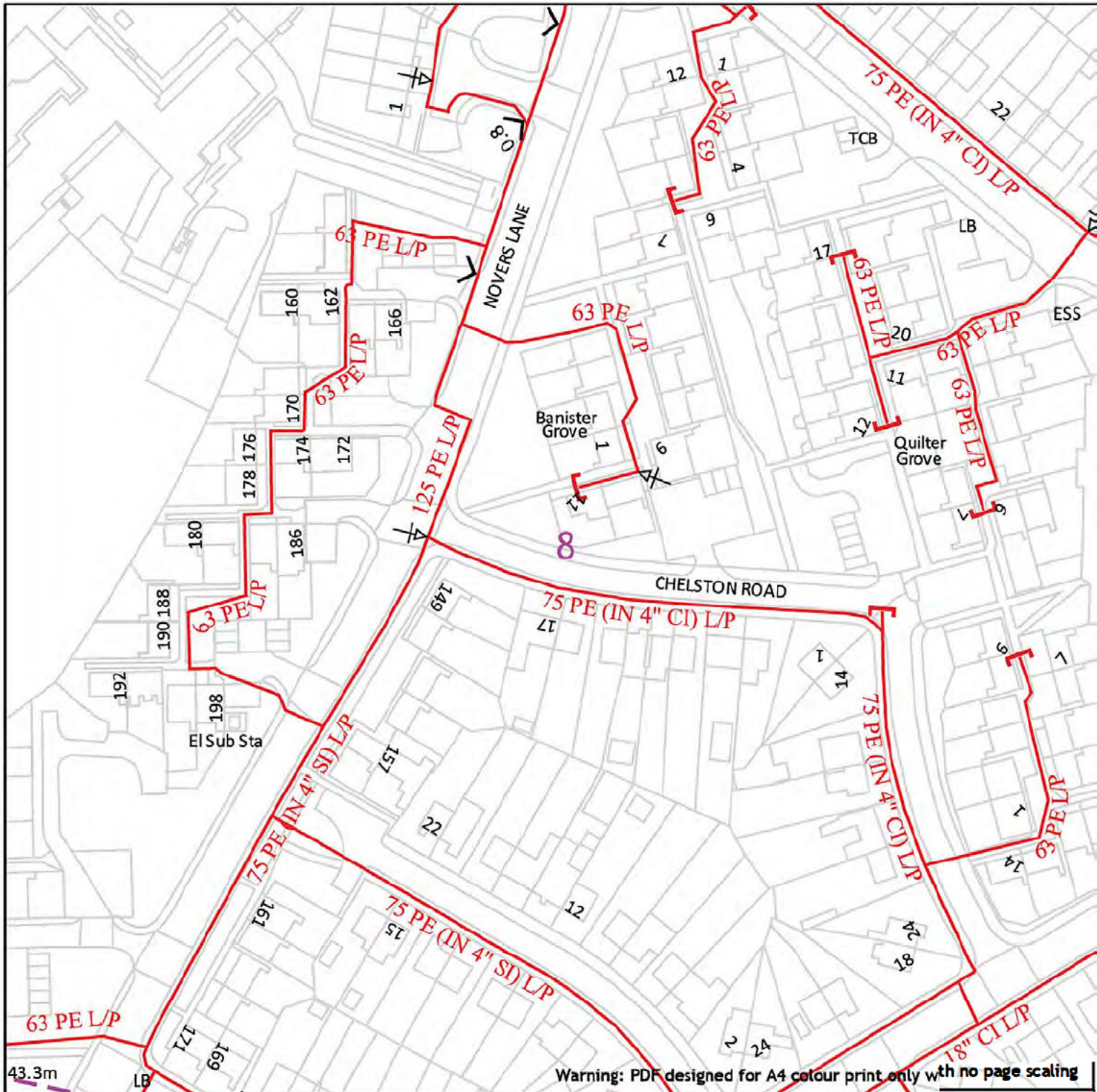
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100m

<b>Dig Sites</b>	Area:	Line:
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	Change of Diameter		Line/Fire Valve
	End Cap		Governor Station
	Depth of cover		

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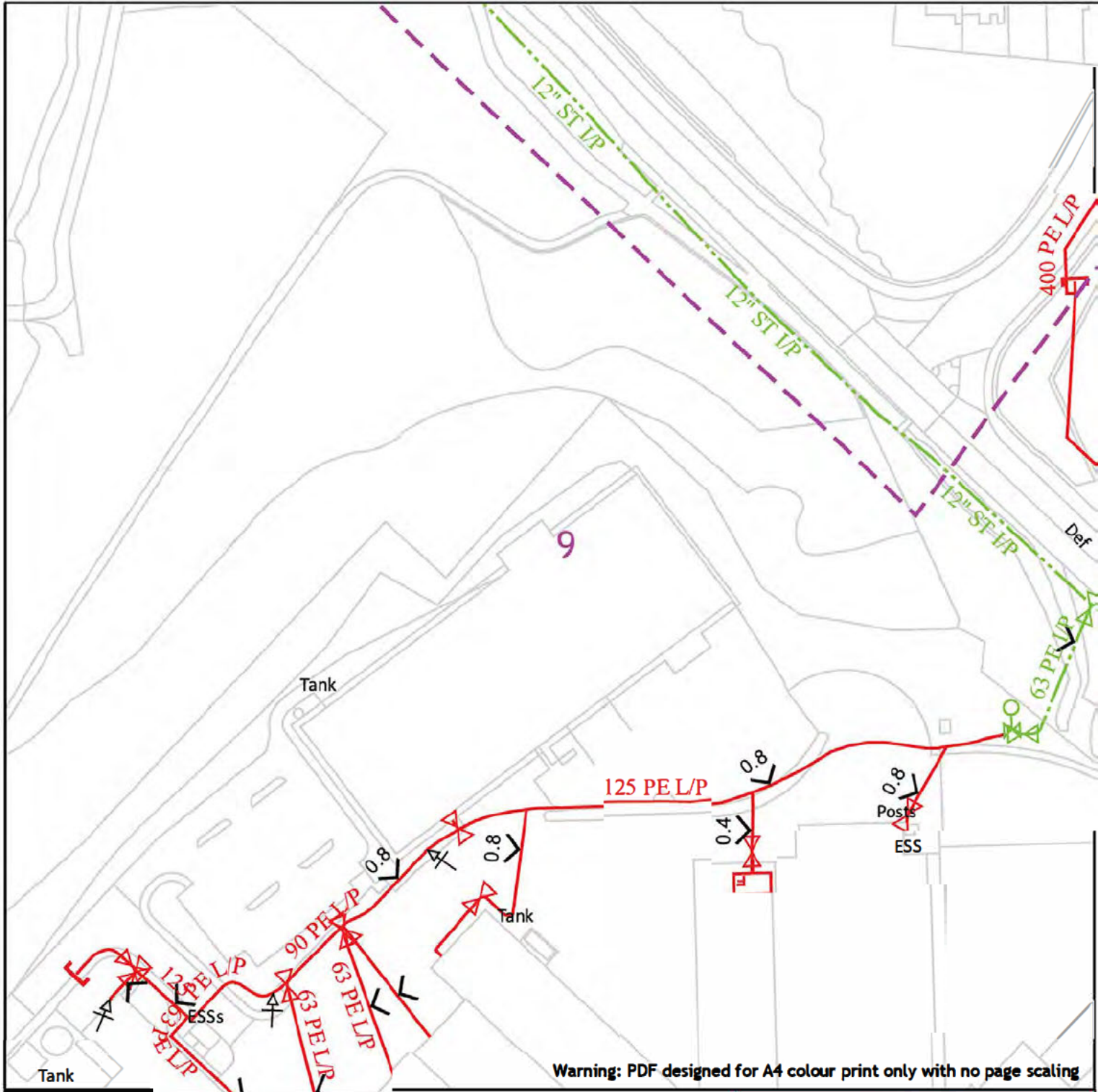
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**WALES & WEST UTILITIES**

**Contact Us**  
 Mapping Enquiries: 02920 278 912  
 General Enquiries: 0800 912 2999  
 All areas

100m

**Dig Sites** Area: [Dashed Purple Line] Line: [Dashed Purple Line]

- Low Pressure (LP) 21mbar – 75mbar
- Medium Pressure (MP) 350mbar – 2bar
- Intermediate Pressure (IP) 2bar – 7bar
- High Pressure (HP) >7bar

Change of Diameter, End Cap, Depth of cover, Line/Fire Valve, Governor Station

**TREME CAU ION**  
 Major Accident Hazard Potential in vicinity  
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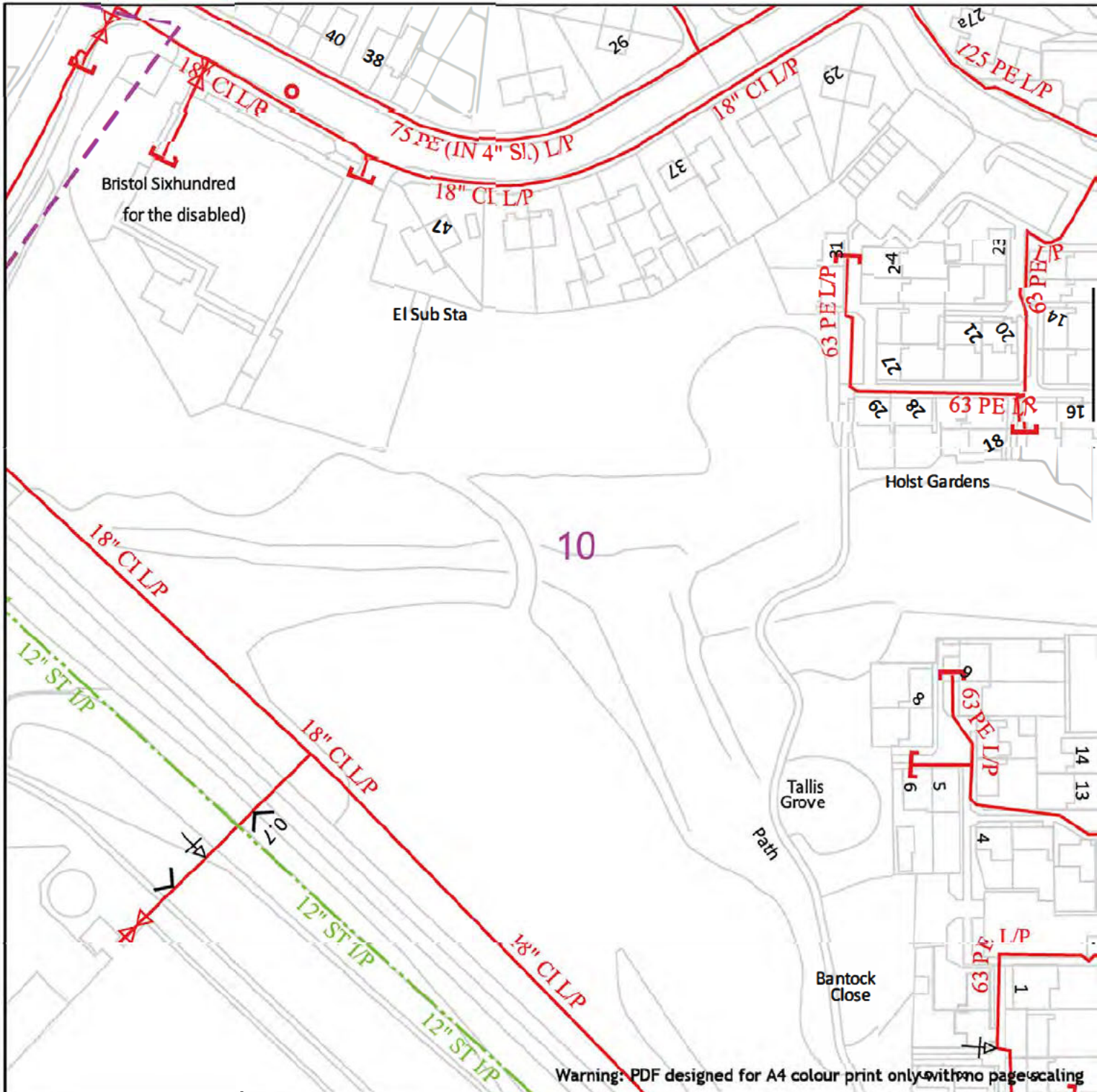
**Investigate** Before you dig, make sure you know what's below.

**Go ahead** Done your research? Always go with the flow.

We need all digger notices

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Warning: PDF designed for A4 colour print only with no page scaling



**Contact Us**  
**Mapping Enquiries:**  
 All areas 02920 278 912  
**General Enquiries:**  
 All areas 0800 912 2999

<b>Dig Sites</b>	Area:  Line:
	Low Pressure (LP) 21mbar – 75mbar
	Medium Pressure (MP) 350mbar – 2bar
	Intermediate Pressure (IP) 2bar – 7bar
	High Pressure (HP) >7bar
	Change of Diameter
	End Cap
	Depth of cover
	Line/Fire Valve
	Governor Station

**TREME CAUTION**  
 Major Accident Hazard Potential in vicinity  
**RISK OF DEATH OR SERIOUS INJURY\*\***  
 prior to excavation a testing you must contact the plant  
 operation team on 0 920 2 8912

**IMPORTANT NOTICES**

- This information is given as a guide only and its accuracy cannot be guaranteed
- The plan only shows those pipes owned by Wales & West Utilities (WU) as its role as a licensed Gas Transporter
- Service pipes, valves, syphons, stub connections etc. may not be shown but their presence should be anticipated
- You must use safe digging practices in accordance with HS(G)47 to establish the actual position of mains, services and other apparatus before any mechanical excavation is used
- It is your responsibility to ensure this information is provided to all persons working near our plant
- If in doubt call the WU dig team on 02920 27891

**Report damage immediately – KEEP EVERYONE AWAY FROM THE AREA**  
 0800 111 999

**Date Requested:** 17/01/2019  
**Job Reference:** 14624863  
**Site Location:** 357597 168823  
**Requested by:** S. 40(2)  
**Your Scheme/Reference:** Novors Hill

Scale: 1:1250 (When plotted at A4)

Small gas?  
 Call the Gas Emergency Service on  
 0800 111 999

**Dial before you dig**

Call 029 2027 8912 before you start work

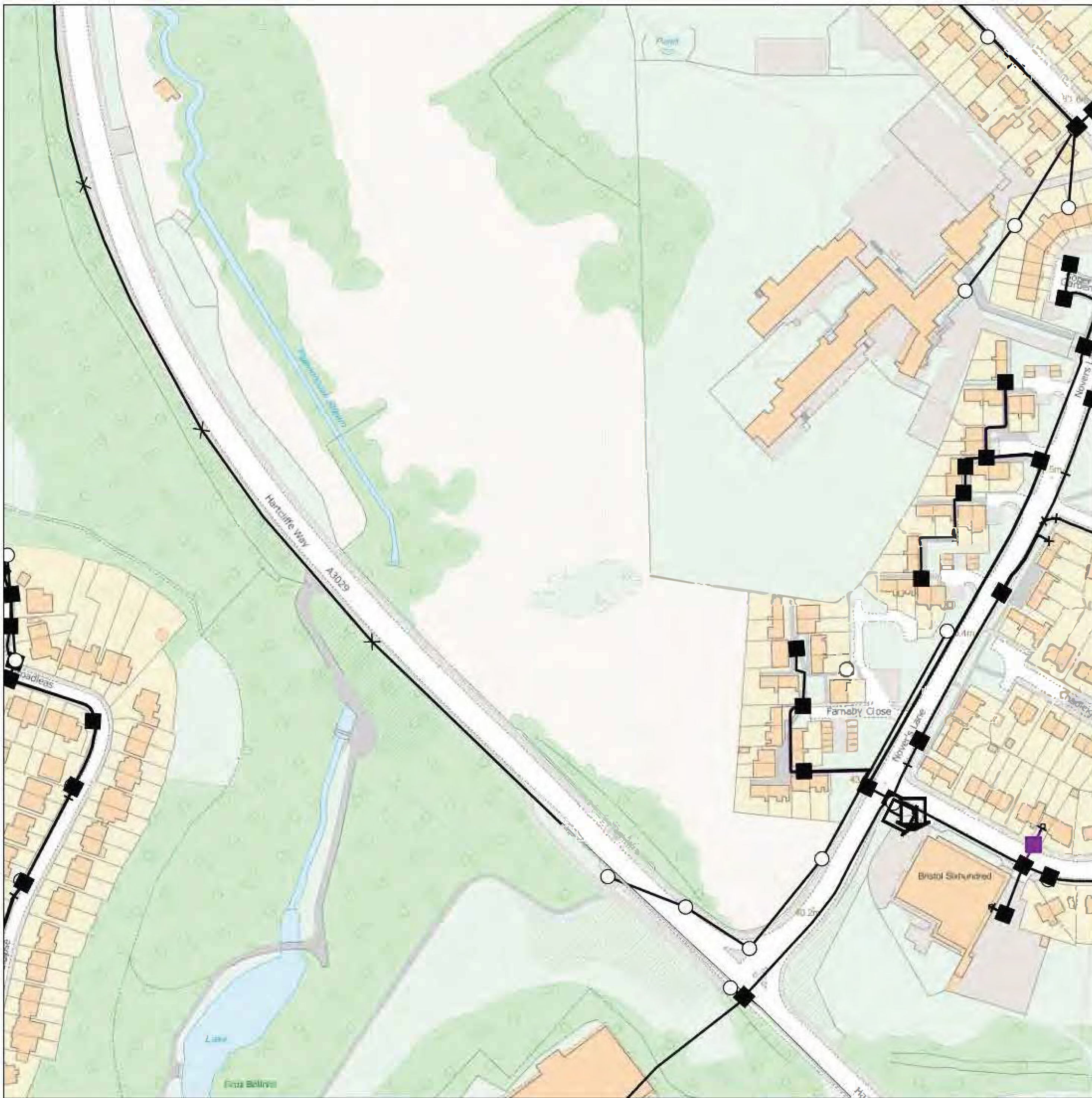
**Investigate**  
 Before you dig, make sure you know what's below.

**Go ahead**  
 Done your research? Always go with the flow.

We need all digger notices



# Maps by email Plant Information Reply



## IMPORTANT WARNING

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy.

It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.



**openreach**

### CLICK BEFORE YOU DIG

FOR PROFESSIONAL FREE ON SITE ASSISTANCE PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE

email [cbyd@openreach.co.uk](mailto:cbyd@openreach.co.uk)

ADVANCE NOTICE REQUIRED  
(Office hours: Monday - Friday 08.00 to 17.00)  
[www.openreach.co.uk/cbyd](http://www.openreach.co.uk/cbyd)

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### KEY TO BT SYMBOLS

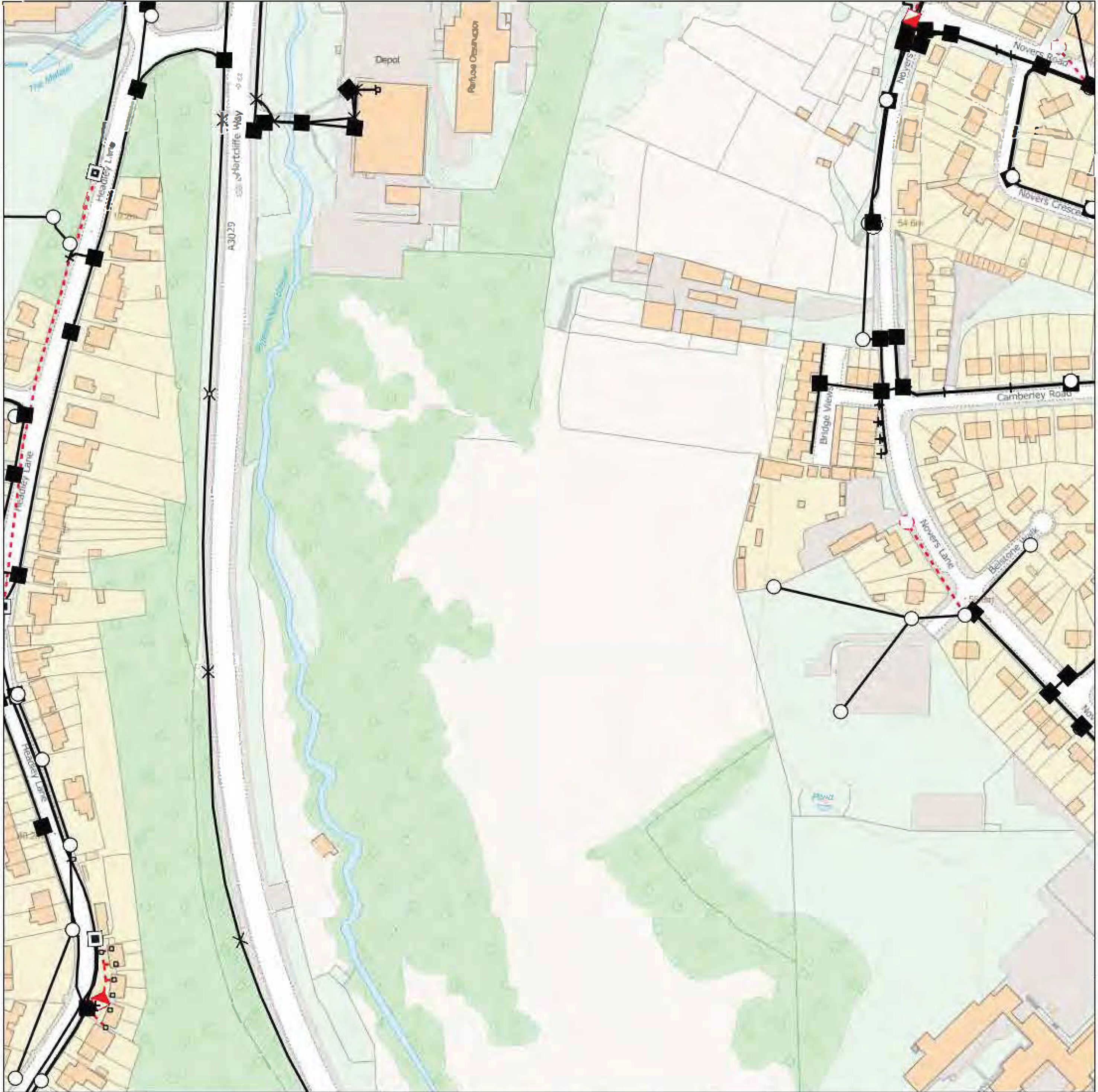
	Planned	Live	Change Of State	+	Hatchings	
PCP			Split Coupling	×	Built	
Pole			Duct Tee	▲	Planned	
Box			Building		Inferred	
Manhole			Kiosk		Duct	
Cabinet			Other proposed plant is shown using dashed lines. BT Symbols not listed above may be disregarded. Existing BT Plant may not be recorded. Information valid at time of preparation. Maps are only valid for 90 days after the date of publication.			
	Pending Add	In Place	Pending Remove	Not In Use		
Power Cable						
Power Duct				N/A		

BT Ref : QVQ01033J  
Map Reference : (centre) ST5828969207  
Easting/Northing : (centre) 358289,169207  
Issued : 17/01/2019 13:03:30

**WARNING: IF PLANNED WORKS FALL INSIDE HATCHED AREA IT IS ESSENTIAL BEFORE PROCEEDING THAT YOU CONTACT THE NATIONAL NOTICE HANDLING CENTRE. PLEASE SEND E-MAIL TO: [nnhc@openreach.co.uk](mailto:nnhc@openreach.co.uk)**



# Maps by email Plant Information Reply



## IMPORTANT WARNING

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It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.



## openreach

### CLICK BEFORE YOU DIG

FOR PROFESSIONAL FREE ON SITE ASSISTANCE PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE

email [cbyd@openreach.co.uk](mailto:cbyd@openreach.co.uk)

ADVANCE NOTICE REQUIRED  
(Office hours: Monday - Friday 08.00 to 17.00)  
[www.openreach.co.uk/cbyd](http://www.openreach.co.uk/cbyd)

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### KEY TO BT SYMBOLS

	<i>Planned</i>	<i>Live</i>	Change Of State	+	Hatchings
PCP			Split Coupling	×	Built
Pole			Duct Tee	▲	Planned
Box			Building		Inferred
Manhole			Kiosk		Duct
Cabinet			Other proposed plant is shown using dashed lines. BT Symbols not listed above may be disregarded. Existing BT Plant may not be recorded. Information valid at time of preparation. Maps are only valid for 90 days after the date of publication.		
	<i>Pending Add</i>	<i>In Place</i>	<i>Pending Remove</i>	<i>Not In Use</i>	
Power Cable					
Power Duct				N/A	

BT Ref : HLV01057F

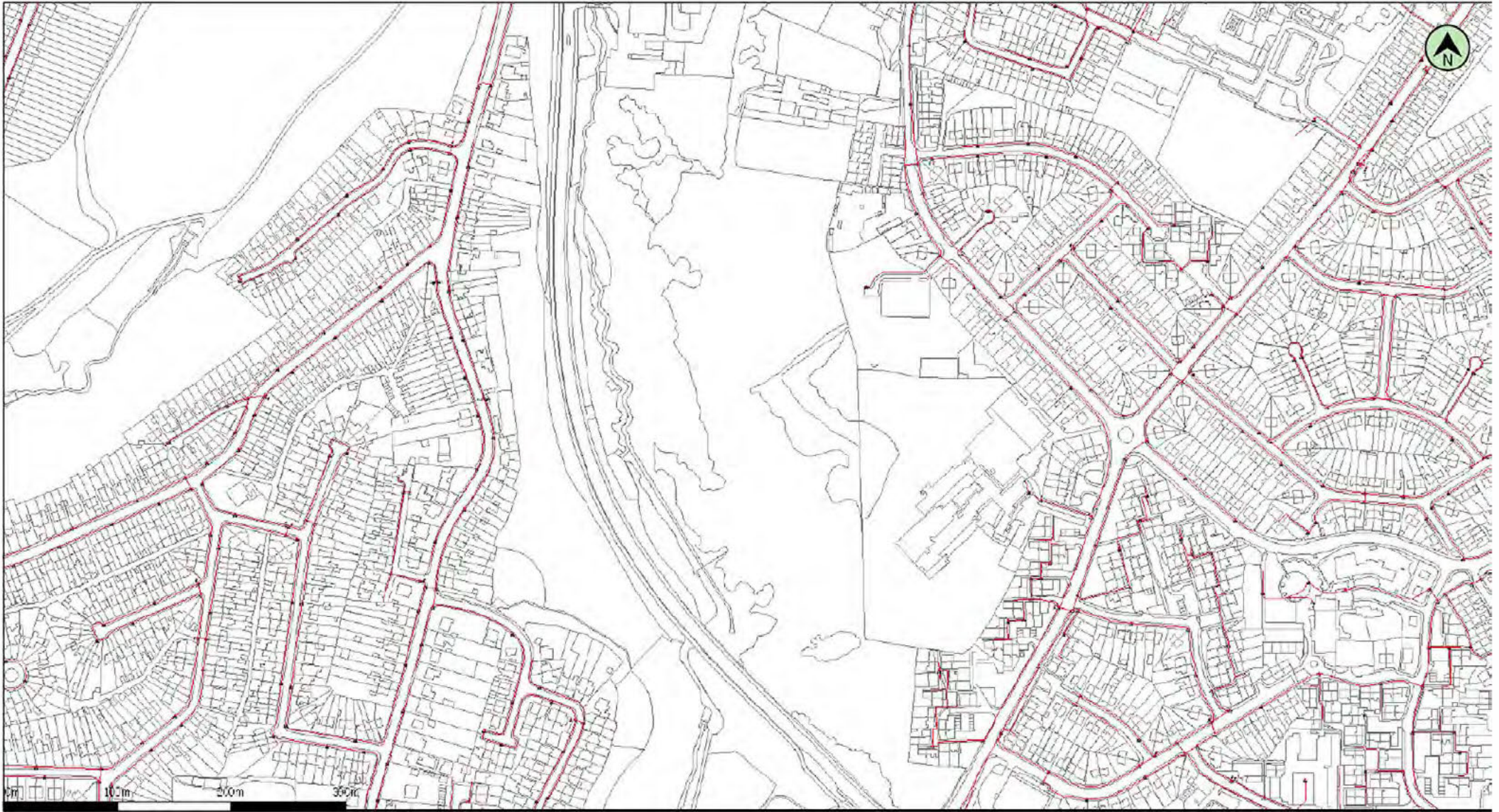
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Easting/Northing : (centre) 358217,169555

Issued : 17/01/2019 13:05:53

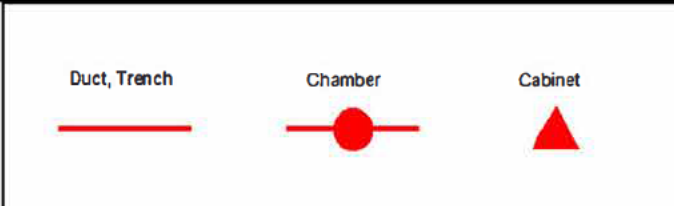
**WARNING: IF PLANNED WORKS FALL INSIDE HATCHED AREA IT IS ESSENTIAL BEFORE PROCEEDING THAT YOU CONTACT THE NATIONAL NOTICE HANDLING CENTRE. PLEASE SEND E-MAIL TO: [nnhc@openreach.co.uk](mailto:nnhc@openreach.co.uk)**





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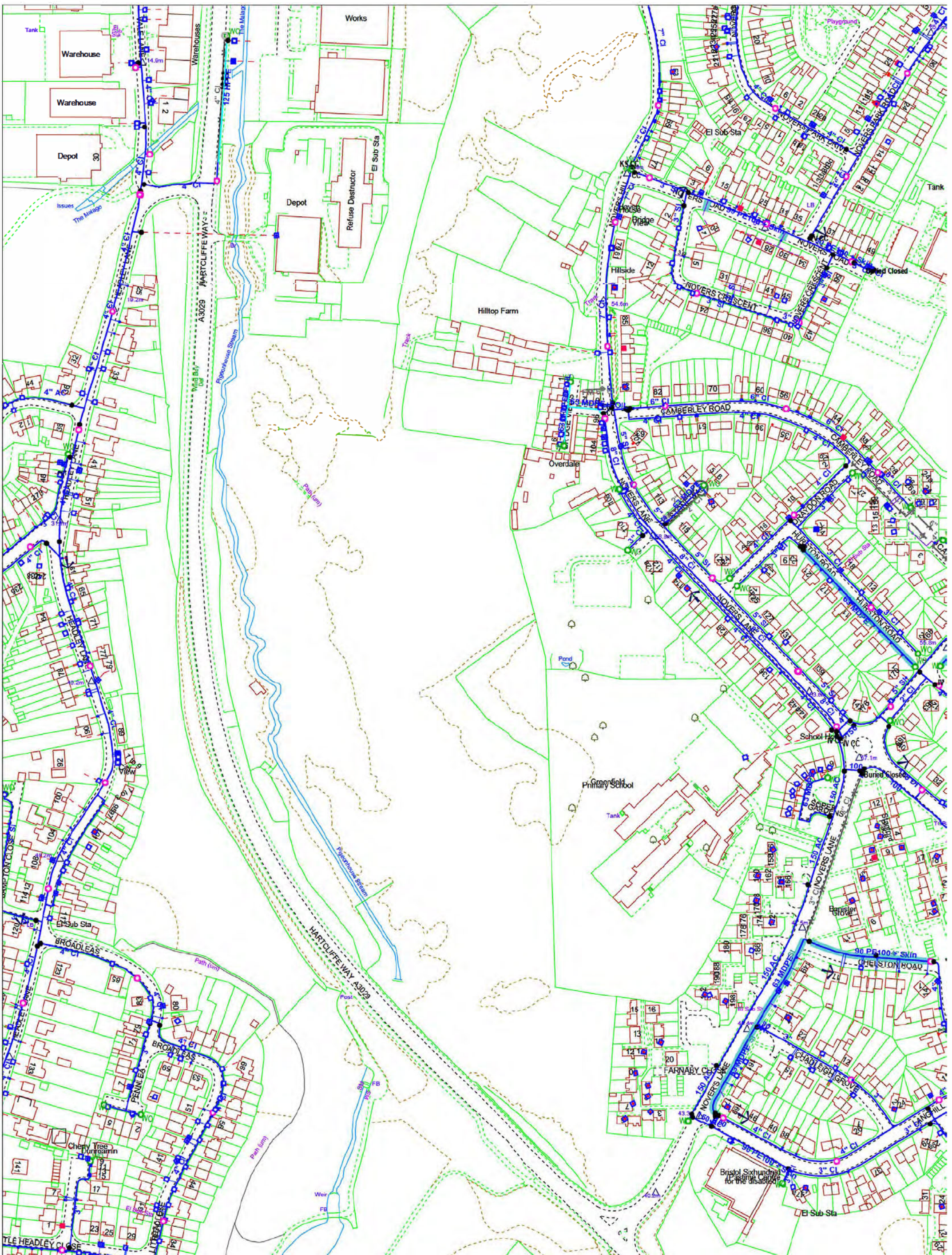
**Important Information - please read** The purpose of this plan is to identify Virgin Media apparatus. We have tried to make it as accurate as possible but we cannot warrant its accuracy. In addition, we caution that within Virgin Media apparatus there may be instances where mains voltage power cables have been placed inside green, rather than black ducting. Further details can be found using the "Affected Postcodes pdf", which can be downloaded from this website. Therefore, you must not rely solely on this plan if you are carrying out any excavation or other works in the vicinity of Virgin Media apparatus. The actual position of any underground service must be verified by cable detection equipment, etc. and established on site before any mechanical plant is used. Accordingly, unless it is due to the negligence of Virgin Media, its employees or agents, Virgin Media will not have any liability for any omissions or inaccuracies in the plan or for any loss or damage caused or arising from the use of and/or any reliance on this plan. This plan is produced by Virgin Media Limited (c) Crown copyright and database rights 2019 Ordnance Survey 100019209.



s_40(2)	@virginmedia.co
VM.1125542	

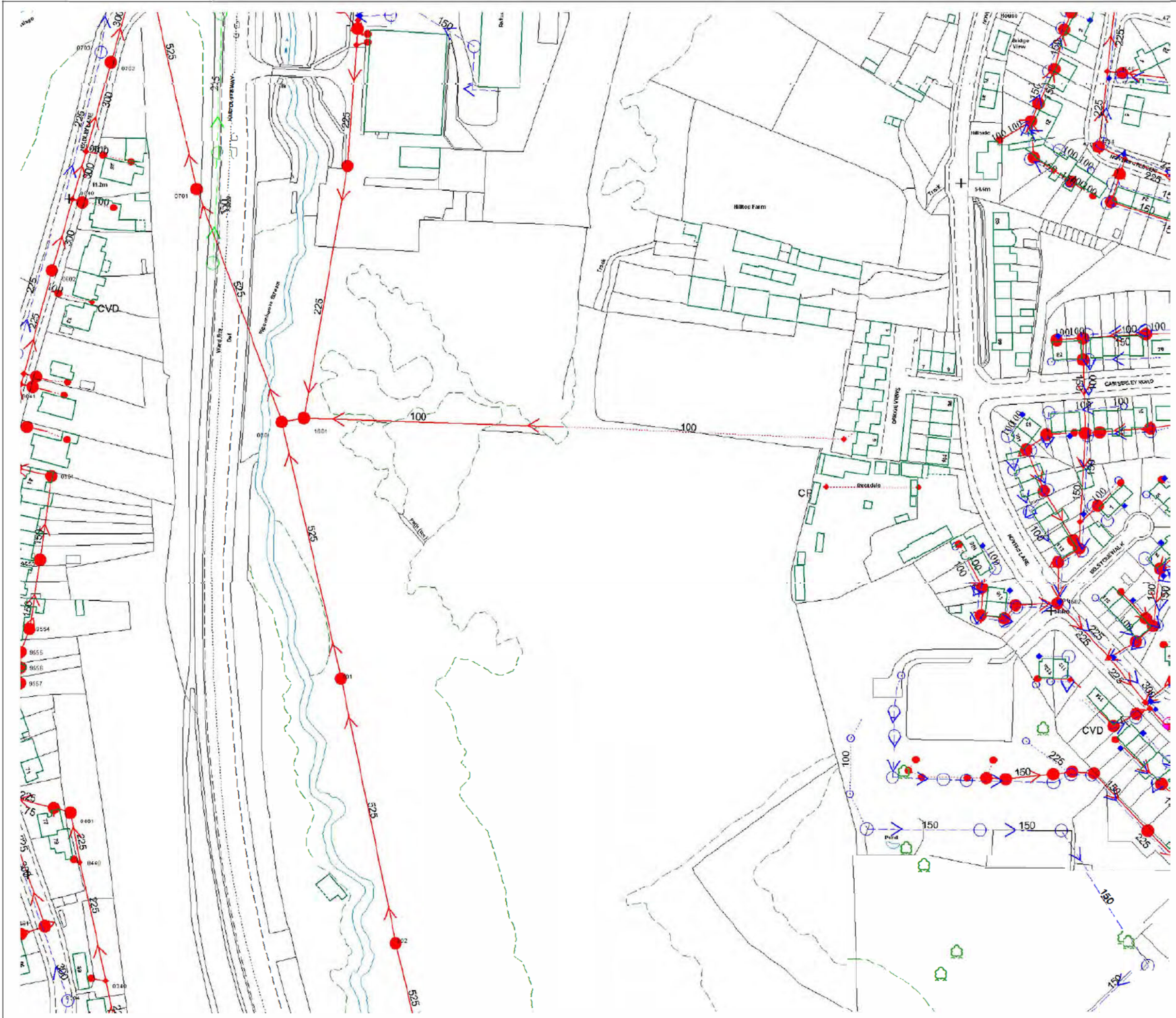






Scale: 1:2500	A3	Date: 17/01/2019	<b>EXISTING</b> MAINS: Solid blue line RAW WATER: Solid grey line ABANDONED: Dashed grey line SL PLINED: Solid blue line with black dots VALVES: Black circle with a dot HYDRANT: Pink circle (FIRE) or Green circle (WO)		<b>PROPOSED</b> ABANDONED MAINS: Dashed blue line SLIPL NED: Solid pink line OTHER: Blue circle with a dot CABLE WITH MAIN: Dashed blue line PRIVATE MAIN: Dashed red line	<b>SERVICE OBJECTS</b> COMMUNICATION P PE: Solid blue line SUPPLY P PE: Dashed blue line STOPTAP Company / Private: Blue circle with a dot COMMON COMM. PIPE: Solid blue line COMMON SUPPLY P PE: Dashed blue line METER Operational/Not in Use: Blue square (Operational) or Red square (Not in Use)	Novers Hill, Bristol COORDINATES AT THE CENTRE 358276 169459		
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**Land at Novers Hill 1**

**Bedminster, Bristol**

Printed on : 21/01/2019 14:15

WATER MAINS		Public	Private
Public Raw Water	—	—	—
Abandoned	—	—	—
Valve	X		
Hydrant	●		
PRV	●		
Meter	◻		
SEWERS		Public - Section 104 - Private	
Foul	—	—	—
Combined	—	—	—
Surface	—	—	—
Abandoned sewers	—	—	—
OTHER WESSEX PIPES			
Rising Mains	—	—	—
Effluent Disposal Main	—	—	—
Overflow	—	—	—
NON-WESSEX PIPES			
Private Rising Mains	—	—	—
Culverted Water Course	—	—	—
Highway Drain	—	—	—

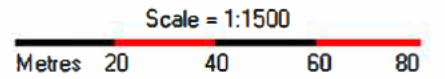
Information in this plan is provided for identification purposes only. No warranty as to accuracy is given or implied. The precise route of pipe work may not exactly match that shown. Wessex Water does not accept liability for inaccuracies.

Sewers and lateral drains adopted by Wessex Water under the Water Industry (Schemes for A doption of Private Sewers) Regulations 2011 are to be plotted over time and may not yet be shown.

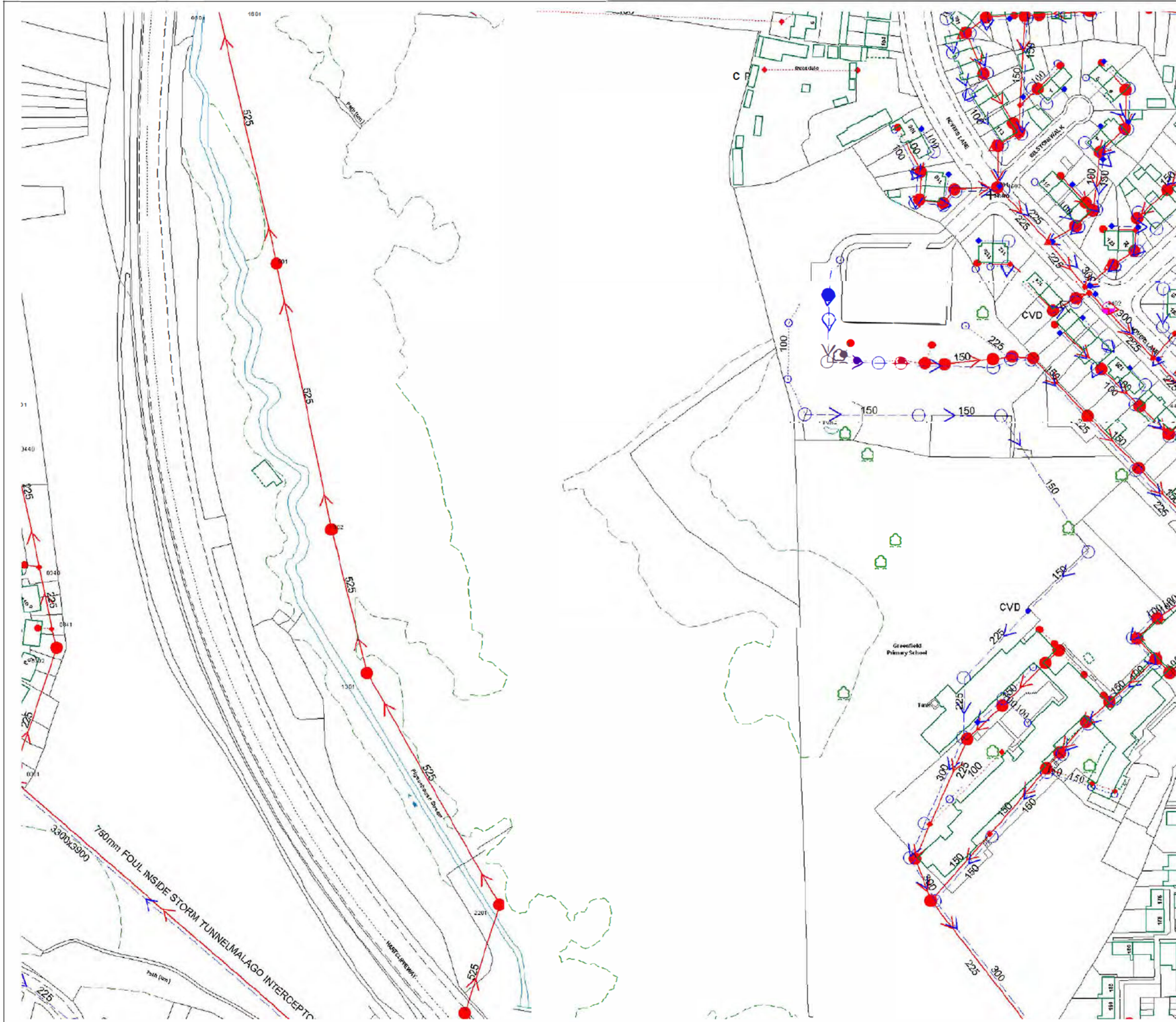
In carrying out any works, you accept liability for the cost of any repairs to Wessex Water apparatus damaged as a result of your works. You are advised to commence excavations using hand tools only. Mechanical digging equipment should not be used until pipe work has been precisely located.

If you are considering any form of building works and pipe work is shown within the boundary of your property or a property to be purchased (or very close by) a surveyor should plot its exact position prior to commencing works or purchase. Building over or near Wessex Water's apparatus is not normally permitted.

Centre:358222.28 , 169570.66







**Land at Novers Hill 2**

**Bedminster, Bristol**

Printed on : 21/01/2019 14:15

WATER MAINS		Public	Private
Public Raw Water	—	—	—
Abandoned	—	—	—
Valve	X	●	◀
Hydrant	●	PRV	◀
Meter	◀	◀	◀
M	M	M	M
SEWERS		Public - Section 104 - Private	
Foul	—	—	—
Combined	—	—	—
Surface	—	—	—
Abandoned sewers	—	—	—
OTHER WESSEX PIPES			
Rising Mains	—	—	—
Effluent Disposal Main	—	—	—
Overflow	—	—	—
NON-WESSEX PIPES			
Private Rising Mains	—	—	—
Culverted Water Course	—	—	—
Highway Drain	—	—	—

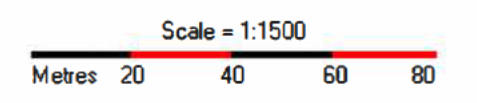
Information in this plan is provided for identification purposes only. No warranty as to accuracy is given or implied. The precise route of pipe work may not exactly match that shown. Wessex Water does not accept liability for inaccuracies.

Sewers and lateral drains adopted by Wessex Water under the Water Industry (Schemes for A doption of Private Sewers) Regulations 2011 are to be plotted over time and may not yet be shown.

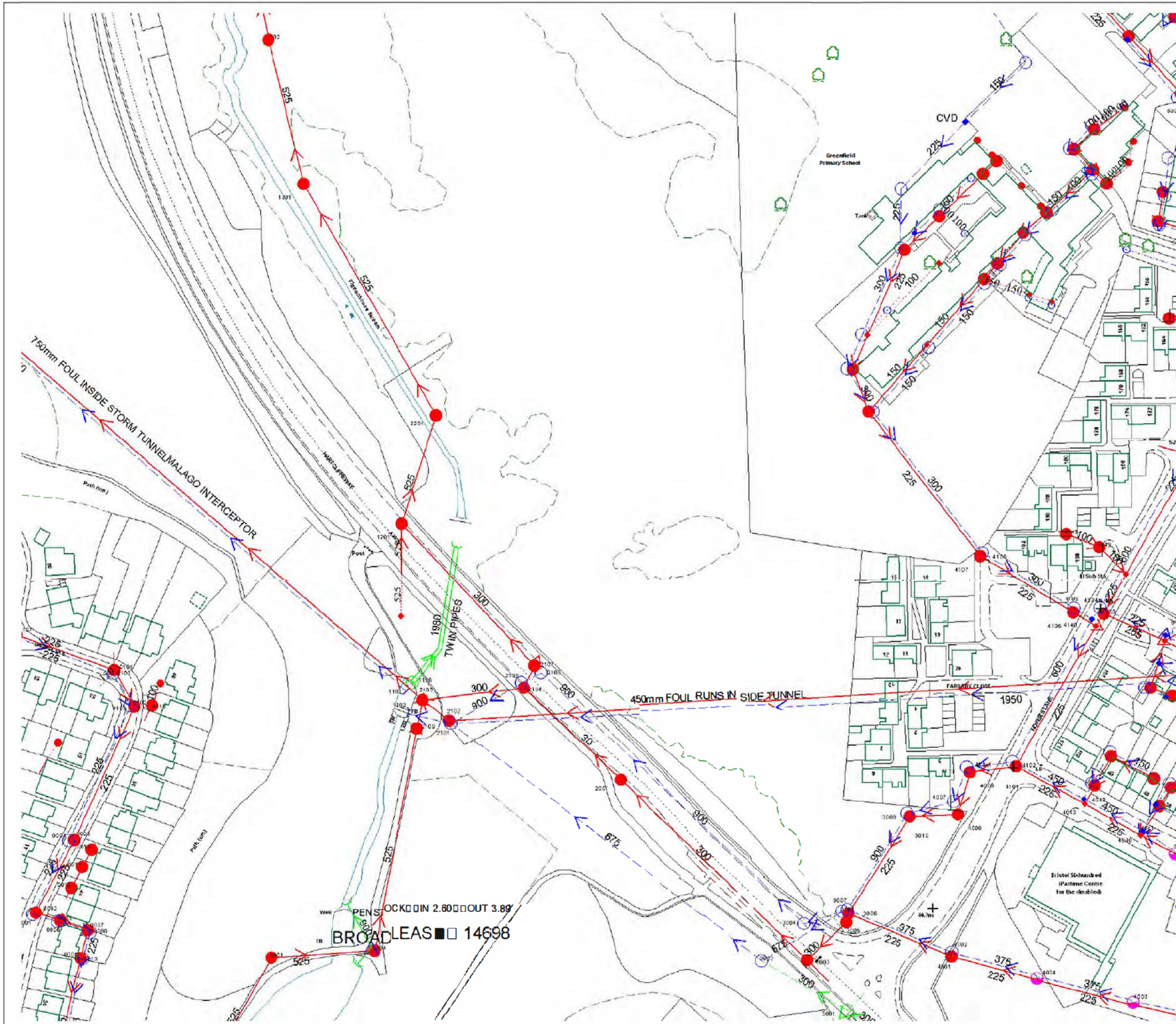
In carrying out any works, you accept liability for the cost of any repairs to Wessex Water apparatus damaged as a result of your works. You are advised to commence excavations using hand tools only. Mechanical digging equipment should not be used until pipe work has been precisely located.

If you are considering any form of building works and pipe work is shown within the boundary of your property or a property to be purchased (or very close by) a surveyor should plot its exact position prior to commencing works or purchase. Building over or near Wessex Water's apparatus is not normally permitted.

Centre: 358249.67 , 169400.79







**Land at Novers Hill 3**

Bedminster, Bristol

Printed on : 21/01/2019 14:16

WATER MAINS		Public	Private
Public	Raw Water	—	---
Abandoned		---	---
Valve	Hydrant	●	●
	PRV	●	●
	Meter	■	■
SEWERS		Public - Section 104 - Private	
Foul	Combined	—	---
Surface		---	---
Abandoned sewers		* * *	* * *
OTHER WESSEX PIPES			
Rising Mains		→	→
Effluent Disposal Main		---	---
Overflow		→	→
NON-WESSEX PIPES			
Private Rising Mains		---	---
Culverted Water Course		→	→
Highway Drain		→	→

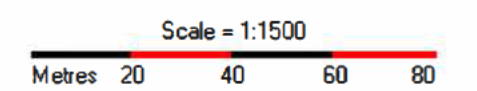
Information in this plan is provided for identification purposes only. No warranty as to accuracy is given or implied. The precise route of pipe work may not exactly match that shown. Wessex Water does not accept liability for inaccuracies.

Sewers and lateral drains adopted by Wessex Water under the Water Industry (Schemes for A doption of Private Sewers) Regulations 2011 are to be plotted over time and may not yet be shown.

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If you are considering any form of building works and pipe work is shown within the boundary of your property or a property to be purchased (or very close by) a surveyor should plot its exact position prior to commencing works or purchase. Building over or near Wessex Water's apparatus is not normally permitted.

Centre: 358275.07 , 169201.96





<b>Accelerated Construction Technical Due Diligence Report</b>		 Homes England
Site Name:	Novers Hill, Bristol	
Site ID:	S. 43	

## Appendix F : Ground Conditions Supporting Information



## Appendix F Ground Conditions Supporting Information

## Geo-environmental & Geotechnical Desk Study High Level Review

1 Site Details			
<i>Site Name:</i>	Novers Hill	<i>Address:</i>	Novers Hill Bedminster, Bristol, BS4 5AS
<i>Project:</i>	45623		
<i>Client:</i>	Homes England	<i>Grid Ref:</i>	358240, 169540
<i>Operator:</i>	Bristol City Council	<i>Elevation (mAOD)</i>	+55mAOD to + 30m AOD (approximately)

2 Site Context	
<i>Current Site Use:</i>	<p>The Site is located between the Bedminster and Lower Knowle suburbs of Bristol, approximately 3.5km to the south of the centre of Bristol.</p> <p>The western boundary is formed by Hartcliffe Way (A4174), the northern boundary is formed by the northern edge of the Hilltop Farm site. The eastern boundary is formed variably by the rear gardens of properties fronting onto Novers Lane, the edge of the grounds of an adjacent primary school and by Novers Lane. The southern boundaries are formed by Harcliffe Way and Novers Lane, which join at the southern tip of the Site.</p> <p>The Site occupies an area of approximately 10ha and comprises areas of woodland and grassland (used generally as paddocks for horses). In the northeastern corner of the Site is Hilltop Farm, primarily comprised of stables and yard spaces (including a manure heap). To the north of the adjacent school, on the eastern boundary of the Site is an area of overgrown land, which is partially asphalt surfaced, which is the former site of a now-demolished school.</p> <p>The Pigeonhouse Stream flows from south to north through the Site, near the western boundary.</p> <p>The ground level across the Site slopes somewhat steeply (approximately a 1:6 gradient) from a high point of approximately 55m above Ordnance Datum (mAOD) on the eastern boundary of the Site down to lower ground in the west of the Site towards the Pigeonhouse Stream at approximately 30mAOD.</p>
<i>Proposed Site Use:</i>	The proposed Site use is residential. It has been assumed that any residential development will include private gardens.
<i>Ground Cover:</i>	Woodland, grass, limited areas of concrete yard, asphalt former school playgrounds and stable blocks.
<i>Potentially Contaminative Current on Site Land Uses:</i>	Stables and buildings associated with Hilltop Farm.
<i>Potentially Contaminative Current Surrounding Land Uses:</i>	Industrial land use associated with Novers Hill Trading Estate to the north of the Site ('Refuse Destructor', 'Works', 'Depots', fire station, warehouses etc.).
<i>Potentially Contaminative Historical on Site Land Uses</i>	'Refuse tip' formerly recorded in the west of the site (approximately 3.6ha). Former (now demolished) Novers Hill Infant School (potential for asbestos to be present unless adequately controlled during demolition).
<i>Potentially Contaminative Historical Surrounding Land Uses</i>	Former 'Works' and 'Factory' located to the south of the Site (now Imperial Retail Park). Former 'Works' located along the eastern boundary of the Site (now residential properties).

3		Consultations	
<i>EA Local Office:</i>	Freedom of Information (FOI) and Environmental Information	<i>Address:</i>	Environment Agency Regulations (EIR) requests PO Box 544 Rotherham S60 1BY
<i>Contact Name:</i>	N/A		
<i>Position:</i>	Customer Service Advisor	<i>Email:</i>	enquiries@environment-agency.gov.uk
<i>Comments:</i>	At the time of writing this report, no response had been received.		
<i>Local Authority:</i>	Bristol City Council	<i>Address:</i>	Bristol City Council Customer Relations (100TS) PO Box 3176 Bristol BS3 9FS
<i>Contact Name:</i>	N/A		
<i>Position:</i>	Customer Services	<i>Email:</i>	FOI@Bristol.gov.uk
<i>Comments:</i>	At the time of writing this report, no response had been received.		

4		Previous Reports			
<input checked="" type="checkbox"/> No previous reports were made available for the Site.					
<i>Date:</i>	<i>Originator:</i>	<i>Title:</i>	<i>Purpose:</i>	<i>Reference:</i>	
n/a	n/a	n/a	n/a	n/a	
<i>Comment on significant findings:</i>					
n/a					

5		Site History	
<i>Map Edition (s):</i>	<i>Significant Features on Site:</i>	<i>Significant Features off Site:</i>	
1884, 1885 – 1886, 1886, 1890	The Site is undeveloped agricultural land.  A stream (later recorded as the Pigeonhouse Stream) flows south to north near to the western Site boundary.	The land surrounding the Site is generally open agricultural land with dispersed farm settlements and occasional lime kilns, quarries and gravel pits.  A gravel pit and limekiln are located approximately 200m to the east on Novers Lane and approximately 220m west of the Site on Headley Lane.  A 'Fever Hospital' (later labelled Novers Hill Isolation Hospital) is shown approximately 250m north-east of the Site.	
1903, 1904 1904 – 1905	No significant changes indicated.	The limekiln to the east of the Site is recorded as 'Old Limekiln' with the associated excavations now recorded as 'Quarries'.  The Vale Lane Brick and Tile Works and associated clay pit has been constructed approximately 250m to the northwest of the Site.  The limekiln to the west is no longer recorded.	
1916	No significant changes indicated.	The limekiln to the east is no longer recorded.	
1920, 1920 – 1921	No significant changes indicated.	No significant changes indicated.	
1931 1932 – 1933	The Land to the west of the Pigeonhouse stream in the south of the Site is in use as allotment gardens.	General increase in small-scale residential development of the surrounding area. The quarry associated with the former lime kiln to the east of the Site on Novers Lane has been expanded eastwards.  Allotment gardens are present to the west of the Site between the western boundary and the rear of the houses fronting onto Headley Lane.	
1938	No significant changes indicated.	Significant expansion in residential development in the surrounding area, extending to within 250m of the Site.	

1947 – 1948, 1948 – 1960 (1948 quadrants)	The allotment gardens on the western boundary are no longer recorded.	The allotment gardens to the west of the western site boundary are no longer recorded.
1952 – 1977 (1952 quadrant), 1948 – 1960 (1955 quadrant), 1948 – 1955 (1955 quadrants), 1955	Springs are recorded in the south of the site, approximately 30m to the east of where the Pigeonhouse Stream enters the site.	Hartcliffe Way (A4174) has been constructed immediately adjacent to the site's western boundary.  The former quarry to the east of the site has been infilled and developed over as part of the ongoing residential development within the immediate vicinity of the site.  The Novers Lane Junior Mixed School has been constructed approximately 60m to the east of the site.
1950 – 1971 (1960 quadrants)	A school (later recorded as Novers Lane Infant School) has been constructed in the east of the site, accessed off Novers Lane.	A 'Corporation Depot' has been constructed immediately north of the Site.  A 'Works' is present immediately east of the site on Novers Lane.  There is ongoing residential development within the immediate vicinity of the site.
1964 – 1978 (1964 quadrant)	No significant changes indicated.	No significant changes indicated.
1953 – 1978 (1968 quadrant) 1968 – 1975 (1968 quadrant)	An area approximately 100m wide, extending eastwards from the western site boundary is recorded as a 'Refuse Tip'.	The works immediately east of the site is recorded as a 'Shopfitting Works'.  A 'Refuse Destructor' has been added to the corporation depot immediately north of the site.  A fire station has been constructed approximately 250m to the north of the site.  There is ongoing residential development within the immediate vicinity of the site.
1954 – 1970 (1970 quadrant) 1965 – 1971 (1970 & 1971 quadrants) 1972	The course of the Pigeonhouse Stream has been altered, straightening it out as it flows through the Refuse Tip.	There is ongoing residential development within the immediate vicinity of the site.
1976 – 1977 1952 – 1977 (1977 quadrant) 1968 – 1978 (1978 quadrants), 1978	Several small buildings have been constructed in the very northeastern corner of the site (later recorded as Hilltop Farm).  The Refuse Tip is no longer recorded.	Additional warehouses, garages, works and depots have been constructed to the north of the site, within 250m of the site and also to the north of the fire station, forming the Novers Hill Trading Estate.  A large 'Works' (later labelled as a 'Factory') has been constructed approximately 100m to the south of the site, beyond Hartcliffe Way. A separate building in the north of the works site has both cooling towers and two large tanks marked. Searches of the Bristol City Planning website have suggested that this was a tobacco/cigarette factory.
1982 – 1989, 1992	No significant changes indicated.	There is ongoing commercial/industrial development to the north of the site within the Novers Hill Trading Estate.  There is ongoing residential development within the immediate vicinity of the site.
1999, 1999 (Aerial)	Further buildings have been constructed in the northeast of the Site at Hilltop Farm.	The factory to the south of the site is being demolished.

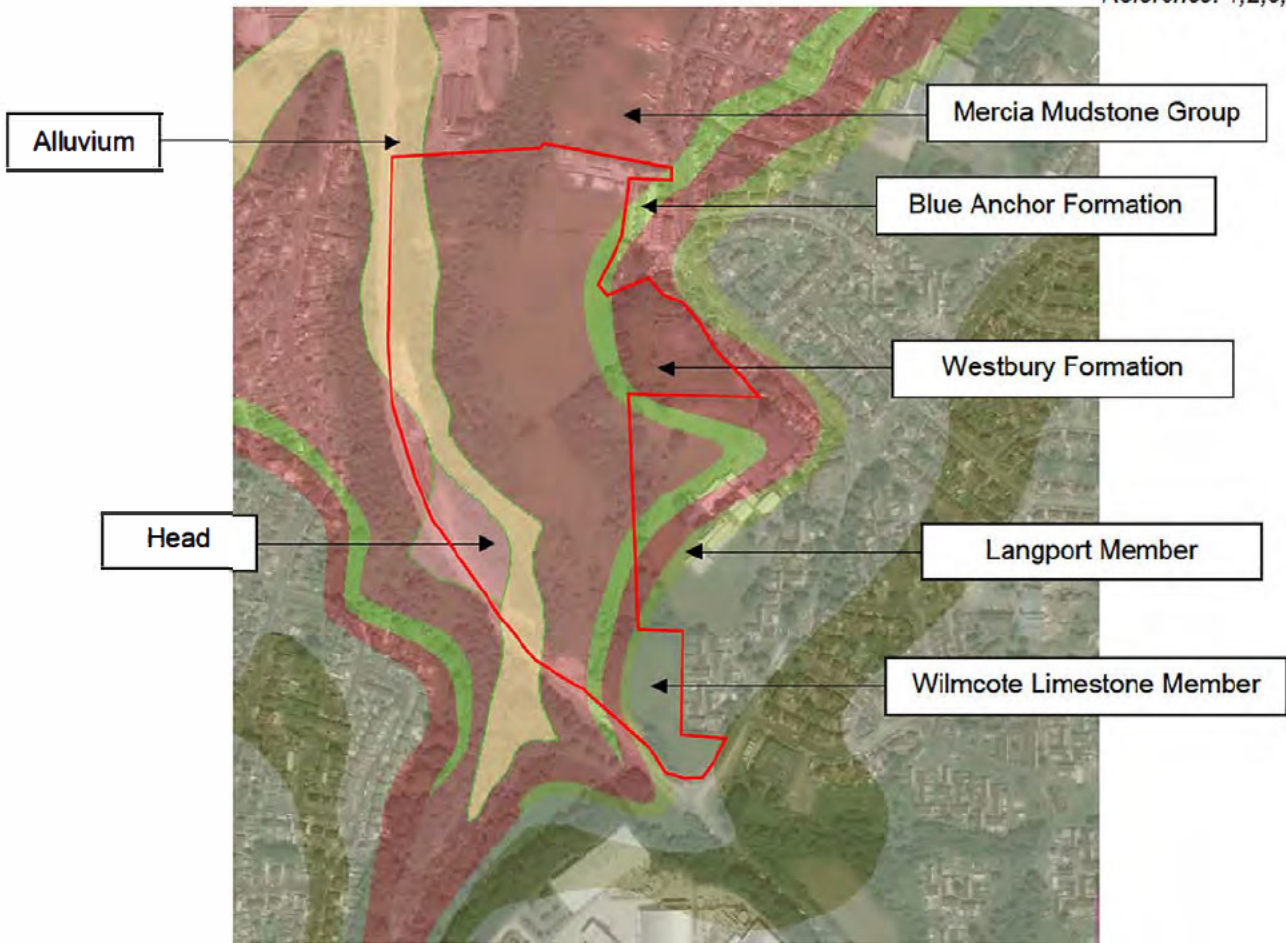


Photograph)		
2006	No significant changes included.	The former factory to the south of the site has been developed as a retail park.
2018	The Novers Lane Infant School has been demolished.	No significant changes indicated.
It is noted that "Nover's" and "Novers" are used interchangeably on the historical mapping. For clarity, "Novers" has been used in all descriptions above.		

Reference: 1

<b>6 Published Geology</b>		
<b>Stratum:</b>	<b>Description:</b>	<b>Anticipated thickness (m):</b>
Made Ground	Recorded on BGS mapping in west of site, coincident with recorded area of historical refuse tip.	Not recorded on BGS mapping or in local borehole records. May exceed 10m in thickness.
Superficial Deposits – Alluvium	Described by the BGS as normally soft to firm consolidated, compressible silty clay, but can contain layers of silt, sand, peat and basal gravel.  Underlies a limited area of the site in the immediate vicinity of the Pigeonhouse Stream (see geological map extract below).	Not expected to exceed 5m.
Superficial Deposits - Head	Described by the BGS as poorly sorted and poorly stratified deposits formed mostly by solifluction and/or hillwash and soil creep. In the Bristol area typically comprises red or brown silt and stony clay with cobbles of hard rock, eg Carboniferous limestone or sandstone.  Underlies a very limited area on the western boundary of the site, to the west of the Pigeonhouse Stream (see geological map extract below).	Not recorded on BGS mapping or in local borehole records. Not expected to exceed 5m.
Bedrock – Wilmcote Limestone Member	Described by the BGS as alternating limestones and mudstones.  Present only in the southern corner of the site (see geological map extract below).	BGS records thicknesses up to approximately 12m thick.
Bedrock – Langport Member	Described by the BGS as porcellanous limestone and calcareous mudstone.  Present only in the southern corner of the site and on the eastern boundary in the vicinity of the former school.  Forms the surface geology as a thin ribbon (approximately 30m across) to the east of the underlying Westbury Formation (see geological map extract below).	BGS records thicknesses of between 1m and 10m.  Given the limited width of exposure mapped on BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), the thickness present is likely to be limited.
Bedrock – Westbury Formation	Described by the BGS as dark grey mudstone or shale with subordinate thin limestones, sandstones and fossiliferous arenaceous units.  Forms the surface geology as a thin ribbon (approximately 30m – 50m across) to the east of the underlying Blue Anchor Formation (see geological map extract below).	BGS records thicknesses of between 5m and 10m.  Given the limited width of exposure mapped on BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), the thickness present is likely to be limited.
Bedrock – Blue Anchor Formation	Described by the BGS as typically pale green-grey, dolomitic silty mudstones and siltstones.  Forms the surface geology as a thin ribbon (approximately 30m across) to the east of the underlying Mercia Mudstone (see geological map extract below).	BGS records typical thickness of between 5m and 20m.  Given the limited width of exposure mapped on BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), the thickness present is likely to be limited.
Bedrock – Mercia Mudstone Group	Described by the BGS as dominantly red, less commonly green-grey, mudstones and subordinate siltstones with thick halite-bearing units in some basal areas. Thin beds of gypsum/anhydrite widespread; sandstones are also present.  Underlies majority of the site (see geological map extract below), thins out to the southeast.	BGS Sheet 264 – Bristol (Solid and Drift) (BGS, 2004), records thicknesses in the area of approximately 50m.

Reference: 1,2,6,8



<b>7</b>	<b>Recorded Ground Conditions</b>
<input checked="" type="checkbox"/>	No relevant ground investigation data was made available for the Site at the time of writing.
n/a	

<b>8</b>	<b>Ground Gas</b>		
<i>Radon Affected Area</i>	<i>Percentage of homes above action level*</i>		
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> <1	<input type="checkbox"/> 3 - 5	<input type="checkbox"/> 10 - -30
<input type="checkbox"/> No	<input checked="" type="checkbox"/> 1 - 3	<input type="checkbox"/> 5 - 10	<input type="checkbox"/> >30
The Envirocheck Report indicates the site is in an Intermediate probability radon area where between 1% and 3% of homes are estimated to be above the 200bqm <sup>-3</sup> action level, and that no radon protective measures are necessary in the construction of new dwellings or extensions.			
<i>*It should be noted that the Radon mapping is being continuously updated and consequently the risk may change in the future</i>			

Reference: 1,8

<b>9</b>	<b>Hydrogeology</b>		
<i>Stratum:</i>	<i>Aquifer Designation:</i>		
Superficial - Alluvium	<input type="checkbox"/> Principal	<input checked="" type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Superficial - Head Deposits	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input checked="" type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Bedrock - Mercia Mudstone Group	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input checked="" type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Bedrock - Blue Anchor Formation	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input checked="" type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata
Bedrock - Westbury Formation	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input checked="" type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata

Bedrock – Langport Member	<input type="checkbox"/> Principal	<input type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input checked="" type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata		
Bedrock – Wilmcote Limestone Member	<input type="checkbox"/> Principal	<input checked="" type="checkbox"/> Secondary A <input type="checkbox"/> Secondary B <input type="checkbox"/> Secondary Undifferentiated	<input type="checkbox"/> Unproductive Strata		
Groundwater flow direction is anticipated to be to the west and north towards the Pigeonhouse Stream and, at distance, the River Avon.					
<b>Stratum:</b>	<b>Soil Class:</b>				
Superficial - Alluvium	<input checked="" type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> U
Superficial - Head Deposits	<input checked="" type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> U
Bedrock – Mercia Mudstone Group	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Blue Anchor Formation	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Westbury Formation	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Langport Member	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
Bedrock – Wilmcote Limestone Member	<input type="checkbox"/> High (H) <input type="checkbox"/> Intermediate (I) <input type="checkbox"/> Low (L) <input checked="" type="checkbox"/> Non-Aquifer	<input type="checkbox"/> 1 <input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> U
<b>Groundwater Source Protection Zone:</b>			<b>Sited on Site:</b>	<b>Sited off Site:</b>	
<input type="checkbox"/> Inner (SPZ1) <input type="checkbox"/> Outer (SPZ2) <input type="checkbox"/> Total (SPZ3) <input checked="" type="checkbox"/> Absent <1km			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>Distance (m):</b>	<b>Direction:</b>
<b>Drinking Water Safeguard Zones and Drinking Water Protected Areas:</b>					
<input checked="" type="checkbox"/> There are no (Groundwater) Drinking Water Safeguard Zones or Drinking Water Protected Areas relevant to the Site					
<b>Risk Status:</b>	<b>Sited on Site:</b>	<b>Sited off Site:</b>		<b>Reference:</b>	<b>Substance (s)</b>
<input type="checkbox"/> At Risk <input type="checkbox"/> Safeguard Zone <input type="checkbox"/> Probably at Risk <input type="checkbox"/> Probably not at Risk <input type="checkbox"/> Not at Risk	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<b>Distance (m):</b>	<b>Direction:</b>		

References: 1,7,9

<b>10</b>	<b>Hydrology</b>				
<input type="checkbox"/> There are no ponds, ditches, streams or rivers on or adjacent to the Site					
<b>Surface water Feature</b>	<b>GQA</b>	<b>Distance (m)</b>	<b>Flow Direction</b>	<b>Up/Down Stream</b>	
Pigeonhouse Stream (flowing near to the western site boundary)	Not Provided	n/a – On site	North	Stream is on site.	
<b>Drinking Water Safeguard Zones &amp; Protection Areas (Surface Water):</b>					
<input checked="" type="checkbox"/> There are no (Surface) Drinking Water Safeguard Zones or Protected Areas relevant to the Site					
<b>Sited on Site:</b>	<b>Sited off Site:</b>		<b>Reference:</b>	<b>Substance(s):</b>	
<input type="checkbox"/>	<b>Distance (m):</b>	<b>Direction:</b>			
<b>Pollution Incidents, Abstraction Permits, Discharge Consents etc.</b>					
There are no active Abstraction Permits or entries in the Substantiated Pollution Incident Register or recorded Pollution Incidents to Controlled Waters in the last ten years within 250m of the site.					



There are 3 active Pollution Prevention and Controls recorded within 250m of the site:

- Ep211: Local Authority Air Pollution Control, PG1/14 Petrol filling station. Located approximately 62m north-west of the site.
- Ep108: Local Authority Pollution Prevention and Control, Part B – General Mineral Process. Located approximately 234m to the north-west of the site.
- EP264: Local Authority Pollution Prevention and Control, PG3/16 Mobile screening and crushing processes. Located approximately 234m to the north-west of the site.

There is one withdrawn Pollution Prevention and Control recorded within 250m of the site:

- EP040: Local Authority Air Pollution Control, Part B – General Mineral Process. Located approximately 17m north-west of the site.

There are two active discharge consents within 250m of the site:

- 102979 v.2 operated by Wessex Water Services Limited. Located approximately 57m south of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into Pigeonhouse Stream.
- 101826 v.1 operated by Wessex Water Services Limited. Located approximately 134m north-west of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into the River Malago.

There are four revoked discharge consents within 250m of the site.

- 102979 v.1 operated by Wessex Water Services Limited. Located approximately 56m south of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into Pigeonhouse Stream (revoked 2017).
- 101821 v.1 operated by Wessex Water Services Limited. Located approximately 56m south of the site. Allowing for discharge of "Public Sewage: Storm Sewage Overflow" into Pigeonhouse Stream (revoked 2005).
- 100573/Cs/01 v.1 operated by Wessex Water Services Limited. Located approximately 63m south of the site. Allowing for the discharge of "Public Sewage: Storm Sewage Outflow" into the River Malago (revoked 2002).
- 011268 v.1 operated by Wessex Water Services Limited. Located approximately 143m north-west of the site. Allowing for the discharge of "Public Sewage: Storm Sewage Overflow" into the River Malago (revoked 2002).

Reference: 1,7

11 Quarrying, Mining and Landfill		
<input checked="" type="checkbox"/> There is recorded evidence of quarrying on or adjacent to the Site		
<input type="checkbox"/> There is recorded evidence of mining on or adjacent to the Site		
<input checked="" type="checkbox"/> There is recorded evidence of licensed landfills on or adjacent to the Site		
<b>Quarrying – Off-site</b>		
Several small quarries have been present historically in the vicinity of the site, typically associated with earlier limekilns. The nearest of these was a former quarry located approximately 200m east of the site, which had been (on the basis of existing topography) infilled by the mid-1940s and developed over with housing		
<b>Landfill – Off-site</b>		
The Envirocheck Report records a Historical Landfill Site named Vale Lane approximately 110m northwest of the site. The licence holder for this record (Ref: EAHL34798) is not supplied. The record states that deposited waste included household waste. The first input date is listed as 31 <sup>st</sup> December 1945 and a final input date is not provided.		
<input type="checkbox"/> A search of the PBA Mining Cavities Database has not identified any natural cavities records on or within a 500m radius of a point at the centre of the site.		
<input checked="" type="checkbox"/> A search of the PBA Mining Cavities Database (non-coal) has not identified any mining (non-coal) cavity records within a 500m radius of a point at the centre of the site.		
Relevant Feature:	Distance (m) and Direction:	Comments:
ST 5815 6925	150 (SSW)	1 x Decalcification of Calcareous Rock Matrix
ST 5825 6915	230 (S)	
ST 5965 6945	1420 (E)	
ST 5975 6935	1520 (E)	
<b>Coal Authority Information</b>		
Information provided by The Coal Authority's online interactive map indicates that:		
<ul style="list-style-type: none"> <li>• The whole site is within a Surface Coal Resource Area and Coal Mining Reporting Area (Bristol).</li> <li>• There are three mine abandonment plans which either wholly or partly include the area beneath the site.</li> <li>• There are no mine entries recorded within 50m of the site boundary. Two entries are present within approximately 500m of the site, located approximately 250m to the southeast and 340m to the northeast.</li> <li>• The site is not within a development high risk area, the nearest recorded area (aside from a limited area immediately surrounding the above detailed mine entries) being located approximately 1.5km to the northwest.</li> <li>• The site is not within an area of probable shallow coal mine workings, the nearest recorded area being located approximately 1.5km to the northwest.</li> <li>• The site is not within an area of past shallow coal mine workings, the nearest recorded area being located approximately some 2km to the north-west</li> </ul>		

- The site is not within an area of surface mining (past and present).

The Envirocheck Report indicates that the site is indicated to be within "an area which may be affected by coal mining".

#### Additional Coal Mining Information

The Envirocheck Report does not record any collieries within the extent of the provided mapping. A search of the BGS archive reveals several deep borehole records to the northeast of the site, the nearest being approximately 1.4km to the northeast, that suggest coal mining was taking place in this area. A selection of these are detailed as follows:

- ST57SE68 – located approximately 1.4km to the northeast of the site at Hedgers Pit.
- ST57SE67 – located approximately 1.6km to the northeast of the site at New Deep Pit.
- ST57SE77 - located approximately 1.8km to the northeast of the site at South Liberty (Upcast).
- ST57SE78 - located approximately 1.8km to the northeast of the site at South Liberty (Great Engine Pit)
- ST57SE79 - located approximately 1.8km to the northeast of the site at South Liberty,
- ST56NE1 - located approximately 2.2km to the northeast of the site at Old Engine Pit

ST57SE77 records the following coal seams:

- Bedminster Top at approximately 190m depth;
- Bedminster Great Vein at approximately 230m depth;
- Bedminster Toad at approximately 350m depth;
- Ashton Top at approximately 400m; and,
- (Ashton Great?) at approximately 430m.

ST56NE1 records the following coal seams:

- Bedminster Top at approximately 75m;
- Bedminster Great Vein at approximately 110m; and,
- Bedminster Little Vein at approximately 140m.

As per the BGS Solid and Drift Sheet 264, the Bedminster seams form part of the Aegiranum (Croff's End) Marine Band within the Middle Coal Measures, and the Ashton seams form part of the Vanderbeckei (Harry Stoke) Marine Band within the Lower Coal Measures. Geological Section 2 on this sheet suggests that these coal measures could lie within 100m of ground level at the site.

Reference: 1,2,3,6,8

12	Unexploded Ordnance
<input checked="" type="checkbox"/>	There is a High Bomb Risk recorded for the Site
<input type="checkbox"/>	There is a Moderate Bomb Risk recorded for the Site
<input type="checkbox"/>	There is a Low Bomb Risk recorded for the Site
<input type="checkbox"/>	There is no recorded Bomb Risk for the Site
<b>Summary of UXO Risk:</b>	
Available information from ZETICA UXB Risk Maps and OS Historical Maps suggest that the Site is at a High risk from Unexploded Ordnance (UXO).	

Reference: 1,4

13	Sensitive Land Use			
<input checked="" type="checkbox"/>	There are considered to be no sensitive land uses relevant to the Site			
<b>Relevant Sensitive Land Use:</b>	<b>Sited On Site:</b>	<b>Sited Off Site:</b>	<b>Distance (m):</b>	<b>Direction:</b>
<input type="checkbox"/> Area of Outstanding Natural Beauty	<input type="checkbox"/>			
<input type="checkbox"/> Local Nature Reserve	<input type="checkbox"/>			
<input type="checkbox"/> National Nature Reserve	<input type="checkbox"/>			
<input type="checkbox"/> National Park	<input type="checkbox"/>			
<input type="checkbox"/> Nitrate Vulnerable Zone	<input type="checkbox"/>			
<input type="checkbox"/> Ramsar Site	<input type="checkbox"/>			
<input type="checkbox"/> Site of Special Scientific Interest	<input type="checkbox"/>			
<input type="checkbox"/> Special Area of Conservation	<input type="checkbox"/>			
<input type="checkbox"/> Special Protection Area	<input type="checkbox"/>			
<input type="checkbox"/> Other: Areas of Adopted Green Belt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	839	Northwest

Reference: 1,7

14	Estimated Soil Chemistry			
<input type="checkbox"/>	BGS Estimated Soil Chemistry data is not relevant to the Site			
<b>Potentially Harmful Element:</b>	<b>Estimated Mean Concentration Within Site Boundary (mg/kg):</b>			
Arsenic	<input checked="" type="checkbox"/> <15 <input type="checkbox"/> 45 - 60	<input checked="" type="checkbox"/> 15 – 25 <input type="checkbox"/> 60 - 120	<input checked="" type="checkbox"/> 25 – 35 <input type="checkbox"/> >120	<input checked="" type="checkbox"/> 35 – 45

Cadmium	<input checked="" type="checkbox"/> <1.8 <input type="checkbox"/> >6.0	<input type="checkbox"/> 1.8 – 2.2	<input type="checkbox"/> 2.2 – 3.0	<input type="checkbox"/> 3.0 – 6.0
Chromium	<input type="checkbox"/> <20 <input checked="" type="checkbox"/> 90 - 120	<input type="checkbox"/> 20 – 40 <input type="checkbox"/> 120 - 180	<input type="checkbox"/> 40 – 60 <input type="checkbox"/> >180	<input checked="" type="checkbox"/> 60 - 90
Lead	<input checked="" type="checkbox"/> <100 <input type="checkbox"/> 600-1200	<input type="checkbox"/> 100 – 200 <input type="checkbox"/> >1200	<input type="checkbox"/> 200 - 300	<input type="checkbox"/> 300 - 600
Nickel	<input type="checkbox"/> <15 <input type="checkbox"/> 60 - 80	<input checked="" type="checkbox"/> 15 – 30 <input type="checkbox"/> 80 - 100	<input checked="" type="checkbox"/> 30 – 45 <input type="checkbox"/> >100	<input type="checkbox"/> 45 - 60

The BGS estimated soil chemistry indicates Chromium concentrations at levels above the S4UL for hexavalent chromium but below the S4UL for trivalent Chromium. For the purposes of risk assessment and costing we have assumed that concentrations of hexavalent Chromium do not exceed the S4UL at this site, and this will need to be confirmed by ground investigation in due course.

Similarly, the BGS estimated soil chemistry indicates a potential range of Arsenic concentrations that may exceed the Category 4 Screening Level (C4SL). For the purposes of risk assessment and costing we have assumed that concentrations of Arsenic do not exceed the C4SL at this Site, and this will need to be confirmed by ground investigation in due course.

Reference: 1

### 15 Previous Encountered Soil Concentrations

- Previous ground investigation(s) did not include chemical testing of soil and or groundwater  
 There are no records of previous testing or soil or groundwater

### 16 Geotechnical Risk

The Envirocheck Report records the following likely ground condition hazard levels as:

- Very Low relating to collapsible ground stability hazards;
- Moderate relating to compressible ground stability hazards;
- Very Low relating to ground dissolution stability hazards;
- Moderate relating to landslide ground stability hazards;
- Very Low to Low relating to running sand ground stability hazards; and
- No Hazard to Low relating to shrinking or swelling clay ground stability hazards.

PBA would generally agree with this assessment for the site.

Reference: 1

### 17 Geoenvironmental Risk

The review of the potential geo-environmental risk is based on the findings of this Phase 1 non-intrusive study only, utilising the reviewed information and additional publicly available sources referenced below. In accordance with CLR 11, a conceptual site model has been developed to identify the principal sources of contamination, the sensitive receptors and the pathways that link them and hence identify potential pollutant linkages.

Potential Sources of Contamination	<ul style="list-style-type: none"> <li>• On-site – Hydrocarbons (TPH and PAH), metallic and metalloid and asbestos contamination associated with historical refuse tip in west of the Site.</li> <li>• On-site –Asbestos within Made Ground associated with old buildings, demolished former Novers Hill Infant School and Hilltop Farm sheds (unless adequately controlled during demolition).</li> <li>• On-site – Ground gases associated with historical refuse tip and alluvial deposits associated with the Pigeonhouse Stream.</li> <li>• On-Site – Leachate seepages associated with historical Refuse Tip.</li> <li>• Off-site – Hydrocarbons (TPH and PAH), metallic and metalloid contamination associated with nearby works sites.</li> </ul>
Potential Receptors	<ul style="list-style-type: none"> <li>• Human health (Current Users) – Members of the public, people grazing horses, workers at Hilltop Farm.</li> <li>• Human health (Neighbours) – Children and staff in adjacent primary school and residential properties.</li> <li>• Human health (Site Workers).</li> <li>• Human health (Future Users) – occupiers of new homes.</li> <li>• Groundwater (Secondary A and Secondary B Aquifers).</li> <li>• Surface Water (Pigeonhouse Stream).</li> <li>• Future buildings, structures and services.</li> </ul>
Potential Pathways	<ul style="list-style-type: none"> <li>• Ingestion of potentially contaminated soil/dust indoors.</li> <li>• Ingestion of potentially contaminated soil/dust outdoors.</li> <li>• Ingestion of potential contamination through consumption of Site grown vegetables as part of residential development.</li> <li>• Inhalation of landfill gases and vapours – outdoor.</li> <li>• Inhalation of landfill gases and vapours – indoor.</li> </ul>



	<ul style="list-style-type: none"><li>• Dermal absorption via direct contact with soil.</li><li>• Direct contact between foundations/services and the made ground/groundwater.</li><li>• Leaching of contaminants in made ground into the superficial and bedrock aquifers.</li><li>• Migration of groundwater via natural/anthropogenic pathways.</li><li>• Migration of landfill leachate into groundwater and surface water.</li></ul>
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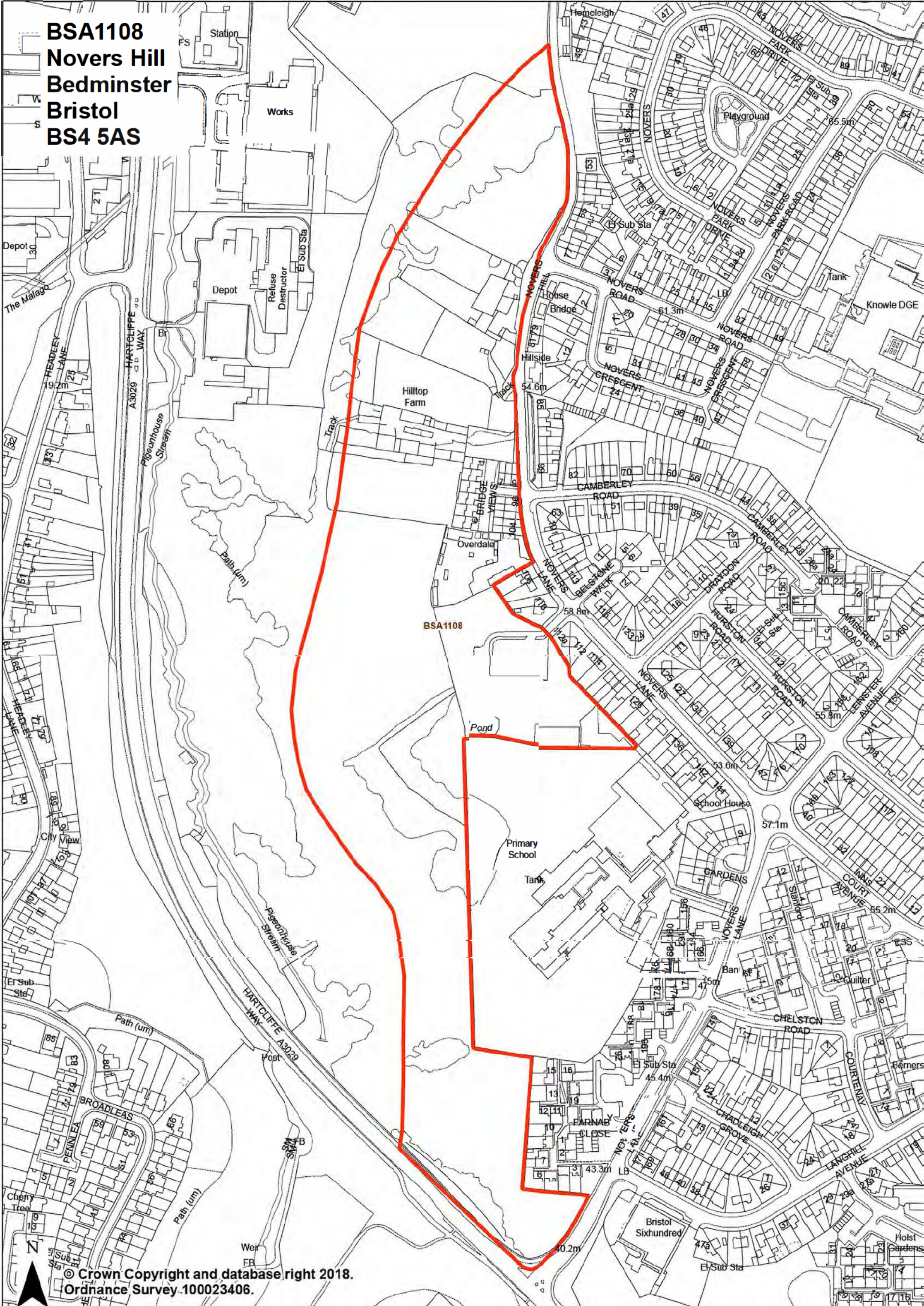
*Conceptual Site Model*

#### References

1. Envirocheck Report 191289386\_1\_1 (2019);
2. BGS Geology of Britain Viewer: (Online, Accessed January 2019);
3. PBA Natural and Mining Cavities Database;
4. Zetica: UXO Database;
5. Coal Authority, Online Interactive Map Viewer, (Online, Accessed January 2019);
6. BGS, Solid and Drift Geology Map, BGS Sheet 264 – Bristol, 2004;
7. DEFRA MAGIC viewer: (Online, Accessed January 2019).
8. Environment Agency: Check for Drinking Water Safeguard Zones and NVZs. (Online, Accessed January 2019).



**BSA1108  
Novers Hill  
Bedminster  
Bristol  
BS4 5AS**



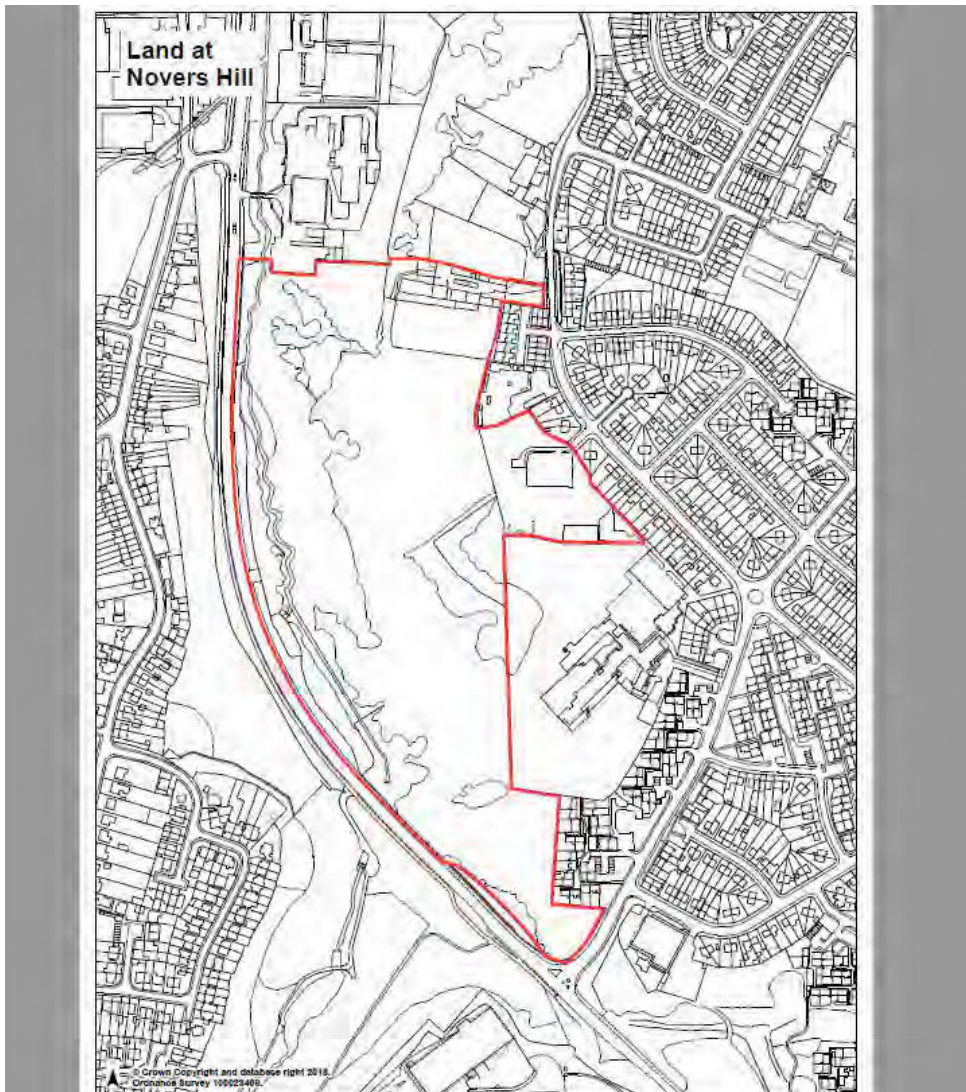


**REPORT ON TITLE**

**TO: Homes England** (the trading name of Homes and Communities Agency) Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH ("**Homes England**")

Description of Site	Hilltop Farm, Novers Hill, Bedminster, Bristol BS4 5AS as shown edged red on the Site Plan duplicated below
Title Number(s):	BL106493, BL106510 and BL106534
Registered Proprietor:	The City Council of Bristol
Proposed Start on Site Date	

**Site Plan**





**A - SCOPE OF THE REVIEW AND LIMITATION OF LIABILITY**

1. This report has been prepared for the sole benefit of Homes England in connection with your proposed grant of funding to the Registered Proprietor for infrastructure and enabling works in order to make the Site ready for housing delivery and for no other purpose.
2. The contents of this report are private and confidential. It must not be relied on by or made available to any other party without our written consent.
3. The report is based on our review of the title documents, the Search Results detailed in Schedule 1, and replies to pre-contract enquiries given by the Registered Proprietor.
4. We have not inspected the Site and are unable to advise on the physical condition of the Site.
5. We have not taken any steps to verify independently the information supplied by the Registered Proprietor in replies to enquiries.
6. At the date of this report, the matters listed in Schedule 4 are outstanding. We will keep you informed as and when these matters are resolved.

**B – OWNERSHIP CONFIRMATION**

Except as set out in Schedule 2 we confirm that:

- The Registered Proprietor owns the freehold of the Site or a lease of the Site for a term with at least 99 years remaining unexpired (with title absolute if registered at HM Land Registry).
- The Site benefits from all necessary access rights (ie it is not land locked and there is no ransom strip between the Site and the public highway in third party ownership).

**C - FREE FROM ADVERSE RIGHTS CONFIRMATION**

Except as set out in Schedule 3 we confirm that:

- The Registered Proprietor has vacant possession of the Site or vacant possession can be obtained before the Proposed Start on Site Date.
- There are no covenants affecting the Site that would prevent or restrict housing development on the Site
- There are no third party rights (private rights of way, wayleaves etc) affecting the Site that would prevent or restrict housing development on the Site
- There are no other contracts and agreements binding the Site that would prevent or restrict housing development on the Site.
- There are no public rights of way or any other matters affecting the Site that would be local land charges or which have been revealed by a local authority search

### Schedule 1

#### Search Results

Search	Date of Result
<b>Local Authority Search Result</b>	<b>4 April 2019</b>
<b>Highways Search Result</b>	<b>18 April 2019</b>
<b>Index Map Search Result</b>	<b>2 April 2019</b>

### Schedule 2

#### Ownership

The Index Map Search revealed additional titles BL101209; BL105826; BL106559; BL130209; BL145677; BL146742; BL147941; BL147942; BL69452.

We have considered these title boundaries as they appear on the Unofficial Map Search. The pieces of land within those Registers of Title appear to adjoin the boundary of the Site. Accordingly, the Registered Proprietor ought to ensure that there are sufficient tolerances at the boundary of the Site such that the proposed development does not encroach upon any adjoining third party land.

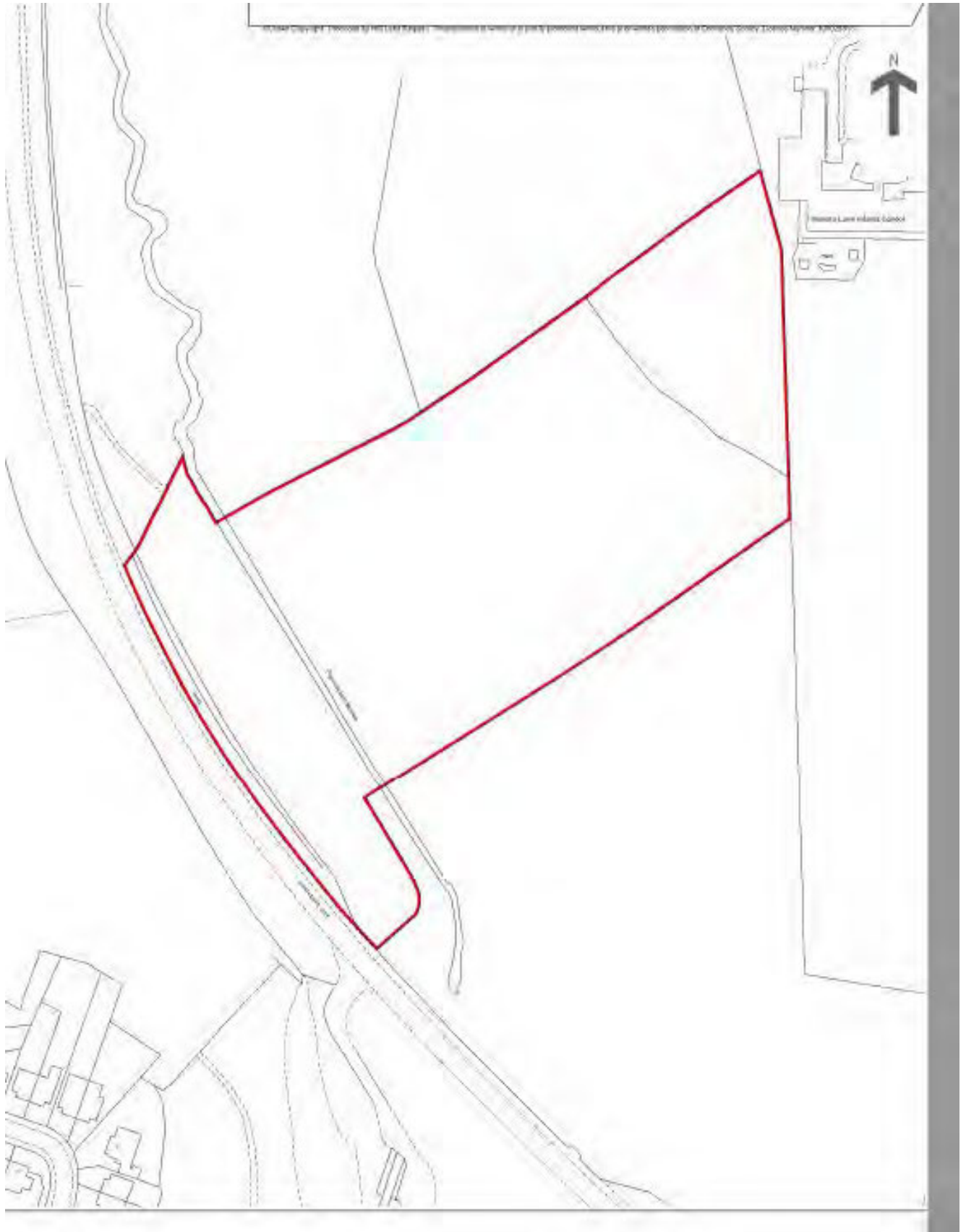
The Site is divided into three separate titles and the relevant title plans are duplicated below for ease of reference.

**Title Plan (BL106534)**

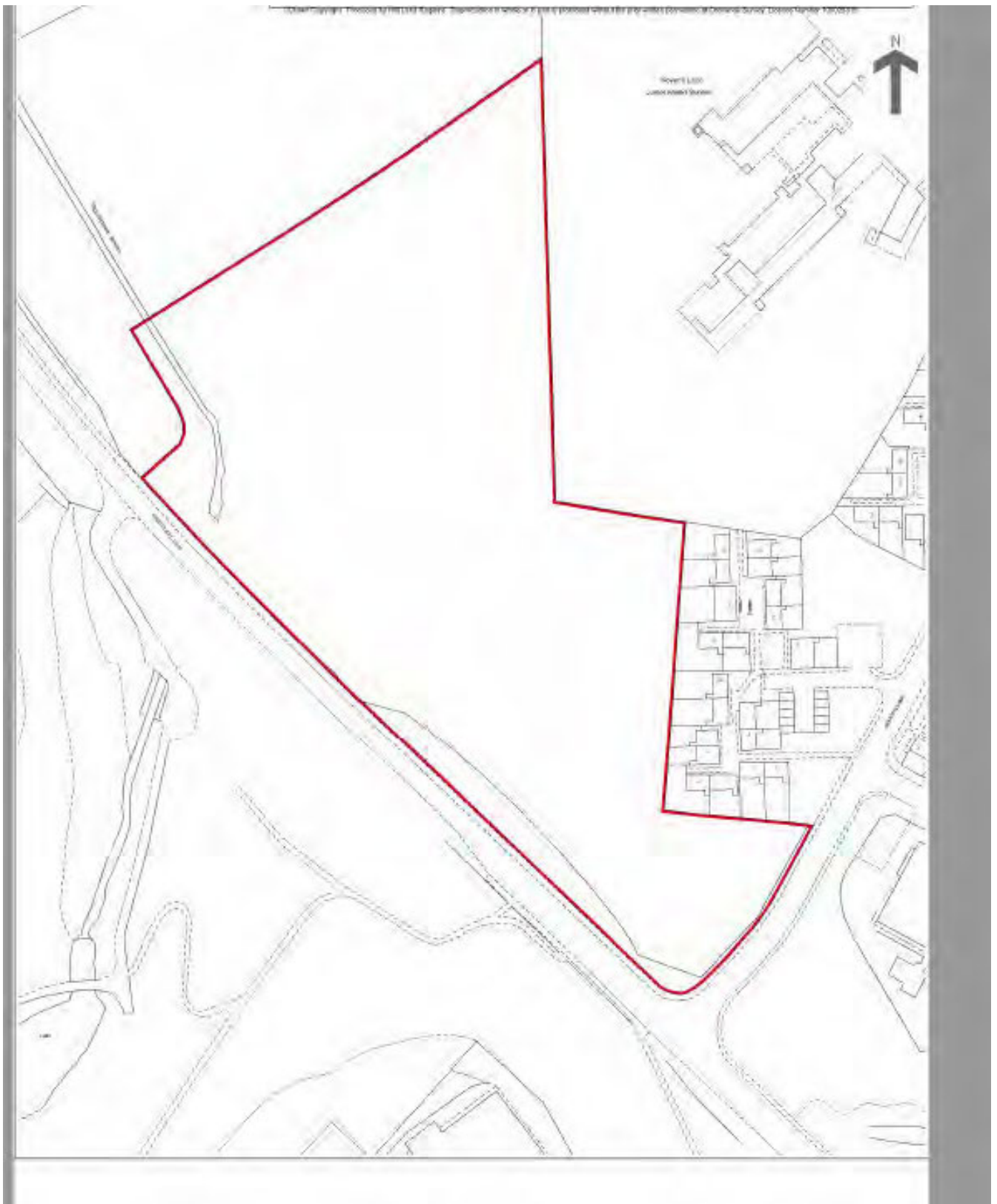




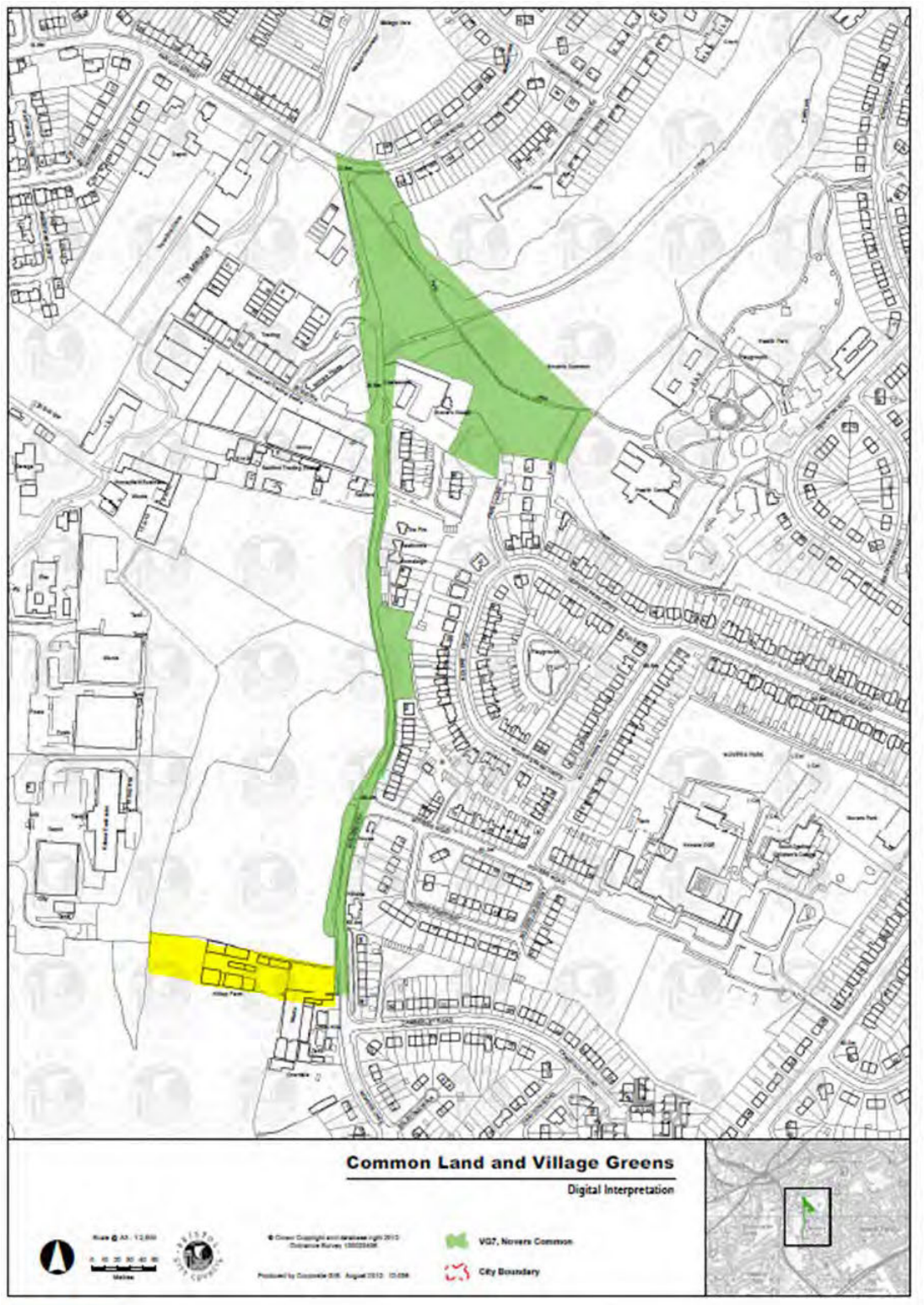
**Title Plan BL106510**



Title Plan BL106493



1. The Self-Certification states that the Site "falls within/abuts Novers Common Village Green (VG00007)", and the Local Authority Result confirms this. However, The Self-Certification does not identify the relevant area, nor does it confirm that the proposed development accommodates the Village Green. We have obtained a copy of the plan showing the location of the Novers Common Village Green, and that plan is duplicated below. We highlight, in yellow, the northern part of the Site which abuts Novers Common Village Green.





The southerly part of the Novers Common Village Green abuts the eastern boundary of the Site.

It is not entirely clear from the plans but it may also encroach into the part of the Site which lies to the east of Hill Top Farm, as shown on the plan.

*Note: It is critical that you consider the location of the Novers Common Village Green in the context of the proposed development.*

*Most of the Novers Common Village Green appears to be public adopted highway. However, if there is any part of the Novers Common Village Green which lies between the boundary of the Site and the public adopted highway, this will require further investigation and enquiries to establish whether it would be possible to obtain consent to access and/or egress from the Site over the Novers Common Village Green, either by vehicles/pedestrians and/or services.*

*In any event, it is possible that some statutory undertakers may not be comfortable if there is a need to lay and/or connect into services which lie within the sub-soil of the public adopted highway, as the sub-soil is commons land. The Registered Proprietor should ensure that this will not be an issue for any of the proposed statutory undertakers, if the intention is to locate and/or connect into services at this boundary.*

*We recommend that, if there is an intention to connect into any services, lay any services and/or create any accessway for vehicles and/or pedestrians at the eastern boundary referred to, to first, arrange for the preparation of a detailed site overlay plan (the highways search result and the Novers Common Village Green Plan) to assess whether any part of the Novers Common Village Green lies between the public adopted highway and the boundary of the Site. If there is an intention to carry out works in this area, we should be grateful if you would forward that Site Overlay plan to us, following which we will advise further on this issue.*

2. The mines and minerals together with ancillary powers of working are excepted from both the land within Title Number BL106493 and the land within Title Number BL106510.
3. As to the part edged blue on the Title Plan of Title Number BL106534 (*duplicated above*) the mines and minerals and ancillary powers of working are excepted.
4. As to the part tinted blue on the Title Plan of Title Number BL106534 (*duplicated above*) the mines and minerals below 60.96 m (200 feet) together with ancillary powers of working are excepted.

*Note: As the proposed development may interfere with the mines and minerals (if any) located within the Site, and, as this exception of ownership does not relate just to a small part of the Site which could remain undeveloped, we recommend that Defective Title Indemnity Insurance needs to be put in place prior to the proposed development. This should either be put in place, to your satisfaction, prior to completion of the Grant Funding Agreement, or the requirement to place such*

*insurance should be a pre-condition in the Grant Funding Agreement. Please confirm your preference to us.*

*This Defective Title Indemnity insurance is necessary because the proposed development may interfere with the mines and minerals ( if any) located within the Site, which would operate as a trespass. Third parties who have ownership to mines and minerals are often alert to the possibility of a claim in the event of development which either prevents them "working" such mines and minerals or which interferes with such mines and minerals. Should a third party make a claim, this could result in an interference with or a delay to the proposed development.*

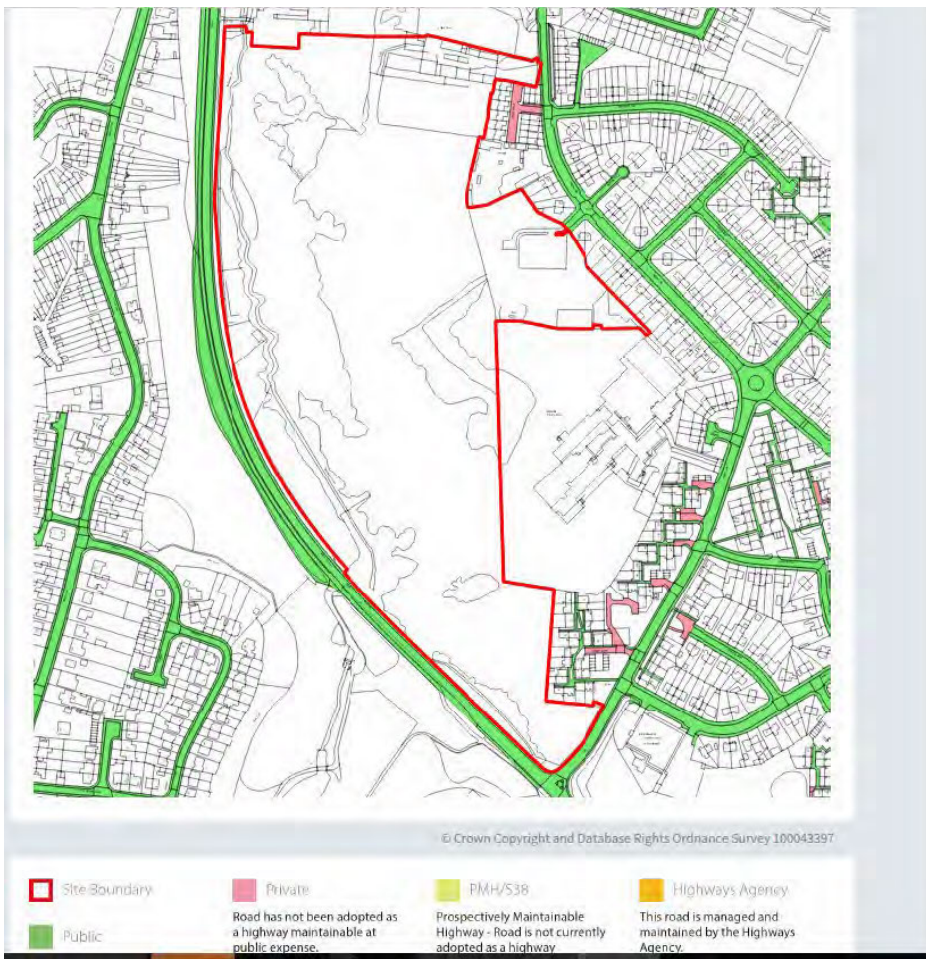
*This interest does not appear to be a registered interest. Accordingly, the owner of the Mines and Minerals Interest is not easily identifiable.*

5. The Highways Search reveals that parts of the Site do not abut the public highway. We duplicate an extract of the plan from the Highways Search result, below.

Please note that in particular along the western boundary of the Site where it lies parallel to Novers Hill, that a large part of the boundary of the Site does not abut the public highway.

*Note: We recommend that you ensure that the proposed development does not include access points for vehicles, pedestrians, or services over any land which is not within the boundary of the Site, or public adopted highway. In this context we also refer to our comments within Schedule 3 below relating to the adjoining Novers Common Village Green because part of the adopted public highway is also "Novers Common Village Green".*

### Extract Plan from the Highways Search Result





### Schedule 3

#### Adverse Rights

- In the Self-Certification it is stated that the land is subject to a Farm Business Tenancy of Hilltop Farm dated 25 June 2008 granted in favour of **s. 40(2)** (the FBT).

It is stated that "This was initially granted for a fixed term of 5 years from 1 January 2007 but records appear to indicate that the tenancy continued beyond the initial fixed term as a tenancy from year to year which can only be brought to an end in accordance with clause 10 of the FBT by either the Registered Proprietor or by **s. 40(2)** by giving to the other at least 12 months but less than 24 months' notice in writing expiring on an anniversary of the last day of the Term (ie. 31 December 2012). Detailed enquiries of the Council's Strategic Property Team should be made to determine whether such notice has been served."

We have been supplied with a copy of the FBT (made between The City Council of Bristol (1) and **s. 40(2)** (2)). The "Holding" demised is the area shown shaded grey on the plan duplicated below and labelled the FBT Holding Plan. This appears to encompass all of the Site.

#### The FBT Holding Plan



As the FBT affects all of the Site the tenancy needs to be properly terminated **prior to** any development on the Site. Accordingly, we do not comment on the obligations of either the tenant or of the Registered Proprietor contained within the FBT. However, we comment on the termination provisions only.

Clause 10 of the FBT provides that either the Registered Proprietor or **s. 40(2)** may bring the FBT to an end by giving to the other at least twelve but less than twenty four months' notice in writing expiring on the last day of the Term. The FBT is on an annual rolling basis from 1 January 2013. Accordingly, for a notice period to expire on 31 December 2019, valid notice should have been served on or before 30 December 2018. If notice was not served before then, the next possible date for termination is 31 December 2020 Provided That valid notice is properly served **on or before 30 December 2019**.

The FBT may also be terminated if **s. 40(2)** does not pay rent or any part of it for twenty one days after it is payable. Accordingly, if there has been a breach (which has not been waived) termination of the FBT may be possible other than by the prescribed written notice process. Similarly, termination may take place if **s. 40(2)** is adjudicated bankrupt. If **s. 40(2)** dies during the Term the Registered Proprietor may end the Term by giving to the executors or personal representatives of **s. 40(2)** at least twelve but less than twenty four months' notice in writing. Any notice to be given **MUST** expire at the end of a year of the tenancy.

The termination provisions include obligations on both the Registered Proprietor and on the tenant to pay compensation to the other, in certain circumstances. The Registered Proprietor will need to consider those obligations in the context of terminating the tenancy as the compensation figure could be significant.

*Note: We recommend that you alert the Registered Proprietor to this issue and liaise with the Registered Proprietor to discuss the impact of the possible timing of the termination provisions on the proposed development and to discuss compliance with the termination provisions of the FBT.*

In addition, the Registered Proprietor ought to inspect the Holding to assess whether **s. 40(2)** has complied with all of his obligations pursuant to the FBT, and if there are any failures to comply, the Registered Proprietor ought to serve written notice on **s. 40(2)** to perform those obligations.

*Note: We recommend that you consult with the Registered Proprietor to assess whether this has been done to date.*

In summary, in relation to the compensation provisions, they will need to be considered in detail by the Registered Proprietor, but **s. 40(2)** may be entitled to compensation for any physical improvement on the Holding by **s. 40(2)** (unless removed from the Holding at the end of the tenancy) and which, unless planning permission was obtained was consented to by the Registered Proprietor; any intangible advantage obtained for the Holding which becomes attached to the

Holding. The compensation amounts are related to the increased value to the Holding.

In addition, s. 40(2) may be entitled to compensation for severed crops unconsumed hay straw and silage and farmyard manure left on the Holding after the termination of the FBT if he has been required to leave them on the Holding by the Registered Proprietor.

s. 40(2) may be obliged to compensate the Registered Proprietor if for example s. 40(2) has not complied with the tenant covenants contained within the FBT.

In relation to compensation provisions, if either party wishes to claim compensation he shall give notice in writing to the other party of his intention to make the claim and of the nature of the claim before the end of the period of two months beginning with the date of termination of the FBT. Should the parties be unable to reach agreement in relation to compensation, the dispute shall be referred to an Arbitrator.

*Note: If you decide to proceed with a Grant Offer, we will need to obtain further information about whether notice has been served, by either s. 40(2) or by the Registered Proprietor and if so, to review a copy of the relevant notice and any other correspondence relating to the FBT to assess whether notice has in fact been validly served. If not, we recommend that there is a Condition Precedent included in the Grant Funding Agreement to the effect that the Registered Proprietor needs to validly serve a notice to terminate the FBT, to the satisfaction of Homes England.*

*In addition, we recommend that you carry out your own detailed inspection of the Site to assess whether there is any evidence of any ongoing tenancy. If this is a grazing tenancy, it may be difficult to assess whether the tenancy still exists.*

*Enquiries should be made of the Registered Proprietor to ensure that it is satisfied that sufficient ground investigation has been carried out to assess the impact of any contamination caused by the use of the Holding, to ensure that the cost of any necessary remediation will not prejudice the proposed development on the basis that it may not be possible to recover the necessary sums from s. 40(2).*

*Further information needs to be obtained in relation to this point, because an ongoing tenancy would interfere with prevent or hinder proposed development of the whole or part of the Site.*

2. The Self-Certification includes a statement that " the Site is subject to an easement expressly granted by a Deed dated 24 January 1966 to Nash Fisher Limited who were freeholders of the land and buildings on the west side of Novers Lane which appears to be now known as Bridge Views and which according to Land Registry records is owned by Bridge Views Management Company Limited of 38 Gores Park High Littleton BS39 6YG under title number BL69452."

The Registered Proprietor has supplied us with a copy of the Deed dated 24 January 1966 made between The Lord Mayor Aldermen and Burgesses of the City of Bristol



(1) and Nash Fisher Limited (2) (**the 1966 Deed**). The 1966 Deed is not noted on the Register of Title. However, the rights granted by the 1966 Deed will nevertheless bind the Site.

The plan annexed to the 1966 Deed (**the 1966 Deed Plan**) is duplicated below.

The 1966 Deed granted the owners of the land shown edged blue on the 1966 Deed Plan (**the Blue Land**) the right to the passage or conveyance of sewage water and soil from the Blue Land to an existing sewer (shown by a broken red line on the 1966 Deed Plan) as well as the right to lay a sewer or drain, with a diameter of four inches and at a depth of two feet below the surface of the Site in the position shown by a continuous red line on the 1966 Deed Plan for use by the Council and owners of the Blue Land and rights to enter upon the Site for that purpose, subject to the owner of the Blue Land being responsible for maintaining and repairing the sewer or drain at their own expense and making good any damage caused to the surface of the Site and re-seeding the Site where considered necessary by the Registered Proprietor and making proper compensation to the tenants of the Site.

The owner of the Blue Land is to keep the Registered Proprietor indemnified against all actions claims and demands brought against it by reason of anything done by the owner of the Blue Land in the exercise of the rights granted or in respect of damage done by the sewer or drain or by reason of the escape of sewage water or soil due to want of repair or maintenance.

If required by the Registered Proprietor the beneficiary is at their own expense to alter and amend the sewer or drain.

*Note: This obligation does not extend to removing the sewer or drain.*

*The rights of entry to the Site are not restricted in any way. Accordingly, they are exercisable by the owner of the Blue Land without notice, for any length of time. The location of the drain connecting to the existing sewer runs across the middle of the Site. Therefore it is likely that the location of the drain may interfere with hinder or prevent the proposed development. The Registered Proprietor will need to confirm to you whether the rights reserved by the 1966 Deed can be accommodated within the proposed development.*

*In particular, we recommend that you liaise with the Registered Proprietor to assess:*

- 1. Whether the drain has been laid;*
- 2. Whether, if the drain has been laid it has been adopted;*
- 3. Whether the drain is still in use; and*
- 4. What the intentions of the Registered Proprietor are in relation to the drain and the rights reserved over the Site relating to it.*

*We will then be in a position to advise further in relation to this issue. If the drain has been laid, and it has **not** been adopted, the Registered Proprietor may consider appropriating the rights, thereby turning any claim by the beneficiary and/or beneficiaries into a claim for compensation.*



- rights to the use or maintenance of cables or other installations for the supply of electricity, for the telephone or for the receipt directly or by landline of visual or other wireless transmissions.

The reservations will include easements and rights as far as the landlord is capable of granting and the grant is subject to all easements and benefits as would be available in a secure tenancy or agreement collateral to it.

The conveyance/grant will include rights of way that are necessary for the reasonable enjoyment of the house so far as the landlord is able to grant them and such provisions (if any) as the landlord may require for the purpose of making the dwelling-house subject to rights of way necessary for the reasonable enjoyment of other property, being property in which at the relevant time the landlord has an interest, or to rights of way granted or agreed to be granted before the relevant time by the landlord or by the person then entitled to the reversion on the tenancy.

*Note: The Registered Proprietor has the power to appropriate these rights, thereby converting any claims into rights to compensation, but, if the Registered Proprietor is not eager to exercise that power, we recommend that Defective Title Indemnity Insurance is placed in the alternative. Please liaise with the Registered Proprietor to assess their preferred position in relation to this issue.*

4. All of the Site is subject to *unspecified and unidentifiable* rights of drainage and rights in respect of water, gas and electricity supply services.

*Note: To the extent that any such rights are being exercised over the Site, provided that any such service infrastructure has not been adopted, the Registered Proprietor may appropriate those rights. If the Registered Proprietor is not willing to appropriate, then we recommend that Defective Title Indemnity Insurance ought to be put in place.*

*Please liaise with the Registered Proprietor to assess their preferred position in relation to this issue.*

5. We are not commenting upon historic planning consents given the proposed development. However, we notice that part of the site was previously used for industrial purposes.

*Note: You ought to ensure that the Registered Proprietor is satisfied that there is no associated risk of contamination as a result of the previous use beyond that which they may have budgeted to remediate. It is possible that the proposed development may result in contamination which would need to be remediated.*

*We recommend that you liaise with the Registered Proprietor in relation to this issue and ensure that they have carried out satisfactory surveys.*

6. Part of the Site is allocated as a Site of Nature Conservation Interest (Pigeonhouse Stream and adjacent Meadows) ; part of the Site is allocated as Important Open Space (Pigeonhouse Stream Meadows and Greenfield Primary School); Part of the



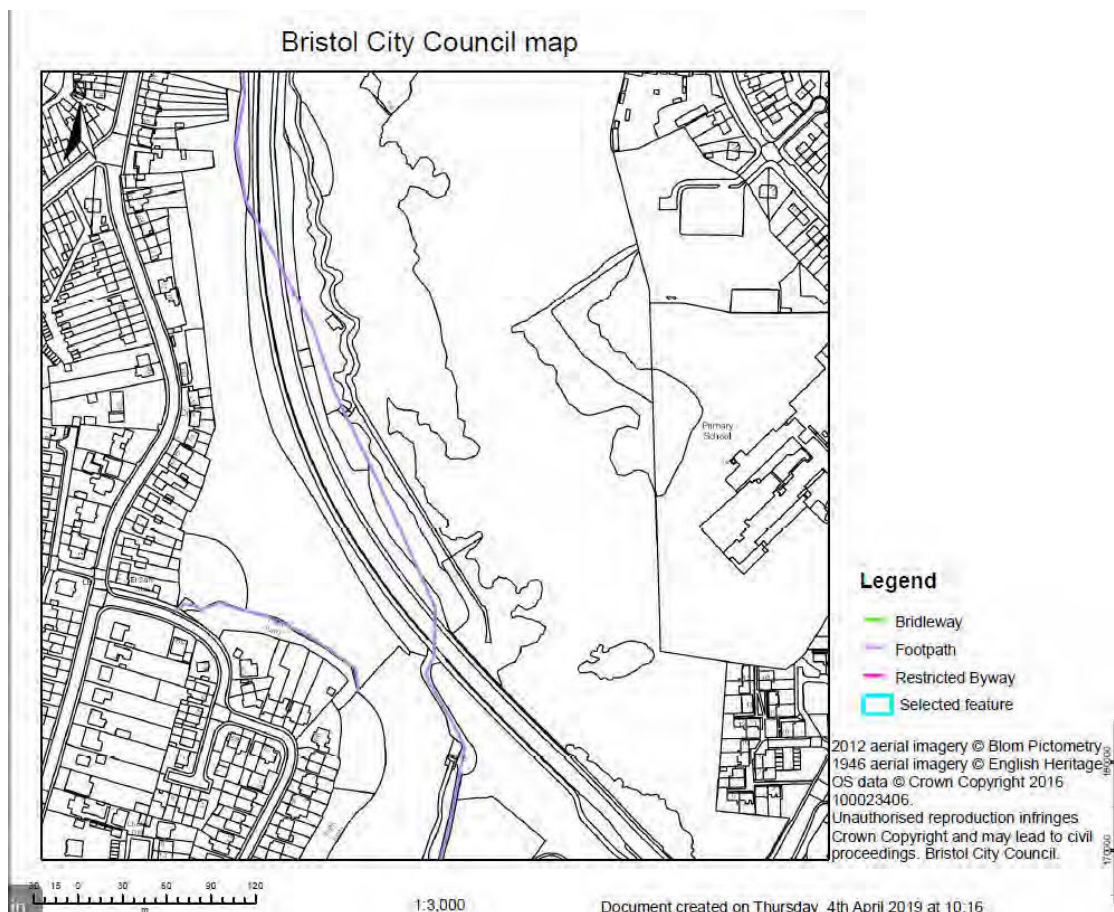
Site is allocated with Policy SA1 (we do not know to which that relates and have requested a copy of the relevant policy).

*Note: Depending of the location of such allocations, these policy allocations may affect the proposed development. We have obtained copies of the relevant policies and we can forward them to you, if required. We recommend that you liaise with the Registered Proprietor in relation to any possible restrictions on the proposed development from a planning perspective.*

7. The Local Authority search result revealed that there is a Public Right of Way which crosses the Site. It is identified as PROW547, and the relevant plan showing the route of PROW547 (coloured purple) is duplicated below. This was also revealed by the Highways Search Result, and is commented on below.

*Note: The Registered Proprietor needs to confirm whether the proposed development accommodates the PROW547, and if not how the Registered Proprietor proposes to address this issue, for example by submitting an application to divert or stop up the Public Right of Way.*

*We recommend that if the proposed development does not accommodate the PROW547 or any part or parts of it, that, either prior to the grant of the Grant Funding Agreement, or as a Condition Precedent, the Registered Proprietor ought to successfully procure a stopping up order or a diversion order.*



Our highways search result revealed that an application has been made to divert the public footpath and we have obtained a copy of that order (*The City Council of Bristol Footpath No. 547 (part) Hartcliffe Way, Bristol Public Path Diversion Order and Definitive Map and Statement Modification Order No. 1 2017*) (**the Order**). According to Bristol City Council, the diverted route has not yet been incorporated into a definitive map. We duplicate the plan annexed to the Order below, which shows the agreed diverted route.

The old route is shown by a bold continuous line from points A to J on the Order plan and the diverted route is shown on the plan as the bold broken line from points B through to J.

*Note: The diversion is only to take effect upon completion of the new route. When instructed to raise enquiries, we will ask the Registered Proprietor whether the new route has now been completed.*

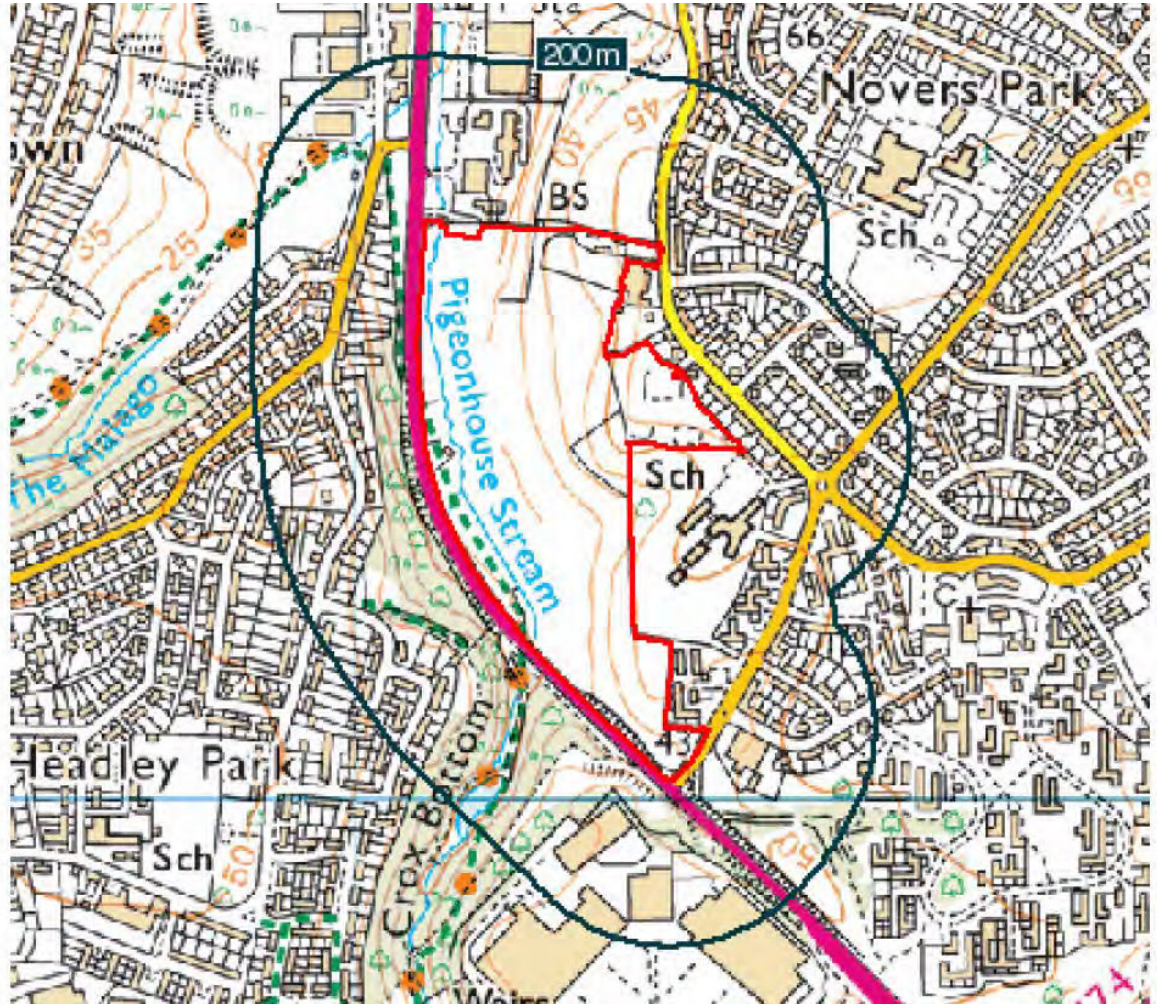
The background to this order being made was to facilitate a new /improved metro link.





8. We duplicate an extract from the Highways Search Result below, which also confirms that there is a public footpath running through part of the Site, to the west of the Pigeonhouse Stream. Please note that, in light of the Order referred to above, the location of the public footpath shown on the plan duplicated below, may now be different, if the construction of the diverted route has been completed.

**Extract from the Highways Search Result showing the public footpath.**



*Note: Pending further information, you should consider the proposed site layout plan and liaise with the Registered Proprietor to ensure that each of the current public footpath and the proposed route of the diverted public footpath would be accommodated within the proposed development. For the avoidance of doubt, this means that the public footpath cannot be interfered with, obstructed in any way either before, during or post development, unless the Registered Proprietor and/or the developer obtain the appropriate Stopping Up or Diversion Orders.*



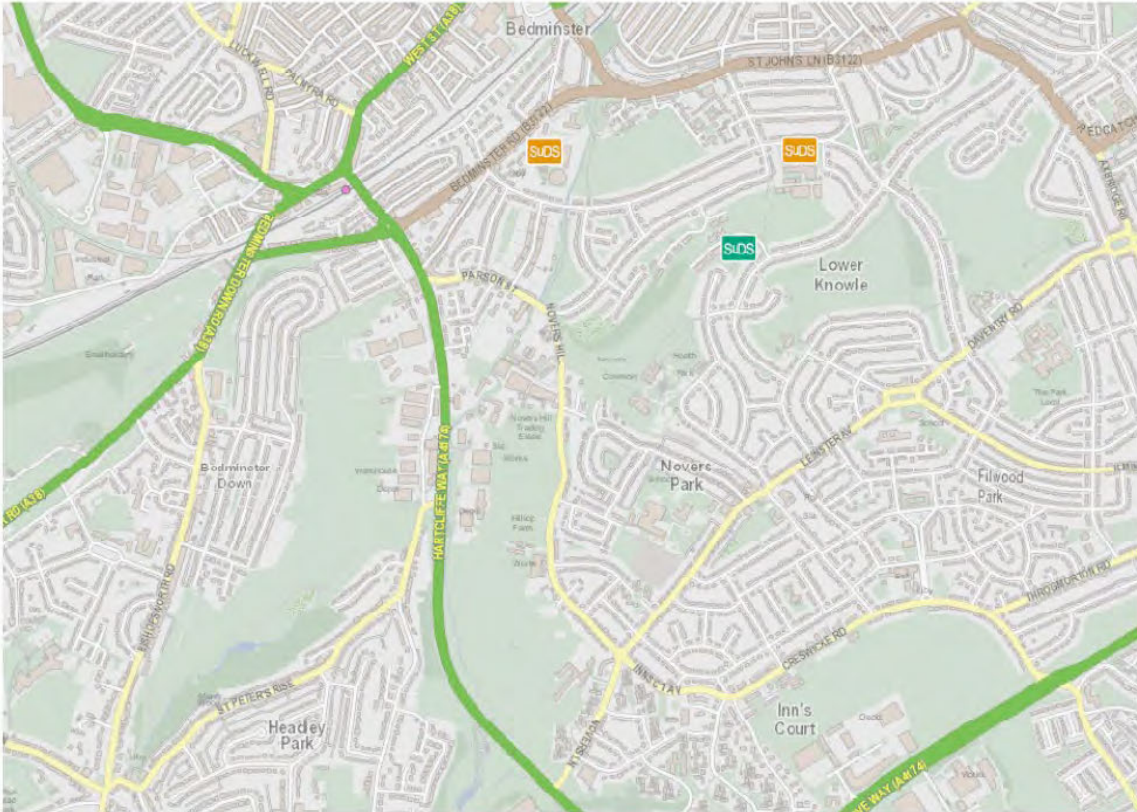


9. The Local Authority search result recommended that we contact [traffic@bristol.gov.uk](mailto:traffic@bristol.gov.uk) to assess whether any applications to stop up, divert, create or alter a public right of way under the Deregulation Act 2015.

*Note: Bristol City Council has confirmed that the Public Right of Way PROW BCC/547 was subject to a Public Path Order to divert its route in 2017, which is not yet recorded on the definitive map. We have commented on the order above.*

10. The LA Search result states that details of SuDS may be held at Wessex Water Services or at [flood.data@bristol.gov.uk](mailto:flood.data@bristol.gov.uk).

*Note: Bristol City Council has confirmed that they are not aware of any SuDS on site other than a SuDS pond on the eastern edge of the Site and highway drainage (SuDS) serving Hartcliffe Way. They provided a map, which we duplicate below. The SuDS referred to do not appear to affect the Site.*



11. The LA search reveals that there are proposed parking restrictions in the Novers Land and Leinster Avenue area. Further information is available from [highways.traffic@bristol.gov.uk](mailto:highways.traffic@bristol.gov.uk)

*Note: Highways Traffic have not yet reverted to us and we chased on 17.5.2019.*

12. There is a Community Infrastructure levy in place.

*Note: The Registered Proprietor will need to ensure that it has budgeted for any such charge in the proposed development.*

13. The LA search result recommends checking for a contaminated land notice on the following website:

<https://www.bristol.gov.uk/pests-pollution-noise-food/contaminated-land>

*Note: We have requested this additional confirmation at a cost of £40. The search result should be received shortly and we will update this report accordingly.*

14. The Site falls within/abuts Novers Common Village Green (VC00007).



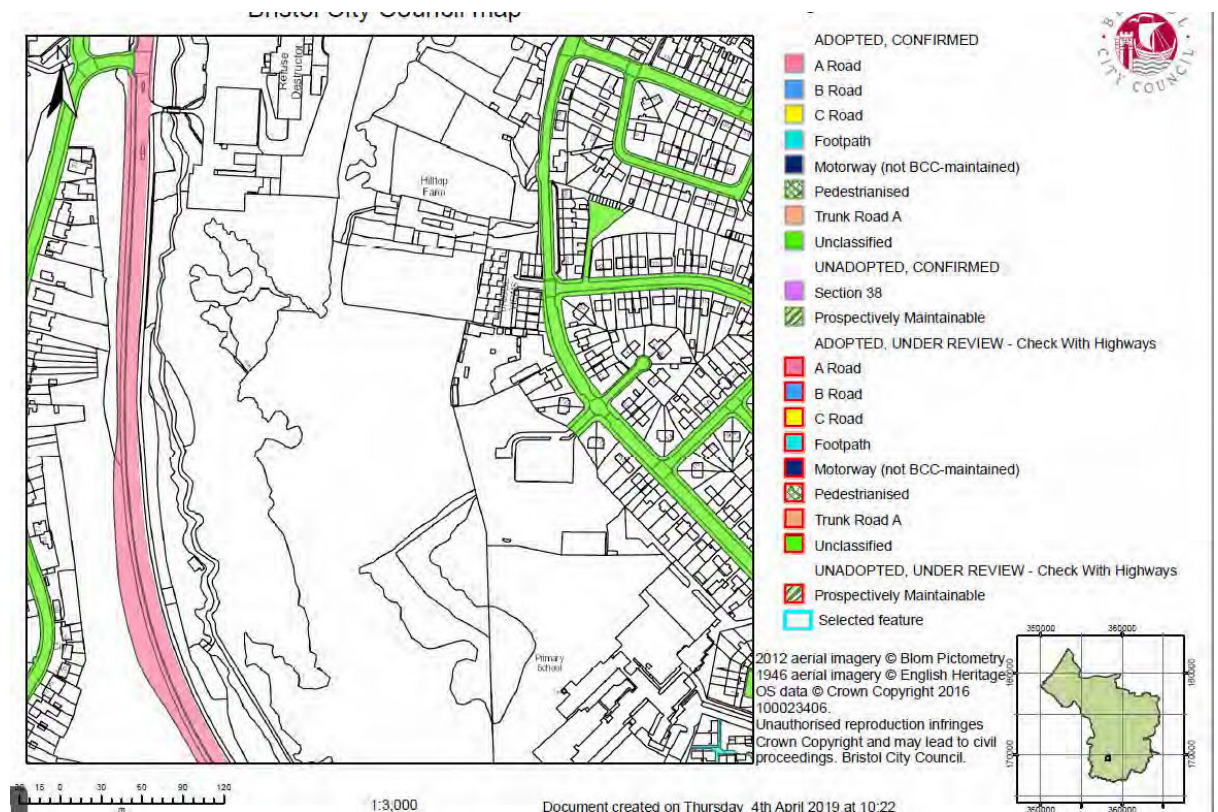
We refer you to our comments within Schedule 2 in relation to the Novers Common Village Green.

- The LA search result recommends checking:

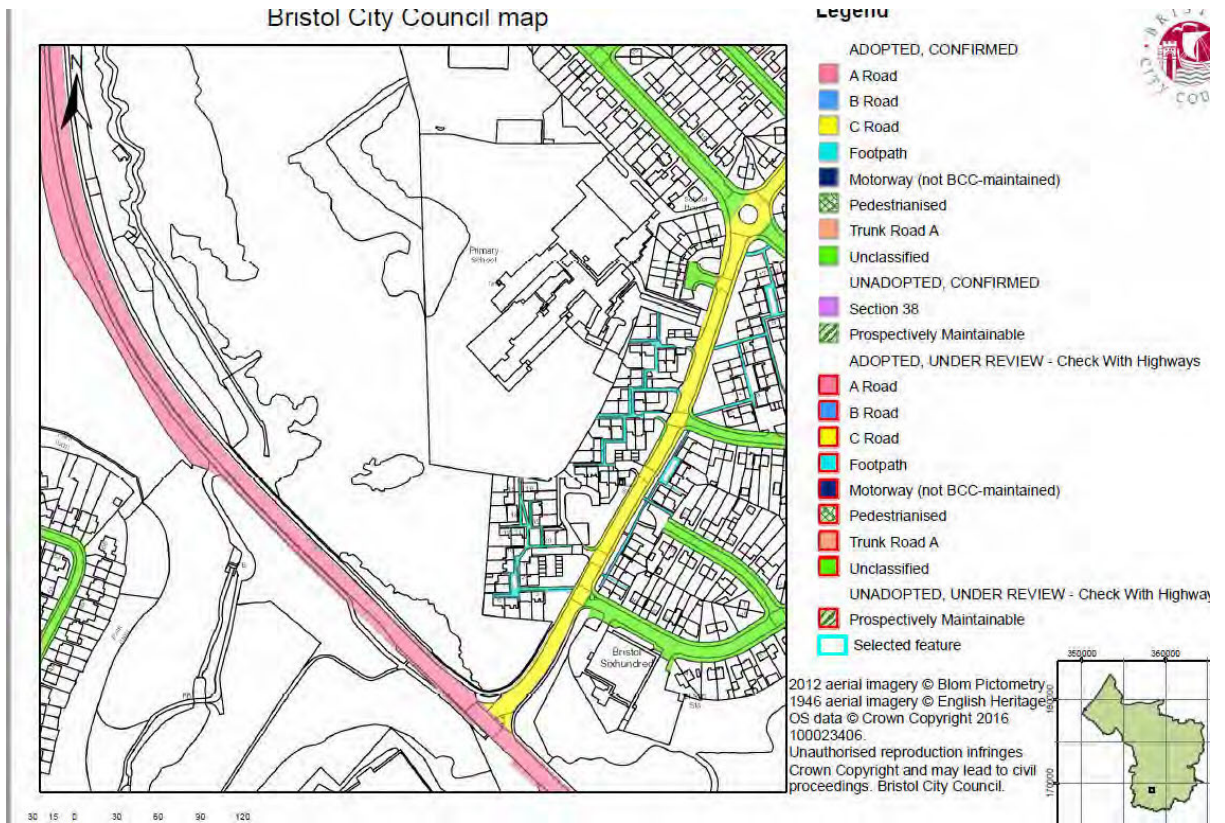
<http://www.bristol.gov.uk/page/planning-and-building-regulations/town-and-village-greens> for prescribed information about maps and statements, deposited under S. 15A of the Commons Act 2006 in the register maintained under s.15B (1) of the Commons Act 2006 or under s.31A of the Highways Act 1980.

*Note: We have checked, and the online register does not contain further details other than the information which has already been obtained.*

- The Local Authority search result reveals that the road shown coloured green below is adopted, but unclassified and the road shown coloured pink is an adopted "A" Road. The road shown coloured yellow on the second plan, duplicated below is an adopted "C" road. The road shown coloured pink is an A Road.







17.

**Schedule 4  
 Outstanding Information**

[     ]

Signed on behalf of s. 40(2) [REDACTED]

.....

Date .....

24193

9869 Hsg  
7

DATED 24th January 1965

THE LORD MAYOR ALDERMEN AND  
BURGESSES OF THE CITY OF BRISTOL

- to -

NASH FISHER LIMITED

Counterpart/

D E E D

of Grant of Easement at Hovers Hill  
in the City and County of Bristol.

AC/CB

PRP/45





D E E D is made the *Twenty-fourth* day of *January* One thousand nine hundred and sixty-five B E T W E E N THE LORD MAYOR

ALDERMEN AND BURGESSES OF THE CITY OF BRISTOL (hereinafter called "the Corporation") of the one part and NASH FISHER LIMITED whose registered office is situate at Movers Hill in the City and County of Bristol (hereinafter called "the Grantees") of the other part

W H E R E A S :

- (1) The Corporation are seized in fee simple of the land shown edged red on the plan annexed hereto (hereinafter referred to as "the plan") and situate at Movers Hill in the City and County of Bristol (hereinafter called "the Corporation's land")- - - - -
- (2) The Grantees are seized in fee simple in possession free from incumbrances of the land and buildings shown edged blue on the plan (hereinafter called "the Grantees' land")
- (3) The Grantees are desirous of constructing a sewer or drain in the position shown by the continuous red line on the plan for the purpose of the passage or conveyance of sewage water and soil from the Grantees' land to the existing sewer shown by a broken red line on the plan- - - - -

N O W T H I S D E E D W I T N E S S E T H as follows:

1. In consideration of the sum of TWENTY-FIVE pounds now paid by the Grantees to the Corporation (the receipt whereof the Corporation hereby acknowledge) the Corporation as beneficial owners hereby grant unto the Grantees FIRST full right and liberty for the purpose of the passage or conveyance of sewage water and soil from the Grantees' land to the said existing sewer but not for any other purpose whatsoever to lay a sewer or drain of a diameter of four inches and at a depth of two feet at least below the surface of the Corporation's land in the position shown by the said continuous red line on the plan and for ever thereafter at their own expense to repair and maintain the said sewer or drain making good nevertheless at their own expense all damage or disturbance which may be caused to the surface of the Corporation's land in relation to such sewer or drain repairs and maintenance and re-seeding such land where considered necessary by the Corporation and making proper compensation to the Corporation's tenants of the Corporation's land SECONDLY full right and liberty for the purpose of exercising the rights first hereby granted but for no other purpose whatsoever to enter upon the Corporation's land and THIRDLY full right and liberty to use in common with the Corporation and all other persons having the like right the said sewer or drain for the purpose aforesaid TO HOLD all the said rights and liberties hereby granted unto the Grantees in fee simple- - - - -

2. The Grantees hereby covenant the Corporation as follows:

- (a) to keep the Corporation indemnified against all actions claims and demands that may be lawfully brought or made against the Corporation by reason of anything done by the Grantees in exercise or in purported exercise of the rights and liberties hereby granted or in respect of damage done by the said sewer or drain or by reason of the escape of sewage water or soil due to want of repair or maintenance- - - - -

(b) if so required by the Corporation at any time hereafter at the Grantees' own expense to alter and amend the said sewer or drain- - - - -

3. The Corporation hereby covenants with the Grantees that the Corporation will not suffer or permit any other person or body except the Corporation and their successors in title owner or owners for the time being of the Corporation's land to use the said sewer in any way whatsoever- - - - -

4. The Corporation hereby acknowledges the right of the Grantees to production of the deeds specified in the Schedule hereto and to delivery of copies thereof and hereby undertake with the Grantees for the safe custody of the same- - - - -

5. IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Four thousand five hundred pounds- - - - -

IN WITNESS whereof the Corporation and the Grantees have caused their respective Common Seals to be hereunto affixed the day and year first before written- - - - -

THE SCHEDULE hereinbefore referred to

1st October	1917	CONVEYANCE	- The Honourable Dame Smyth of the first part s. 40(2) s. 40(2) and s. 40(2) of the second part and s. 40(2) of the third part
16th January	1919	CONVEYANCE	- s. 40(2) of the one part and s. 40(2) s. 40(2) of the other part
24th June	1920	CONVEYANCE	- s. 40(2) of the one part and s. 40(2) s. 40(2) s. 40(2) of the other part
26th June	1928	CONVEYANCE	- s. 40(2) and s. 40(2) of the first part s. 40(2) and s. 40(2) of the second part s. 40(2) and s. 40(2) of the third part and s. 40(2) s. 40(2) and s. 40(2) of the fourth part
25th March	1939	CONVEYANCE	- s. 40(2) and s. 40(2) of the first part s. 40(2) of the second part and the Corporation of the third part
25th March	1939	CONVEYANCE	- s. 40(2) of the one part and the Corporation of the other part

THE COMMON SEAL of NASH FISHER LIMITED  
has hereunto affixed in the presence  
of:



Director  
Director  
Secretary

s. 40(2)

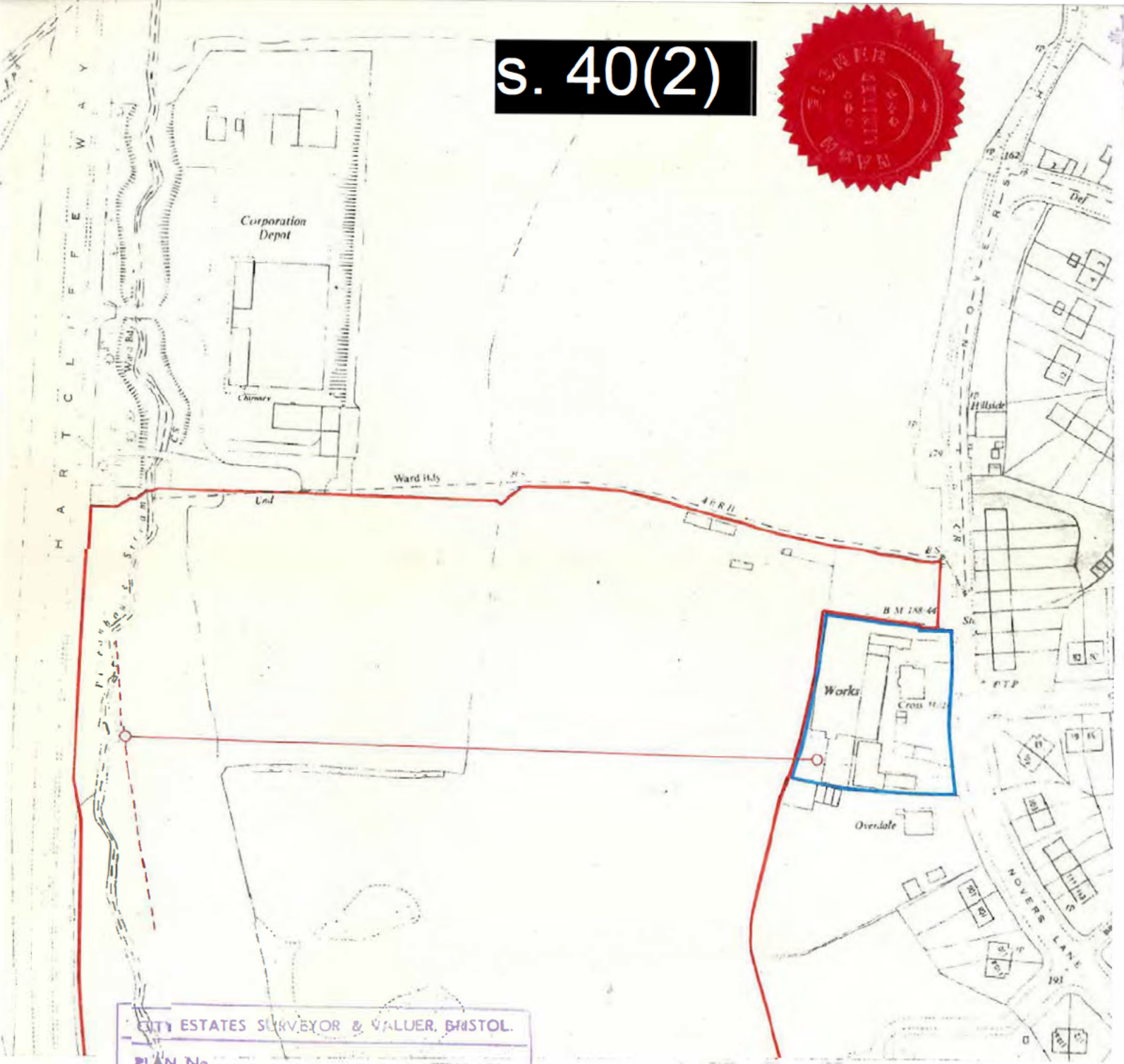
H A R T C L E F F E



Grantees that the Corporation will not suffer  
the Corporation and their successors in title  
Corporation's land to use the said sewer in any  
right of the Grantees to production of the deeds  
delivery of copies thereof and hereby undertake  
the same-  
on hereby effected does not form part of a  
transactions in respect of which the amount or value  
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the Grantees have caused their respective Common  
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of the other part

s. 40(2)



CITY ESTATES SURVEYOR & VALUER, BRISTOL.  
PLAN No. 599 - F 519 - 7.10.25

SCALE = 1/1250





## Annex E – Legal Self-Certification guidance

- The self certificate to be completed is included in ‘**Annex F - Local authority self-certification of ownership of land and suitability for housing development**’
- Guidance for completing this is included below and this should be passed on to the legal department of your local authority for the attention of the person preparing and submitting the self certificate
- All relevant documentation can be uploaded to the legal section of the relevant site folder in Huddle
- All related email correspondence should be directed to [LegalLandMailbox@homesengland.gov.uk](mailto:LegalLandMailbox@homesengland.gov.uk), cc'ing [AcceleratedConstruction@homesengland.gov.uk](mailto:AcceleratedConstruction@homesengland.gov.uk)
- The red line plan of the site to be developed should be attached to the certificate. This will enable Homes England to ensure that self-certification covers the full extent of the site to be developed

**Please pass this message to the legal department of your local authority for the attention of the person preparing and submitting the self-certificate.**

In previous rounds, some local authorities have provided more information than is required to satisfy the self-certification exercise. This guidance is designed to minimise the administrative burden on our partners.

For Homes England, the local authority self-certificate is part of a ‘triage’ exercise that will help us determine whether the site should be considered for inclusion in the programme.

The self certificate has therefore been drafted to require a small amount of high level information to enable the Homes England Legal team to categorise the sites as one of the following:

- Site has legal title problems that would prevent housing development and that the local authority is unlikely to be able to overcome.
- Site has some title issues but these may potentially be capable of resolution.
- Site has no title issues, or insignificant title issues that can be easily resolved.

For the avoidance of doubt, we do not, at this stage, require a full report on title setting out every title matter, nor a detailed list of rights, reservations and covenants, nor copies of documents granting and reserving rights etc.

In respect of the Ownership Confirmation (Part A) we only require an official copy of the register of title, showing the Council as registered proprietor. We do not require copies of any of the documents mentioned in the entries on the register of title. If the Ownership Confirmation cannot be given at this stage then local authorities are asked to explain in schedule 1, *briefly and in outline only*, why this is the case (eg “because the site has not yet been acquired by the Council”).

For the Adverse Rights Confirmation (Part B) no supporting documents need to be provided at this stage. If the Adverse Rights Confirmation is given, then we will rely on that confirmation for the purposes of deciding whether to progress the site through to more detailed due diligence.

If the Adverse Rights Confirmation cannot be given, then please explain in Schedule 2, *briefly and in outline only*, why this is the case and how you propose to resolve these issues. (eg *"trespassers are currently in occupation of the site but a possession hearing has been scheduled for [date]"* or *"there is a restrictive covenant prohibiting housing development but the Council has agreed in principle a deed of release with the beneficiary and if this does not complete, the Council intends (subject to formal approval) to rely on its rights under section 203 Housing and Planning Act 2016 to override the covenant, and to be responsible for the statutory compensation likely to be payable under that legislation"*).

If we have any queries about the information provided, or if we require further information or clarification, we will contact you with a specific request.

## Annex F - Local authority self-certification of ownership of land and suitability for housing development

TO: Homes England Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH ("the Agency");

Please complete the table below

Council	The City Council of Bristol
Description of Site	Hilltop Farm, Novers Hill, Bedminster, Bristol BS4 5AS
Title Number:	BL106493, BL106510 and BL106534 respectively.
Office copy entries and plan attached	Yes
Ownership Confirmation given (Part A below)	Yes .....
	If no, please complete Schedule 1 stating the reasons <sup>1</sup>
Free from Adverse Rights Confirmation given (Part B below)	No .....
	If no, please complete Schedule 2 stating the reasons <sup>2</sup> .
Proposed start on Site Date	

### A Ownership Confirmation:

The Council confirms that:

- It owns the freehold of the Site or a lease of the Site for a term with at least 99 years remaining unexpired (with title absolute if registered at HM Land Registry).
- The Site benefits from all necessary access rights (ie it is not land locked and there is no ransom strip between the Site and the public highway in third party ownership).

### B Free from adverse rights confirmation

The Council confirms that:

- The Site has vacant possession or vacant possession can be obtained before the proposed date for start on site.
- There are no covenants affecting the Site that would prevent or restrict housing development
- There are no third party rights (private rights of way, wayleaves etc) affecting the Site that would prevent or restrict housing development
- There are no other contracts and agreements binding the Site that would prevent or restrict housing development.
- There are no public rights of way or any other matters affecting the Site that would be local land charges or would have been revealed by a local authority search

<sup>1</sup> For example if the Council has a lease of less than 99 years, provide details of the actual term of the lease and any rights to extend or acquire the freehold.

<sup>2</sup> For example, if the site is occupied and there is doubt about when vacant possession can be obtained, then complete Schedule 2 giving details of tenancies and the dates by which it is anticipated that vacant possession can be obtained, and any obstacles to obtaining vacant possession and how it is proposed that these be overcome.



**Schedule 1**

[ ]

**Schedule 2**

According to records held by the City Council's Estates Information Team the land is subject to a Farm Business Tenancy (FBT) of Hilltop Farm dated 25 June 2008 granted in favour of s. 40(2) [REDACTED]. This was initially granted for a fixed term of 5 years from 1 January 2007 but records appear to indicate that the tenancy continued beyond the initial fixed term as a tenancy from year to year which can only be brought to an end in accordance with clause 10 of the FBT by either the Council or the Tenant by giving to the other at least 12 months but less than 24 months' notice in writing expiring on an anniversary of the Last Day of the Term (i.e. 31 December 2012). Detailed enquiries of the Council's Strategic Property Team should be made to determine whether such notice has been served.

The land is subject to an easement expressly granted by a Deed dated 24 January 1966 granted to Nash Fisher Limited who were freeholders of the land and buildings on the west side of Novers Lane which appears to be now known as Bridge Views and which according to Land Registry records is owned by Bridge Views Management Company Limited of 38 Gores Park, High Littleton, BS39 6YG under title number BL69452. This deed granted the owners of that land the right to the passage or conveyance of sewage water and soil from their land to an existing sewer shown by a broken red line on the plan to that deed as well as the right to lay a sewer or drain in the position shown by a continuous red line on the plan in that deed for use by the Council and owners of that land and rights to enter upon the Council's land for that purpose subject to that owner being responsible for maintaining and repairing the sewer or drain at their own expense and making good any damage caused to the Council's land.

The site falls within /abuts Novers Common Village Green (VG00007).

Signed on behalf of the Council

**s. 40(2)**

Solicitor/Licensed conveyancer

Date ..... 19/3/2019 .....

**Note:**

***This is not a certificate of title. It is given by a solicitor or licensed conveyancer acting on behalf of the Council in good faith and its contents are believed to be accurate, based on the information in the Council's possession at the date stated above.***

***The Agency is aware that the Council has not undertaken a local search or local land charges search before giving this self-certification.***

***The Agency will rely on the contents of this self-certification only for valuation purposes and to assist it to make a decision as to whether the Site should proceed to a later stage of due diligence. Before advancing any funding to the Council in respect of the Site, the Agency will undertake its own due diligence in respect of the Site and may undertake a further valuation.***





## Annex E – Legal Self-Certification guidance

- The self-certificate to be completed is included in **‘Annex F - Local authority self-certification of ownership of land and suitability for housing development’**
- Guidance for completing this is included below and this should be passed on to the legal department of your local authority for the attention of the person preparing and submitting the self-certificate
- All relevant documentation can be uploaded to the legal section of the relevant site folder in Huddle
- All related email correspondence should be directed to [LegalLandMailbox@homesengland.gov.uk](mailto:LegalLandMailbox@homesengland.gov.uk), cc’ing [AcceleratedConstruction@homesengland.gov.uk](mailto:AcceleratedConstruction@homesengland.gov.uk)
- The red line plan of the site to be developed should be attached to the certificate. This will enable Homes England to ensure that self-certification covers the full extent of the site to be developed

**Please pass this message to the legal department of your local authority for the attention of the person preparing and submitting the self-certificate.**

In previous rounds, some local authorities have provided more information than is required to satisfy the self-certification exercise. This guidance is designed to minimise the administrative burden on our partners.

For Homes England, the local authority self-certificate is part of a ‘triage’ exercise that will help us determine whether the site should be considered for inclusion in the programme.

The self-certificate has therefore been drafted to require a small amount of high-level information to enable the Homes England Legal team to categorise the sites as one of the following:

- Site has legal title problems that would prevent housing development and that the local authority is unlikely to be able to overcome.
- Site has some title issues but these may potentially be capable of resolution.
- Site has no title issues, or insignificant title issues that can be easily resolved.

For the avoidance of doubt, we do not, at this stage, require a full report on title setting out every title matter, nor a detailed list of rights, reservations and covenants, nor copies of documents granting and reserving rights etc.

In respect of the Ownership Confirmation (Part A) we only require an official copy of the register of title, showing the Council as registered proprietor. We do not require copies of any of the documents mentioned in the entries on the register of title. If the Ownership Confirmation cannot be given at this stage then local authorities are asked to explain in schedule 1, *briefly and in outline only*, why this is the case (eg “because the site has not yet been acquired by the Council”).

For the Adverse Rights Confirmation (Part B) no supporting documents need to be provided at this stage. If the Adverse Rights Confirmation is given, then we will rely on that confirmation for the purposes of deciding whether to progress the site through to more detailed due diligence.

If the Adverse Rights Confirmation cannot be given, then please explain in Schedule 2, *briefly and in outline only*, why this is the case and how you propose to resolve these issues. (eg *“trespassers are currently in occupation of the site but a possession hearing has been scheduled for [date]”* or *“there is a restrictive covenant prohibiting housing development but the Council has agreed in principle a deed of release with the beneficiary and if this does not complete, the Council intends (subject to formal approval) to rely on its rights under section 203 Housing and Planning Act 2016 to override the covenant, and to be responsible for the statutory compensation likely to be payable under that legislation”*).

If we have any queries about the information provided, or if we require further information or clarification, we will contact you with a specific request.

## Annex F - Local authority self-certification of ownership of land and suitability for housing development

**TO: Homes England** Arpley House, 110 Birchwood Boulevard, Birchwood, Warrington, WA3 7QH (“the Agency”);

*Please complete the table below*

Council	THE CITY COUNCIL OF BRISTOL
Description of Site	Former site of Novers Lane Infant School Novers Lane Knowle West BS4 1QR
Title Number:	BL105826
Office copy entries and plan attached	Yes
Ownership Confirmation given (Part A below)	Yes  If no, please complete Schedule 1 stating the reasons <sup>1</sup>
Free from Adverse Rights Confirmation given (Part B below)	Yes  If no, please complete Schedule 2 stating the reasons <sup>2</sup> .
Proposed start on Site Date	

### A Ownership Confirmation:

The Council confirms that:

- It owns the freehold of the Site or a lease of the Site for a term with at least 99 years remaining unexpired (with title absolute if registered at HM Land Registry).
- The Site benefits from all necessary access rights (ie it is not land locked and there is no ransom strip between the Site and the public highway in third party ownership).

### B Free from adverse rights confirmation

The Council confirms that:

- The Site has vacant possession or vacant possession can be obtained before the proposed date for start on site.
- There are no covenants affecting the Site that would prevent or restrict housing development
- There are no third party rights (private rights of way, wayleaves etc) affecting the Site that would prevent or restrict housing development
- There are no other contracts and agreements binding the Site that would prevent or restrict housing development.

<sup>1</sup> For example if the Council has a lease of less than 99 years, provide details of the actual term of the lease and any rights to extend or acquire the freehold.

<sup>2</sup> For example, if the site is occupied and there is doubt about when vacant possession can be obtained, then complete Schedule 2 giving details of tenancies and the dates by which it is anticipated that vacant possession can be obtained, and any obstacles to obtaining vacant possession and how it is proposed that these be overcome.



- There are no public rights of way or any other matters affecting the Site that would be local land charges or would have been revealed by a local authority search

Schedule 1

[ ]

Schedule 2

[ ]

Signed on behalf of the Council

s. 40(2)

.....  
Solicitor/Licensed conveyancer

Date 22 January 2019

**Note:**

***This is not a certificate of title. It is given by a solicitor or licensed conveyancer acting on behalf of the Council in good faith and its contents are believed to be accurate, based on the information in the Council's possession at the date stated above.***

***The Agency is aware that the Council has not undertaken a local search or local land charges search before giving this self-certification.***

***The Agency will rely on the contents of this self-certification only for valuation purposes and to assist it to make a decision as to whether the Site should proceed to a later stage of due diligence. Before advancing any funding to the Council in respect of the Site, the Agency will undertake its own due diligence in respect of the Site and may undertake a further valuation.***