

6 February 2017

<b>Committee</b>	Planning
<b>Date</b>	Tuesday, 14 February 2017
<b>Time of Meeting</b>	9:00 am
<b>Venue</b>	Council Chamber

**ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND**



**for Sara J Freckleton  
Borough Solicitor**

## **Agenda**

### **1. ANNOUNCEMENTS**

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (staff should proceed to their usual assembly point). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

### **2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive apologies for absence and advise of any substitutions.



### 3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

### 4. MINUTES

1 - 11

To approve the Minutes of the meeting held on 17 January 2017.

### 5. DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

#### (a) Schedule

To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".

### 6. DEVELOPMENT CONTROL - APPLICATIONS TO THE COUNTY COUNCIL

To note the following decision of Gloucestershire County Council:

Site/Development	Decision
15/01227/CM Land Adjacent to Pages Lane Twynning  Extraction of sand and gravel and restoration to agriculture, amenity and nature conservation use. Resubmission following refusal of 13/0017/TWMAJM dated 16.10.14.	Application <b>REFUSED</b> for a number of reasons relating to: failure to demonstrate that noise from mineral extraction operations could be mitigated to an acceptable level so as not to interfere with local residents' use and enjoyment of their property; unacceptable adverse impact on the environment arising from the impact of dust for those living, visiting and working in the vicinity of the site; insufficient buffer zones being provided to protect sensitive land uses in the vicinity of the application site and adversely affecting the economic wellbeing of local businesses; harm to the setting of the Church End Conservation Area by virtue of the erosion of the rural character through the introduction of mechanised working and processing of sand and gravel in close proximity to heritage assets; and, lack of an acceptable restoration scheme for the eastern part of the site which would restore the best or most versatile agricultural land back to

grade for the following summary of reasons:

'The proposal is for the excavation of sand and gravel from a depth of up to 5m in two phases. The extraction with progressive restoration using imported fill material would take place over a period of two and half years, restoring the western part of the site to agricultural land and the eastern part of the site to an amenity/nature conservation area with two ponds and footpath. The applicant considers that the mineral on the site has special qualities which would increase the county's reserves and reduce reliance of the mineral being imported from other areas of the country and make a small contribution to the projected future sand and gravel resource requirements. The site is constrained by roads on its northern and western boundaries and residential development in the hamlet of Church End to the south and east of the site boundary. There are 10 residential properties within 100m of the eastern boundary, some of which are listed buildings and within the Church End Conservation Area. The proximity of other sensitive land uses and small site area means that the proposal involves the construction of noise and dust attenuation bunds which would be 5m in height in some places immediately adjacent to the site boundary and close to the rear gardens of dwellings along the south eastern site boundary. Mitigation in the form of earth bunds has been proposed in order to bring the sound from plant and machinery within acceptable levels; however, this creates an obtrusive feature in the landscape which adversely affects the visual appearance and attractiveness of an area where tourism makes an important contribution to the local economy.

The applicant considers that the demand for this type of mineral justifies working the site which, if approved, would make a welcome contribution to the landbank of reserve for sand and gravel. The county needs to satisfy government requirements set out in the National Planning Policy Framework by making provision for a steady and adequate supply of minerals. However, insufficient evidence has been presented that supports the applicant's claims that the material from this site is special and unique, nor has it been satisfactorily demonstrated that there is a demand for this material which cannot be potentially met from other sources.

Although it is accepted that, if permitted, the proposal would make a contribution to the county's sand and gravel landbank, the Minerals Planning Authority considers that the applicant has failed to show the overall benefits of the proposed development in terms of the contribution it would make to the landbank outweighing the combined adverse impacts of noise and dust from the proposed development, even with the mitigation measures, on those living, visiting and working in the vicinity of the site contrary to Minerals Local Plan Policies DC1 and E14. The development of the site is considered to harm the setting of Church End Conservation Area. As no justification has been provided to outweigh the harm to historic assets, the proposal would be contrary to National Planning Policy Framework. The restoration of the site following extraction is not considered to benefit the local community as it does not restore the best and most versatile agricultural land back to grade contrary to Minerals Local Plan Policy R2. For these

reasons the application should be refused.'

**7. CURRENT APPEALS AND APPEAL DECISIONS UPDATE**

12 - 16

To consider current Planning and Enforcement Appeals and CLG Appeal Decisions.

**DATE OF NEXT MEETING**

**TUESDAY, 14 MARCH 2017**

**COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: R E Allen, R A Bird, Mrs G F Blackwell, D M M Davies, M Dean, R D East (Vice-Chair), J H Evetts (Chair), D T Foyle, Mrs M A Gore, Mrs J Greening, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman, R J E Vines and P N Workman

**Substitution Arrangements**

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

**Recording of Meetings**

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Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.