

# TEWKESBURY BOROUGH COUNCIL

**Minutes of an Extraordinary Meeting of the Council held at the Council Offices,  
Gloucester Road, Tewkesbury on Tuesday, 31 January 2017 commencing at  
6:00 pm**

## **Present:**

The Worshipful the Mayor  
Deputy Mayor

Councillor Mrs G F Blackwell  
Councillor H A E Turbyfield

## **and Councillors:**

R E Allen, P W Awford, Mrs K J Berry, R A Bird, G J Bocking, K J Cromwell, D M M Davies, Mrs J E Day, M Dean, R D East, A J Evans, J H Evetts, D T Foyle, R Furolo, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, Mrs S E Hillier-Richardson, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, Mrs H C McLain, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman, R J E Vines, D J Waters, M J Williams and P N Workman

## **CL.92 APOLOGIES FOR ABSENCE**

92.1 Apologies for absence were received from Councillors R Bishop, R E Garnham, B C J Hesketh, V D Smith and M G Sztymiak. Members were advised that Councillors R Bishop and R E Garnham were unable to attend due to pecuniary interests in the item of business which was being considered – Joint Core Strategy - Main Modifications.

## **CL.93 DECLARATIONS OF INTEREST**

93.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

93.2 The following declarations were made:

<b>Councillor</b>	<b>Application No./Item</b>	<b>Nature of Interest (where disclosed)</b>	<b>Declared Action in respect of Disclosure</b>
P W Awford	Item 3 – Joint Core Strategy – Main Modifications.	Is a Gloucestershire County Councillor. Tewkesbury Borough Council representative on the Lower Severn Internal Drainage Board. Member of Severn Wye Regional Flood Defence Committee.	Had received a dispensation to speak and vote on this item.

		Member of Wessex Regional Flood Defence Committee.	
		Life Member of the National Flood Forum.	
R A Bird	Item 3 – Joint Core Strategy – Main Modifications.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
P D Surman	Item 3 – Joint Core Strategy – Main Modifications.	A Member of the Councillor's family owned land which had been identified as a potential strategic housing and employment land allocation within the main modifications document.	Had received a dispensation to speak and vote on this item.
R J E Vines	Item 3 – Joint Core Strategy – Main Modifications.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.

93.3 There were no further declarations made on this occasion.

#### **CL.94 ANNOUNCEMENTS**

94.1 The evacuation procedure was advised to those present.

94.2 The Mayor welcomed Michael Thomas, the Council's flooding expert, and Nigel Riglar, representing the Highways Authority, to the meeting.

94.3 Attention was drawn to the additional paper, circulated prior to the meeting, which provided two amended maps and a subsequent amendment to recommendation 1 for clarity purposes.

#### **CL.95 JOINT CORE STRATEGY - MAIN MODIFICATIONS**

95.1 Attention was drawn to the report of the Head of Development Services, circulated at Pages No. 1-336, which sought to update Members regarding progress on the Joint Core Strategy (JCS) following the Council meeting in October 2016. It attached, at Appendix 1, proposed Main Modifications without the inclusion of Twigworth as part of the Innsworth/Twigworth Strategic Allocation and, at Appendix 2, a version of the proposed Main Modifications which included Twigworth. Members were asked to consider the information provided and approve, for public consultation, the proposed main modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy as set out in Appendix 2 to the report (including proposed modifications to the Proposals Map and Key Diagram), subject to the Key Diagram (on Page No. 312) being replaced by the "Appendix 2 – Replacement Key Diagram" and Map A11 (on Page No. 322) being replaced by the "Replacement A11 Map", as those it endorsed and considered necessary to make the JCS sound; to delegate authority to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of

Tewkesbury Borough Council, to make minor changes to the proposed main modifications and proposed modifications to the Proposals Map and Key Diagram in terms of formatting, presentation and accuracy; and to delegate authority to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to progress and sign a joint planning statement with Wychavon District Council, and thereafter any formal memorandum of agreement, in respect of the delivery of development on land at Mitton making a contribution towards Tewkesbury Borough's housing requirements.

- 95.2 The Mayor explained the procedure to be followed at the meeting which would involve the Chief Executive making some opening remarks and providing some context; thereafter the Planning Policy Manager would present the report and Members would be given the opportunity to ask questions. A proposer and seconder would then be sought and the item opened up for debate.
- 95.3 The Chief Executive advised that, at its meeting on 25 October 2016, the Council had resolved that "Officers bring to the Council for approval, proposed main modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy which do not include Twigworth as part of the Innsworth/Twigworth strategic allocation but otherwise was as set out in Appendix 1 to the Council report". The report currently before the Council sought to achieve that and the relevant proposed Main Modifications, which excluded Twigworth, was attached at Appendix 1 to the current report. Work had been undertaken to support the Main Modifications, including gaining advice from a flood expert along with further assessment of flooding and transport issues, which had shown there were no planning reasons to support the exclusion of the Twigworth Strategic Allocation from the Main Modifications. Given the Inspector's stated position was that, not including Twigworth may give rise to soundness issues, the Officer recommendation was that it should be included and this option was shown at Appendix 2 to the report. In addition, subsequent to the last meeting, a letter had been received from the Defence Infrastructure Organisation (DIO) about the continued defence needs at Ashchurch Camp (MoD Ashchurch). This had left the JCS in a difficult position regarding the deliverability of the Strategic Allocation in that area and this issue would be further dealt with during the Planning Policy Manager's presentation.
- 95.4 The Planning Policy Manager explained that approval was being sought for the proposed Main Modifications which had been formulated in line with the Inspector's Interim Report. Since the October 2016 Council meeting, the main changes had been the inclusion of Appendix 1, which provided a version of the proposed Main Modifications with the exclusion of the Twigworth part of the Innsworth/Twigworth Strategic Allocation. Quite a lot of additional evidence work had been undertaken in respect of the site at Twigworth, which had included investigatory work on sustainability, landscape, transport and strategic flood risk assessments etc. Of particular note was that the additional flood risk work had concluded that there were no overriding flooding issues that would prevent a Strategic Allocation at Twigworth. Those conclusions had been used to help inform the developable area, indicative numbers of dwellings that would be appropriate at the allocation as well as informing the policy guidance and Strategic Allocation Policy. Therefore Appendix 2 presented proposed Main Modifications which included a site at Twigworth. In terms of the Ashchurch Strategic Allocation, it was now proposed that this be removed from the JCS. It had originally been allocated for 2,125 dwellings in the Plan period and, whilst there may still be a potential for some numbers on the site, there were deliverability challenges and uncertainties to overcome which meant it could no longer be allocated. Officers would be continuing to work on delivery on the site to investigate this further. Referring to land at Mitton, the Planning Policy Manager anticipated that 500 dwellings could be delivered to help meet the Council's needs but this would depend on an agreement with Wychavon as the land was within its area. It was recommended that the progression and signing of this agreement be delegated to the Chief Executive in consultation with the Leader of the Council. All

of this would leave the Council with a shortfall of just over 2,800 dwellings, largely due to the removal of the MoD Ashchurch site. The Council could still identify a five year land supply and therefore it would be suggested to the Inspector that this was sufficient and that it would be appropriate to look at an immediate review of Tewkesbury's housing land supply to explore the options for finding the extra dwellings that were needed. There were also a number of other amendments which had been made to the plan following the last report to Council and those were shown at Paragraph 8.6 of the current report. The Planning Policy Manager advised that, in that Paragraph, PMM0084a, PMM0085a and PMM0086 should have referred to Policy INF3 rather than Policy SD15 and that there was also a change at PMM0106, in the Appendix 2 version of the proposed Main Modifications, in that Policy A1 was changed to reflect the reduced capacity of Twigworth and to add text in respect of flooding management. If approved, the consultation would run from February to April; those responses would then be considered by the Inspector and further hearing sessions would be held to consider all of the representations made.

- 95.5 The Planning Policy Manager invited Mr Michael Thomas, of Thomas Consulting, to comment on the flooding issues around Twigworth that had been raised prior to the meeting by Professor Cluckie. Mr Thomas was the consultant that had been engaged to offer independent advice to the JCS authorities on flooding matters, particularly on the Twigworth part of the Twigworth/Innsworth Strategic Allocation. Mr Thomas advised that, in summary, Professor Cluckie had indicated that any large-scale housing development would require substantial engineering with high costs and intensive ongoing maintenance; Mr Thomas indicated that this point was accepted and applicable to all developments. The Professor's comments went on to say that development would increase the flood impact off-site and Mr Thomas agreed that, without the measures and policies suggested in his report on flood risk at Twigworth, this would be the case as it would for any large-scale development anywhere. The policies in his report sought to reduce the risk and provide positive benefits for downstream properties for all allocated sites. Members were advised that the purpose of Mr Thomas's report had been to assess whether a flood risk objection to the allocation at Twigworth was sustainable. To do that he had reviewed two reports from JBA Consulting and five Capita reports plus a significant amount of other evidence from Robert Hitchins Ltd., the Environment Agency and the Parish Council; having done this he had concluded that there were no sustainable flood risk objections to the allocation of land at Twigworth. The comments from Professor Cluckie went on to state that ReFH2, which was a method of predicting flood flow from ungauged catchments, was error prone. In response, Mr Thomas indicated that the error was that it tended to over-predict when compared to actual gauged floods, as could be seen from his report, that method was predicting higher flows than any of the other methods. The method in the latest version of the Flood Estimation Handbook showed a 1 in 100 year flow at the A38 of 26.223 m<sup>3</sup> per second against the ReFH2 flow of 55.13m<sup>3</sup> per second which was normal and was, in this instance, a cautious method of predicting flood flow. Whilst increased levels of urbanisation did increase the rate of run-off, the policy and guidance recommendations in the report, including compliance with the requirements in the Local Authority Sustainable Urban Drainage Systems (SuDS) Officers Practice Guidance and the SuDS Manual, together with the increased use of rainwater harvesting to provide toilet flushing water and other non-potable uses, minimised run-off in normal events and reduced it in extreme events from that which currently occurred. There were suggestions that a catchment scale tree belt or forestry should be applied rather than the attenuation and SuDS techniques which he had discussed in his report; however, Mr Thomas felt this was not an appropriate technique to deal with run-off from an urbanised area and his report was intended to reduce rural run-off affecting downstream urban areas. Mr Thomas indicated that the Professor had made several suggestions that additional research and academic study was required; however, the Council was dealing with allocating land for development now rather than in 20 or 30 years' time, which it may take for such

research to come forward and, as such, he felt the comments made were inappropriate. Severn Trent Water had ruled out any surface water from the Strategic Allocation being connected to its sewerage system in Twigworth because there was no surface water sewerage system in the area and the addition of surface water to the existing foul sewage system would be unacceptable, both to Severn Trent Water and the residents of Twigworth. Finally, in the Professor's additional notes, he had made recommendation that the hydrological modelling was rerun with 25% and 35% increases to allow for climate change. However, the policy recommendation in Mr Thomas's report, and the supporting text, advised that the modelling should be rerun with the higher flood flow figures determined from the Capita review of the 2007 flood for a 1 in 100 year event plus 70% allowance for climate change which, as he had made clear in his report, needed to include the impacts on the downstream start levels where the Hatherley Brook joined the River Severn.

- 95.6 The Mayor thanked the Officers and Mr Thomas for the information provided and invited questions from Members. A Member indicated that, at the meeting in October 2016, Members had asked that the Main Modifications be brought back to Council without the inclusion of the Twigworth part of the Innsworth/Twigworth Strategic Allocation. With this in mind he felt that the recommendation should be for the adoption of Appendix 1 rather than Appendix 2 and he questioned why this was not the case. In response, the Borough Solicitor advised that this had been the Council's decision but, in putting the Main Modifications back before Members, Officers were obliged to give their professional advice and, in terms of soundness, the advice was that Appendix 2 was the approach which had less risk. Referring to Mr Thomas, a Member questioned what the advice was regarding tidal influence and heavy river flooding in relation to outfalls and shut-offs. He also questioned whether his advice was that maintenance systems were required in perpetuity and that this should be funded by the developers. In response, Mr Thomas explained that the maintenance systems which were installed needed to be controlled and, in his view, there was no reason why the taxpayer should pay for this so it should be something that the developers took into account and made allowances for when building a development. The modelling he had done to date did take account of tidal influence and assumed minor tidal peaks simultaneously with a 1 in 100 year peak in the River Severn along with a 1 in 100 year peak in the Hatherley Brook. Another Member was concerned about the fact that Supplementary Planning Guidance was just guidance and developers did not always use the document when they were making an application. In addition, she understood that the Council had no power to enforce unless the maintenance of the system was a condition within the permission. Mr Thomas advised that his report suggested a period of time in which a commuted sum was necessary for the maintenance of an attenuation system. There were various ways of doing this, including the developer putting in the funding, but another option was the use of a management company that charged the residents. In his experience, most developers were reasonably happy to cover this as long as they knew about it at the outset as they could build the costs into the economics of the development. The Supplementary Planning Guidance would contain some of the answers about maintenance of the SuDS but it was up to the Council to ensure it had the correct policy in place. The Member felt that it was not practical or achievable to have the maintenance paid for in perpetuity by the developer or dealt with via a management company and the Council already had several developments which included SuDS for which it was paying to maintain; she hoped the Supplementary Planning Guidance would be in place before the Main Modifications went back to the Inspector. In response, the Borough Solicitor advised that the Council's Flood Risk Management Group was currently working on the document. It had a meeting scheduled for 27 February at which time it should have a first draft to look at; the aim was that it would be brought into effect as soon as possible. Given that Twigworth did not form part of Severn Trent Water's adoptable system, and the Lead Local Flood Authority had indicated it was not its concern, a

Member questioned how much the maintenance of an attenuation system for 120 years would cost. Mr Thomas advised that he did not have that figure to hand; however, it could be worked out by looking at published information from the County Surveyor's Society at what a typical installation would generate as a commuted sum. The amount required would of course vary depending on a number of factors; it was also possible that some parts would need to be replaced earlier than others but that was accounted for within the initial calculations.

- 95.7 Another Member expressed concern about the North West Cheltenham site and its proximity to a landfill which was less than 200 metres away from it. The Council's Planning Committee had recently refused an application for a site in Stoke Road, which was the other side of the landfill, on the grounds that there would be significant health impacts on residents and she was concerned that there was nothing in the Main Modifications that gave her comfort the health impact on residents had been considered in this instance; she questioned what was in place to assess the impact of the site on the health of its residents. In response, the Planning Policy Manager advised that Policy SD15 provided guidance on how development proposals would be assessed to ensure there was no harm to the amenity or health of residents and that there was no exposure to unacceptable levels of pollution etc. The site would need to be carefully masterplanned to ensure the green infrastructure and development were in the correct places to avoid any issues in this regard. The other application that had been made, and subsequently refused by the Planning Committee, could not be compared directly to the Strategic Allocation.
- 95.8 In response to a Member's query as to how Officers could be sure they were providing the correct guidance, the Chief Executive explained that in all situations there was potential for the advice given from different parties to vary but Officers would always work to provide Members with independent and impartial advice to the best of their ability. Where they did not have the particular expertise they would seek it from professionals so that Members could make their decisions in the most informed way. In terms of flooding advice, whilst there were differences in the way Professor Cluckie and Mr Thomas had set out their findings, overall there was a lot that was agreed upon i.e. the controls needed before, during and after development and transport advice etc. Mr Thomas advised that the Professor's note said the same as his report in terms of the risks and the need for designs to deal with those risks; however, the Professor felt that more research was needed. Mr Thomas's view was that the issues were a matter of timing and, as there was not a huge amount of time to undertake extended research, his report set out a more cautious approach than that recommended by the Environment Agency. He felt the Council did not have the grounds to refuse development at the Twigworth Strategic Allocation on flooding grounds as, whilst there were technical issues, any competent designer should be able to overcome them.
- 95.9 In respect of the technical research, a Member questioned whether there was any recognition of the state of the current water attenuation systems in Twigworth. In response, Mr Thomas indicated that there was nothing in his report in that regard as the existing system was not part of the Strategic Allocation. Overall, he was generally not keen on filtration systems as they tended to silt-up and so were not very effective unless they were extremely well designed. A Member expressed the view that the main issue still seemed to be Twigworth and he questioned why the Council could not take the same approach as with Ashchurch and advise the Inspector that it would find those dwellings through a plan review. In response, the Planning Policy Manager indicated that there were fundamental deliverability differences between the two sites. There were real deliverability issues around the MoD Ashchurch site about which the Council had no control due to the decision by the DIO; however, the Inspector remained of the view that an allocation at Twigworth was sustainable unless good land use planning reasons could be identified to say that it should not be brought forward. A Member questioned what

would happen if the flooding events in 2007 and 2014 had happened at the same time; he was concerned that no expert would be able to predict the unpredictable. In response, Mr Thomas advised that the issue really came down to probability. In 2016, the government had advised that the additional allowance for climate change should increase from 20% to 70%. Although it had indicated that 20% was still quite a reasonable figure for most circumstances, in flood zone three areas it was felt a higher percentage should be used. The purpose of his report was to look at the flood events and magnify them; the view he had taken was to predict a 100 year flood plus 70% for climate change which was a cautious approach. In the last 100 years the area had seen a 100 to 150 year flood and a 220 to 250 year flood but all had been well contained within the envelope which was proposed as a protected flood zone. A Member questioned why Mr Thomas's report recommended raising the floor levels in dwellings by 600mm if the area was not at risk of flooding. In response, Mr Thomas advised that the Environment Agency had a national policy that, if building near a floodplain, it would insist on the floor levels being raised by 600mm. In raising the floor levels on the Twigworth site, there was a margin of error allowed. A 1 in 30 year storm could in itself cause problems in any area with water rushing down a road and, given the right conditions, nowhere in the country was safe from a flooding event. The Member was concerned that the ground levels would be raised which would then lessen the effectiveness of the raised floor levels and he questioned how this would be monitored. In response, Mr Thomas indicated that it was the case that many years ago the local planning authority did not think to control ground levels on a development but this was no longer the case and it was possible to enforce this in the same way as any other planning condition. The authority could also request a survey to prove compliance which was helpful.

95.10 In terms of highways, a Member indicated that the A38 was already congested and whilst there was mention of a new link road between the A40 and the A38, she questioned whether this was a project that was included in Highways England's current plans. In response, Mr Riglar, representing the Highways Authority, explained that Highways England was currently consulting on its 'Road Investment Strategy (RIS) Two' period and was identifying issues and pinch points on the strategic road network. The A38/A40 had been put forward as an issue to be addressed within that period but there were other funding mechanisms that could be used if necessary. He remained confident that funding could come forward as none of the suggested improvements were new in the thinking of either the County Council or Highways England with the plans for the A38/A40 having been under consideration for quite a long time. Referring to the link road, and the fact that it would go through the middle of land which was in flood zone three, a Member questioned how this would be compensated for and how long it was likely to take to build. In response, Mr Riglar advised that he was unable to speculate on the cost or length of time to build but he was sure an engineering solution would be required and there would likely be one available that would mitigate the flooding issues. The costs would depend on the final design and the market conditions at the time of tendering but that would be factored into the project at the outset.

95.11 In response to a query as to why Twigworth had gone back into the JCS as a Strategic Allocation, the Planning Policy Manager had advised that the area had been promoted as an omission site through the JCS and the Inspector had then recommended it within her Interim Report as a site that could be used to help Gloucester's housing needs. Officers had then had to consider whether there was any land use planning reason that it could not be included in the JCS. A Member indicated that, throughout the JCS process, she had heard various terms used in conjunction with it and she requested clarification as to what was meant by a Joint Planning Statement/Memorandum of Understanding. She also questioned what efforts had been made by Stroud District and Gloucester City Councils to develop a Joint Planning Statement as well as at what point in the process the Borough Council would look to agree a Statement with Wychavon District Council for the land

at Mitton. In response, the Legal Advisor explained that a Memorandum of Understanding was used to show cooperation between two Councils and the Planning Practice Guidance referred to formal agreements between Councils being something that could be taken into account at Local Plan examinations. That was what the Inspector was looking for in respect of Wychavon District Council. The Inspector had used the term Memorandum of Agreement which was often used interchangeably with Memorandum of Understanding. Wychavon District Council preferred, at this stage, to enter into a Joint Planning Statement but it proposed to include provisions where a formal Memorandum of Agreement may also be entered into in due course. In addition, the Planning Policy Manager indicated that the JCS authorities already had a Memorandum of Understanding with Stroud District and it had been built into the adopted policy commitment to help neighbouring authorities to meet their unmet needs. It was now a matter for the JCS authorities to engage in Stroud District Council's plan review process. The Member indicated that the Inspector had made it clear in her Interim Report that Gloucester City and Stroud District Councils should work together, and Officers had been asked to come back to the Council with alternative sites to replace Twigworth, but for some reason this was not being progressed. She questioned how robust Officers had been in those negotiations. In response, the Planning Policy Manager explained that Stroud District had an adopted plan and there was a process to go through in order for it to allocate sites to meet the needs of the JCS; firstly the JCS had to use all of its own deliverable and sustainable sites to meet its own needs and, in the eyes of the Inspector, this was what Twigworth was for Gloucester City.

- 95.12 Referring to the "Appendix 2 – Replacement Key Diagram" which had been circulated prior to the meeting, a Member indicated that Stoke Orchard appeared to have been omitted as a Service Village. In response, the Planning Policy Manager indicated that this would need to be addressed - Stoke Orchard had been added to the Service Village list within the proposed Main Modifications Schedule and should therefore also appear as such on the Replacement Key Diagram. In addition, the Member indicated that Twigworth had originally been allocated for 1,363 dwellings but in the latest iteration of the Main Modifications it was allocated for 995; he questioned where the shortfall would go. In response, the Planning Policy Manager advised that Gloucester's shortfall without Twigworth was 2,300; whatever could be delivered at Twigworth would reduce that shortfall. With a site for 995 this would leave the shortfall to just over 1,300 and that would have to be addressed through the plan review. Gloucester City would have to consider all possibilities at that stage, including looking again within its own boundaries, and speaking to Stroud District. In response to a further query regarding whether Officers believed the inclusion of Twigworth was sound due to Green Belt and flooding issues and the impact on the road network, the Planning Policy Manager explained that, in terms of Green Belt, the site had been assessed as having a lesser contribution. In terms of flood risk, whilst Officers appreciated the concerns raised, the detailed work to assess those concerns and constraints had shown that they were not so great as to prevent the allocation of the site for development. In terms of transport, the full answers were not yet available but it was known that issues with the road network in the area needed to be addressed; this was not purely a Twigworth or Strategic Allocation issue but it was anticipated that the JCS could help get the infrastructure in place which was already desperately needed. Another Member questioned whether the development of the missing link along the A417 would result in higher traffic use and more traffic coming into Gloucester from that direction. In response, Mr Riglar felt that everyone would be of the view that the improvements on the A417 were extremely important and it was hoped that construction would begin on that in 2020/21. The road was part of the strategic road network and, as such, was the responsibility of Highways England rather than the Highways Authority but he recalled that much of the modelling data showed an increase in volume of traffic which was in line with the national average. He was not of the view that it would

result in a significant amount of additional traffic locally.

- 95.13 At the workshop which had been held with Mr Thomas earlier in January, a Member had pointed out that part of the Innsworth side of the Strategic Allocation, which was designated for housing, flooded through pluvial flooding and he questioned whether that area of development had now been removed. In response, the Planning Policy Manager advised that the Innsworth and Twigworth sites were very much interlinked and the flood risk needed to be looked at as a whole through a detailed masterplan. The capacities set out in the JCS were indicative but masterplanning would ultimately determine the capacity that could be delivered on each site. A more precautionary approach had been taken in the south west corner of the Twigworth site and that was why the capacity for the site overall had been reduced as this would leave a green infrastructure buffer from flood risk areas. Referring to Twigworth, a Member indicated that, when an application for 725 dwellings in the area had come to the Council, it had been refused for sound planning reasons and she questioned whether the fact that the Green Belt could be amended through the plan-making process was the difference between that application and the proposed Strategic Allocation. In response, the Legal Advisor explained that the application referred to had been refused on a number of grounds, including highways and Green Belt, in line with the existing policies of the Council. The plan-making process was the appropriate time to review the Green Belt, to decide what was and was not appropriate and to look at the JCS area as a whole to see where the needs could be met appropriately. A Member expressed the view that the Green Belt was extremely important. In 2011, the Council had commissioned a study by AMEC which defined certain areas as being significant Green Belt and she questioned why that study was seemingly being ignored. She also questioned what very special circumstances were being demonstrated on the Strategic Allocations within the Green Belt that would allow them to be developed. In response, the Planning Policy Manager indicated that, in developing the JCS, some Green Belt was being released on the basis that the housing need had to be met. It was a matter of fact that some sites were judged to be making a more limited contribution in Green Belt terms than others.
- 95.14 The Mayor thanked Members for their questions and sought a motion from the floor. It was proposed and seconded that the proposed main modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy be approved for public consultation as set out in Appendix 2 to the report (including proposed modifications to the Proposals Map and Key Diagram), subject to the Key Diagram (on Page No. 312) being replaced by the "Appendix 2 – Replacement Key Diagram", including the notation on the Replacement Key Diagram of Stoke Orchard as a Service Village, and Map A11 (on Page No. 322) being replaced by the "Replacement A11 Map", as those it endorsed and considered necessary to make the JCS sound; that authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to make minor changes to the proposed main modifications and proposed modifications to the Proposals Map and Key Diagram in terms of formatting, presentation and accuracy; and that authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to progress and sign a joint planning statement with Wychavon District Council, and thereafter any formal memorandum of agreement, in respect of the delivery of development on land at Mitton making a contribution towards Tewkesbury Borough's housing requirements. The Member advised that the Main Modifications before the Council, as set out in Appendix 2 to the report, had come from the Inspector's Interim Report where she had explained the changes needed to make the plan sound. He felt it was fair to say they were not what Members had wished to see but if they were not accepted the Borough would not have a development plan in place. A lot of work had gone into trying to find an alternative route but it was now clear that there was no fundamental land use planning reason

to exclude Twigworth from the JCS. Unfortunately it was the case that if the plan was not approved the Council would have no control over the development in the Borough which would be disastrous. He felt it should also be borne in mind that if Appendix 2 was approved it would go out for public consultation which meant the people of Twigworth would get a direct voice to the Inspector. He was of the view that this was the only practical way ahead. In seconding the proposal, a Member advised that this had been an extremely difficult process and, whilst it was not a pleasure to second the proposal, it was the best way forward that he could see for the Borough as a whole.

- 95.15 A Member proposed an amendment to remove recommendation 3 - that authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to progress and sign a joint planning statement with Wychavon District Council, and thereafter any formal memorandum of agreement, in respect of the delivery of development on land at Mitton making a contribution towards Tewkesbury Borough's housing requirements. He felt that the land at Mitton was unsuitable for development; it had not been subject to consultation at all, even with the Town Council; it would be akin to giving planning permission through the back door; it had similar infrastructure issues to the Ashchurch site – with a wholly inadequate roundabout to access the site; planning permission would be given by Wychavon District Council not Tewkesbury Borough Council; the water run-off from the site would cause greater flooding issues for Tewkesbury; and the Borough would gain nothing at all from the site. In seconding the amendment, a Member indicated that she fully agreed with the proposal, in particular the fact that it had been added to the plan-making process at an extremely late stage which had not given the community the chance to have its say. The Planning Policy Manager indicated that, whilst he took the point about the consultation, if approved the Main Modifications would have to go through a consultation process, be considered by the Inspector and be the subject of further examination hearings. The site had been promoted by developers through the JCS and the South Worcestershire Development Plan process so it would be important, if it came to fruition, that the Borough had a joint planning statement in place to allow it to gain housing contributions from any development. Upon being put to the vote, the motion was lost with the majority of votes against.
- 95.16 Returning to the debate on the initial proposal, a Member expressed the view that it was highly likely that any attempt to develop the Twigworth Strategic Allocation would result in a call-in by the Secretary of State. She understood that the Council was in an awful situation with the threat from government that, if it did not have a plan, the Council would have one imposed upon it and the plan before Members that evening bore no real resemblance to the plan that it had wanted to make. In addition, there was now the threat that having no plan would mean the Council did not receive New Homes Bonus which would be a disaster financially and would likely mean an increase in Council Tax far above that which was acceptable.
- 95.17 A Member proposed, and it was seconded, that the first recommendation be changed so that Appendix 1 was approved as the Main Modifications rather than Appendix 2; that the proposed main modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy be approved for public consultation as set out in Appendix 1 to the report (including proposed modifications to the Proposals Map and Key Diagram), subject to the Key Diagram (on Page No. 158), including the notation of Stoke Orchard as a Service Village, and Map A11 (on Page No. 166) being replaced by the "Replacement A11 Map", as those it endorses and considers necessary to make the JCS sound; that authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to make minor changes to the proposed main modifications and proposed modifications to the Proposals Map and Key Diagram in terms of formatting, presentation and accuracy; and that authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation

with the Leader of Tewkesbury Borough Council, to progress and sign a joint planning statement with Wychavon District Council, and thereafter any formal memorandum of agreement, in respect of the delivery of development on land at Mitton making a contribution towards Tewkesbury Borough's housing requirements. In offering clarification the proposer advised that this proposal sought to exclude Twigworth as a Strategic Allocation in the Main Modifications.

95.18 A recorded vote was requested and, upon receiving the appropriate level of support, voting on the amendment was recorded as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
P W Awford	R E Allen	Mrs E J MacTiernan	R Bishop
Mrs K J Berry	R A Bird	Mrs H C McLain	R E Garnham
G J Bocking	Mrs G F Blackwell		B C J Hesketh
K J Cromwell	D M M Davies		V D Smith
Mrs J E Day	M Dean		M G Sztymiak
A J Evans	R D East		
Mrs P A Godwin	J H Evetts		
Mrs J Greening	D T Foyle		
Mrs P E Stokes	R Furolo		
M J Williams	Mrs M A Gore		
P N Workman	Mrs R M Hatton		
	Mrs S E Hillier- Richardson		
	Mrs A Hollaway		
	J R Mason		
	A S Reece		
	T A Spencer		
	P D Surman		
	H A E Turbyfield		
	R J E Vines		
	D J Waters		

- 95.19 With 11 votes in favour, 20 against and two abstentions the amendment was lost.
- 95.20 Returning to the debate on the initial proposal, which had been proposed and seconded, a Member indicated her disappointment with the plan before Members which was, in her view, a decimation of the Green Belt. She felt the Council should have come up with a better solution to its housing need and she hoped, if the plan was approved, it would be called-in by the Secretary of State due to the fact that it would destroy the Green Belt. Another Member agreed that there were several reasons he would struggle to support the plan as it stood; he felt the flooding and road infrastructure issues around the Twigworth allocation would be very great. He was also of the view that there were alternative sites available which did not have the same issues and he felt they should be explored. Another Member suggested that the Council was being asked to endorse the worst strategic planning document for a generation. The Twigworth Strategic Allocation had been an omission site as it had already been removed by the Council once due to concerns about flooding and infrastructure. He felt that, although it was included in the current plan for 995 dwellings, inevitably many more would be built in the end. He indicated that he did not seek to be a 'plan-wrecker', and he was pleased that it was 60% of the way to being a good plan, but the test of soundness had been used throughout and he did not understand how the plan could be promoted as 'sound' when there was no traffic modelling available to say with any certainty how the traffic issues could be mitigated. Other Members agreed with this view and felt the congestion in the Twigworth area was already unacceptable and would continue to get worse. In contrast other Members expressed the view that, whilst the plan was far from perfect, it was the best available which was likely to be accepted by the Inspector as being sound and the implications of not supporting it were enormous and extremely serious for the Borough as a whole. Many Members felt it had to be accepted that the Council was in a very difficult position in terms of unwanted development and reductions in New Homes Bonus and it could not afford to take those risks. There was sympathy with the view that the plan was being imposed on the Council due to the perceived threats from the government but it was felt that it must go along with the Inspector's view of what was a sound plan so that it could move to the next stage to undertake consultation with interested parties. It was understood that some Members were of the opinion that there were other areas that would be more suitable for development, but it should be borne in mind that the JCS was based on a strategy of urban extensions and, as such, encouraging more extensive development in Service Villages etc. was not a sound way forward. Officers had provided their professional advice on the matter and it was for Members to accept that advice or not. A Member indicated that, as he understood it, even when looking at a particular Strategic Allocation, Officers were not proposing that every inch of the allocation be built on; the key would be in the masterplanning and individual planning applications. In terms of the Ministry of Defence site at Ashchurch, this was completely out of the Council's control. In respect of the possible call-in of the Twigworth Strategic Allocation, a Member felt this could be helpful but would only happen if the plan was approved in the first place.

95.21 A recorded vote was requested and, upon receiving the appropriate level of support, voting was recorded as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
R E Allen	P W Awford		R Bishop
R A Bird	Mrs K J Berry		R E Garnham
Mrs G F Blackwell	G J Bocking		B C J Hesketh
D M M Davies	K J Cromwell		V D Smith
M Dean	Mrs J E Day		M G Sztymiak
R D East	A J Evans		
J H Evetts	Mrs P A Godwin		
D T Foyle	Mrs J Greening		
R Furolo	Mrs S E Hillier- Richardson		
Mrs M A Gore	Mrs E J MacTiernan		
Mrs R M Hatton	Mrs H C McLain		
Mrs A Hollaway	Mrs P E Stokes		
J R Mason	M J Williams		
A S Reece	P N Workman		
T A Spencer			
P D Surman			
H A E Turbyfield			
R J E Vines			
D J Waters			

95.22 With 19 votes in favour and 14 against it was

**RESOLVED**

1. That the proposed main modifications to the June 2014 Pre-Submission Gloucester, Cheltenham and Tewkesbury Joint Core Strategy be approved for public consultation as set out in Appendix 2 to the report (including proposed modifications to the Proposals Map and Key Diagram), subject to the Key Diagram (on Page No. 312) being replaced by the "Appendix 2 – Replacement Key Diagram", including the notation on the Replacement Key Diagram of Stoke Orchard as a Service Village, and Map A11 (on Page No. 322) being replaced by the "Replacement A11 Map", as those it endorses and

considers necessary to make the JCS sound.

2. That authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to make minor changes to the proposed main modifications and proposed modifications to the Proposals Map and Key Diagram in terms of formatting, presentation and accuracy.
3. That authority be delegated to the Chief Executive of Tewkesbury Borough Council, in consultation with the Leader of Tewkesbury Borough Council, to progress and sign a joint planning statement with Wychavon District Council, and thereafter any formal memorandum of agreement, in respect of the delivery of development on land at Mitton making a contribution towards Tewkesbury Borough's housing requirements.

The meeting closed at 8:50 pm