

Democratic Services



**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

19 October 2020

Dear Councillor

PLANNING COMMITTEE- TUESDAY 20 OCTOBER 2020

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Additional Representations Sheet.

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

Head of Democratic Services



Planning Committee

ADDITIONAL REPRESENTATIONS SHEET

Date: 20th October 2020

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting. A general indication of the content is given but it may be necessary to elaborate at the meeting.

Item No	
5a	<p data-bbox="300 591 475 620">19/00953/APP</p> <p data-bbox="300 651 1385 680">Yew Tree Farm, Tewkesbury Road, Twigworth, Gloucester, Gloucestershire, GL2 9PP</p> <p data-bbox="300 712 1374 920">As set out in the Committee report, Twigworth Parish Council have pointed out that the submitted plans do not accurately show the location of a number of residential park homes that have been sited close to the boundary of the site. Of particular concern are the park homes sited close to the south west corner of the site. The plans currently detail a large dwelling proposed in this location (plot 53), which would be in close proximity to the park homes close to the site boundary. It is considered that this relationship is currently unacceptable.</p> <p data-bbox="300 952 1410 1039">Whilst the applicant has sought to address this matter, it has not yet been fully resolved to the satisfaction of officers. In any event, no revised plans have been formally submitted to address this matter.</p> <p data-bbox="300 1070 1382 1256">Further to this, a letter of objection has been received from a resident of one of the affected park homes. The objection reiterates the concerns of Twigworth Parish Council and points out that the submitted plans do not accurately show the location of the park homes close to the site boundary. Concerns are also raised in respect of the proximity of plot 53 and the potential impact of any landscaping on the boundary, which could result in a loss of light. A copy of the objection letter is attached in full.</p> <p data-bbox="300 1288 1406 1375">Further email correspondence has also been received from the applicant's agent on this matter. It is suggested that the applicant is willing to remove plot 53 from the current scheme. It is envisaged that this would be dealt with at a later stage under a separate application.</p> <p data-bbox="300 1406 1410 1615">Whilst this would address the immediate concerns in respect of the potential impact of plot 53 on surrounding property, revised plans have not been submitted at the time of writing. In any event, even if revised plans are submitted prior to Committee, they would not have been subject to any further consultation; especially with local residents. In light of this, it is recommended that Member defer the application to allow further negotiation with the applicant in respect of plot 53 and to allow for any necessary consultation with interested parties.</p> <p data-bbox="300 1646 1398 1711">2 further representations have been received, which are attached in full. The representations raise no new issues relevant to this reserved matters application.</p>
5b	<p data-bbox="300 1778 475 1807">20/00657/FUL</p> <p data-bbox="300 1839 1251 1868">Tump Court, Barrow, Boddington, Cheltenham, Gloucestershire, GL51 0TL</p> <p data-bbox="300 1899 1382 2018">One additional letter of support has been received from a local resident. They consider that the alterations do not affect the outlook of the surrounding area, does not cause any obstructions and is in keeping with the other houses in the Hamlet. They fully support this planning application.</p>

5d	<p>20/00669/FUL</p> <p>The Lodge, Dryhill Farm, Crickley Hill, Witcombe, Gloucester, Gloucestershire, GL53 9QR</p> <p>Nine letters of support have been received from local residents. They consider that the proposal would not have a harmful impact on the area and the design of the extension would be in-keeping with the main house. The extension wouldn't be seen from anywhere as it would be hidden away at the back of the property and surrounded by trees.</p> <p>Paragraph 7.14 of the report refers to appeal decision 2218742. This is now attached below.</p>
5h	<p>20/00767/FUL</p> <p>Kayte Farm, Southam Lane, Southam, Cheltenham, Gloucestershire, GL52 3PE</p> <p>Additional comments were received from the Highway Authority on 5th October 2020 for a condition to restrict the use to solely B8 to prevent additional vehicle usage of the vehicular access. Reason: In the interests of highway safety.</p>
5i	<p>18/00173/FUL</p> <p>Land Adjacent to The Swan, Tewkesbury Road, Coombe Hill</p> <p>A further representation has been received from the Parish Council. While the comments raised have been considered, the recommendation remains as set out in the committee report</p> <p>Link to The M5 Junction 10 Improvements Scheme Technical Appraisal report Coombe Hill Junction/A4019 Widening as referred in parish comment - https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjJlaqxIMDsAhXipHEKHWmoC2MQFjAAegQIBhAC&url=https%3A%2F%2Ftheleighpc.org.uk%2Fwp-content%2Fuploads%2F2020%2F10%2FA4019-and-Coombe-Hill-Junction-TAR-oct-20.pdf&usg=AOvVaw3i rcPcxhiVROjPvd-ryOL</p>
5j	<p>18/01238/FUL</p> <p>Brickhouse Farm, Chargrove Lane, Up Hatherley, Cheltenham, Gloucestershire, GL51 4XD</p> <p>2 further letters of objection have been received. The first letter objects on the grounds that the proposed drainage would encroach into the Green Belt. The second letter suggests that the required visibility splays cannot be achieved.</p> <p>In terms of the proposed drainage, the plans shows that the surface water would drain into a detention basin to the east of the site. It is considered that this would not have an impact on the openness of the Green Belt.</p> <p>With regard to the visibility splays, this was brought to the attention of the Highways Officer. It was advised that the visibility splays could be achieved because they can be measured to the centre of the road as it is a single track. This would bring the splay line in front of the tree to the north west of the access.</p>

5k

18/01239/FUL

Land Adjacent To Hucclecote Road And Golf Club Lane, Brockworth, Gloucestershire

Residential Amenity and Noise

A Joint Noise Survey Report prepared by Clarke Saunders Acoustics (acting on behalf of Edenstone Homes), in collaboration with Graham Rock (Invista Noise Consultant) has been received.

A joint noise survey was undertaken overnight from 21st - 22nd March to specifically study only noise emissions from the Invista site. In addition Clarke Saunders Acoustics were given an accompanied tour of the western areas of the Invista site to gain a more in depth understanding of various noise sources that could affect new development. Expected future developments currently being planned by Invista, including the introduction of new plant, were also discussed.

The report advises that the known noise sources that potentially affect the proposed development site include a large plant room with associated fans located high up in the factory building. At a lower level, noise sources include air handling plant, a power generator with associated cooling fans and materials storage silos generating mechanical noise.

The survey report accepts that there is a degree of uncertainty, but estimates that the cumulative noise level from Invista noise sources at the nearest new proposed dwelling would be in the order of 48Db(A). Night-time noise levels (when Invista noise sources are likely to be most recognisable since other sources such as road traffic are at their lowest) measured during the initial noise survey indicated a noise level of around 49dB(A) at the nearest dwelling. This suggests that whilst noise from the Invista site is audible at times, it cannot be said to dominate the overall noise levels and is one of a number of contributory elements.

The Report advises that the findings are consistent with a low probability of complaints from residents of new dwellings near the eastern boundary of the development site due to noise emissions from the Invista plant, when considered in the context of the general noise climate in the area.

The Report also advises that the introduction of new residential receptors could have the effect of introducing an additional constraint on noise generating activities at the western end of the Invista site, and it is appropriate to consider the potential for this constraint in relation to the factories anticipated development. Invista has recently installed a combined heat and power (CHP) unit, the noise output from which has been tested and confirmed to be acceptable. A second, unit is understood to be proposed, likely to be smaller in duty than the first, and not to require the heat recovery function. Both Clarke Saunders Acoustics and Graham Rock have reviewed this proposal, and the site likely to be adopted (where some of the polymer silos currently stand) and confirmed that the noise control requirements for this plant will be similar, in relation to both existing and the proposed noise sensitive receptors, and not unduly onerous.

Environmental Health have subsequently been re-consulted on the application and have considered the Report and advise that:

The additional noise statement / assessment submitted by Graham Rock and Ed Clarke concludes that although noise from the Invista factory storage silos would be audible at some of the proposed dwellings the likelihood of complaints, given the general noise climate in the area and their non-continuous operation, would be low. Therefore I have no objection to the application in terms of noise adversely impacting future residents.

The noise mitigation measures recommended in the noise assessment (dated 16 January 2019) relating to acoustic garden boundary fencing, glazing and ventilation should be implemented.

Highways Authority

Discussions have been on-going in respect to the proposed conditions requested by the Highways Authority. However, since the preparation of the Committee Report, the Highways Authority have also indicated that a S106 obligation may be required for Gloucestershire County Council to undertake private works, contribution for Guard Railing amendments and towards a Local Walking and Cycling assessment report. The recommendation to Committee has been amended to reflect these potential requests.

Wales and West Utilities

A consultation response has been received from Wales and West Utilities advising that Wales & West Utilities have pipes in the area and that the applicant must not build over any plant or enclose apparatus.

Habitats Regulation Assessment

The preparation of the Habitat Regulation Appropriate Assessment and Screening is ongoing.

Additional Submissions by Applicant

The applicant has provided additional information on the materials of the proposed apartment block indicating that the external materials of the block would comprise of brick, cladding and render. Officer consider the materials acceptable and it is recommended that condition 6 is revised to reflect the submission

Additional information in respect to levels and waste management has also been received and the submissions and will be considered and re-consulted upon where necessary.

Recommendation

In light of the above and the potential S106 request from the Highways Authority, the recommendation has been altered to

It is recommended that permission is delegated to the Technical Planning Manager subject to the addition of/amendments to planning conditions/obligations; re-consultation with Natural England and securing any necessary mitigation measures; and the completion of planning obligations to secure the following heads of terms:

- 40% affordable housing**
- Securing an on-site LEAP in line with Fields In Trust specifications**
- Negotiating and securing S106 payments in response to requests from the Highways Authority where necessary and appropriate.**

**Representation to Planning Committee
19/00953/APP**

Dear Members I write this as a representation given I am not permitted to speak to you at your Meeting

I wish to highlight the ongoing concerns with your being requested to permit this application today

Whilst I accept this is a reserved matters application following the permission granted in 2017 there remain sound reasons for it not to be permitted

I will refer to the drainage detail in the Officer report at 7.23 , 7.25 and 7.26

At 7.23 reference is made to INF 2 and development proposals not increasing flood risk elsewhere . At 7.25 there is reference to detailed design and crucially at 7.26 Members are being asked to endorse something that they do not have details on , simply that it will be addressed separately ??

Can I advise Members much has changed around the flood risk agenda since that permission was granted

You will all be aware of the Government White Paper around Planning for the future and I quote from the responses from the Regional Flood Defence Committees to that consultation concerning development in flood risk areas

They are clear in being crucially concerned about that there should be no diminution of control on proposals to build in areas of flood risk , indeed they urge a strengthening over previous arrangements . They further advise that this applies particularly in areas where pluvial and fluvial risks are high including groundwater and surface water

Recent events have demonstrated how vulnerable this whole area is to rapid flooding Indeed , it was mentioned by name in a recent debate in Parliament by the constituency MP and was covered yet again by the local news media

Those who have to live with the risks from all of this development know the failings of the proposed mitigation and lack of adequate drainage infrastructure together with of course simply passing the risk to surrounding Parishes

Members will remember the concerns raised at the time of the JCS , those concerns remain and sadly the frequency of events highlight even greater risks if only Members would look at all the most recent evidence

[REDACTED]

County Councillor and Appointee to the RFDC



14 October 2020

Planning for the Future Consultation
Planning Directorate
3rd Floor
Fry Building
2 Marsham Street
London
SW1P 4DF

planningforthefuture@communities.gov.uk

Dear Consultation Response Team

Planning for the Future Consultation Response

At our last meeting, the Wessex Regional Flood and Coastal Committee considered a report on your consultation. They asked that I make this response on their behalves.

Regional Flood and Coastal Committees (RFCCs) were created by the Flood and Water Management Act of 2010. They bring together representatives of the lead local flood authorities (county and unitary councils) in their area, and other people of relevant experience and expertise, under the chairmanship of an independent person appointed by the minister. The Environment Agency must consult the committees about the way in which they propose to carry out their flood and coastal erosion risk management functions, and take into account the committees' representations. The committees act as a point of locally based advice to the Environment Agency and to government on matters relating to flood and coastal erosion risk management. There are twelve RFCCs which together cover the whole of England. The Wessex Committee covers the areas of Dorset, Somerset, Wiltshire, the West of England, and parts of Hampshire and Gloucestershire.

In this response, we confine our comments to matters relating to flood and coastal erosion risk management. Local authorities in our area will no doubt be responding to you separately on a wider range of matters.

The Committee are firstly and crucially concerned that there should be no diminution of control on proposals to build in areas of flood risk. Indeed, the Committee would urge a strengthening of control over the present arrangements, in certain respects.

This concern will apply of course to proposals to build in flood plains, where there is a risk of fluvial flooding. Where this risk is high, the planning regime should be such as to ensure that development does not take place. In other cases, planning control should ensure that the risk is carefully and properly managed and mitigated, in the way in which development is carried out.

Wessex Regional Flood and Coastal Committee
c/o Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, DT11 8ST
Email: WessexRFCC@environment-agency.gov.uk
Website: <https://www.gov.uk/government/groups/wessex-regional-flood-and-coastal-committee>

It is difficult to see how effective sustainable drainage could be achieved by means of the planning system, through the changes on which you are consulting for greater reliance on a zoning system created through the local plan. Sustainable drainage will need to be considered in relation to every development proposal, rather than as a zonal principle. Your proposals may well strengthen the case for now bringing into effect Schedule 3 to the 2010 Act, or some equivalent mandatory arrangements, so that there is are distinct and focused arrangements in place to manage surface water flood risk.

Your proposals canvass the possible abolition of the duty to cooperate between planning authorities. My Committee are opposed to that proposal. Effective water and flood risk management cannot be conducted within local authority administrative boundaries. It requires a whole water catchment approach. The areas of RFCCs have been fixed to accord with catchments. Liaison and cooperation between local planning authorities to address flood risk management across catchments are vital. The abolition of the duty to cooperate would be a seriously retrograde step in this respect, particularly if we are to move to a system that places greater reliance on local plans.

Members of my Committee hope that you find these comments helpful.

Yours sincerely,



Chair Wessex Regional Flood and Coastal Committee

UNCLASSIFIED

Objection speech Yew Tree Farm - 19/00953/APP

Before this development is considered, there has been no further communication from the developer to the LLFA regarding the culvert that has been found under the road. Back in March when the culvert was mentioned, the LLFA requested further investigation by the developer which has not been the case or has not been visible on the planning portal for all to view.

Is there a plan in place to encompass the failure of the pump for the SUDs to ensure that the SUDs does not over flow. As the water will need to be pumped uphill from the SUDs to where-ever it will drain to, has the capacity of the pump been tested, as the area for development according to pluvial flood mapping shows the field does not flood? How can this be a sure-fire solution to the drainage on the development when the pluvial flood information is non-existent to the extent at which this ridge and furrow field is affected. What modelling has taken place and how are we, as existing residents assured that this is robust enough. 1 in 1000 year or 1 in 100 year rates would not be robust enough for this area considering that there is also a development of 725 houses pumping their SUDs flow into the Hatherley Brook and there is also a further development that has been under consultation for a further 100 plus houses.

The alternative of pumping the pluvial flood water into Brook Lane is not a solution and does not give clear guidance or suggested route for this flood water to disperse. Brook Lane and the property adjacent to the development, itself suffers from flooding and especially sewer flooding being on a sewer tank. In the past the home-owner has been affected by flooding with sewerage spilling into the lane and onto the property itself. If this water was to be drained onto Brook Lane what would the route for the water to take, where would it be dispersed to and how would this drain effectively when the Hatherley Brook bursts its banks. As recently as 2 weeks ago with the rain that fell, Hatherley Brook bursts its banks and flooded Frogfurlong Lane as Councillor Awford can confirm. How can the residents and road users of Frogfurlong Lane be assured that this will not be the case if this flood water was to be allowed onto Brook Lane and Hatherley Brook in the future as this will be unpassable. We cannot live with a wing and a prayer tick box exercise by the developer and tried and tested operations need to be investigated further before this development is given the green light.

The master plan for the development has altered significantly from the outline plan and now has a row of houses butting up to the boundary of Orchard Park, with one of the larger properties looking straight into the residential park homes that are on the boundary. The developers attempt of shielding the house from the park homes is a shoddy one and with the trees suggested being of a deciduous variety, this will cause undue maintenance of the one story residential homes as well as blocking out light, leaving no privacy in their homes or gardens and will cause blocked drain issues within the boundary of the development. No thought or due consideration has been taken into the privacy of the existing residents. As previously mentioned the mapping for the existing settlement within Twigworth has been wrongfully used to plan this development and there has been a lot of changes that have occurred since the outline planning was permitted. The developer needs to replan the area with a more accurate plan of the existing properties before this is allowed and the residents would welcome a visit by the planning committee and councillors in groups of 6 (which I hasten to add, could have been the case if anyone has been thinking in advance since this development was deferred for a month) to see for yourselves how and where this field is and the access and entry to and from the proposed development.

The access to the development is on two blind corners either side of the field, one towards Gloucester and one towards Tewkesbury. There have been many accidents with cars leaving Sandhurst Lane and also Down Hatherley Lane and although there is a speed restriction place of 40 mph through Twigworth no one adheres to this speed limit. When the M5 is closed this is the diversionary route with HGV;s thundering through. With this development and the 725 houses already allowed we will see more traffic accidents, pedestrian accidents and no shadow of a doubt, more fatalities.

With the improvements to the Longford roundabout which have now commenced, it has been brought to our attention that the only improvements being made are from the A40 into the City and from the City to the A40 towards Over. We have asked on 3 occasions when and if the improvements being made, will be made to the A38 from the approach to Longford from Twigworth. This email is still unanswered by Highways and we can only assume that there are none to be made. If this is the case and with the Longford development , the 725 houses at Twigworth and these further 74 houses, how will the A38 cope which is a question we raised when the JCS was finalised. We were assured that the improvements to the roundabout would help but I feel that the wool was pulled over everyone's eyes including the council.

So as you can see my objection is of many strands and if you are to listen and read the objections that have been put forward by residents and also myself, until further robust information and tried and tested solutions have been brought forward this development must be refused for the safety of the community.



Appeal Decision

Site visit made on 11 June 2014

by J P Roberts BSc(Hons) LLB (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 June 2014

Appeal Ref: APP/G1630/D/14/2218742

April Court, Badgeworth, Cheltenham, Gloucestershire GL51 4UL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by [REDACTED] against the decision of Tewkesbury Borough Council.
 - The application Ref 14/00173/FUL was refused by notice dated 23 April 2014.
 - The development proposed is the erection of conservatory to rear of existing dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The site lies within the Green Belt and therefore the main issues are:
 - i) whether the proposal constitutes inappropriate development;
 - ii) the effect of the proposal on the openness of the Green Belt, and on the character and appearance of the area, and
 - iii) whether there are any other considerations which would outweigh any harm arising from inappropriateness and any other harm so as to amount to very special circumstances to justify the development.

Reasons

Background

This proposal follows the refusal of a previous application for an extension in a similar position but of a different design. An appeal against the refusal was dismissed on 10 June 2013 (Ref: APP/G1630/D/13/2196774).

Inappropriateness

3. April Court is a large 5 bedroom dwelling which has been much extended in the past, to the extent that the original cottage is now indistinguishable from most of the subsequent development. The proposal would add a conservatory extension with a floor space of some 24 sq.m., representing an increase of about 4.8%. However, it is undisputed that the existing floor space represents a 598% increase over the original, and I do not regard the proposal as being so small that no account should be taken of it.
4. Policy GRB1 of the adopted Tewkesbury Borough Local Plan (LP) says that in the Green Belt, planning permission will not be granted for development other

than in specified circumstances, one of which is the construction of new buildings comprising the limited extension, alteration or replacement of dwellings provided that any extension or alteration does not result in disproportionate additions over and above the size of the original building. This is consistent with the approach to development in the Green Belt taken in the National Planning Policy Framework (the Framework), and therefore the LP policy carries full statutory weight.

5. The cumulative increase in size would, as a matter of fact, be disproportionate in relation to the original dwelling, regardless of whether the previous enlargements were permitted by the Council. Accordingly, the proposal would amount to inappropriate development, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It would also conflict with LP Policy GRB1.

Openness, character and appearance

6. The appeal site backs onto open fields, and thus the extension would not be prominent in public views. It would have only a ground floor, but its height would give it the appearance of a two storey addition. It would be located between two rear wings. It would not project much beyond the rearward extent of the wings either side and would be about the same height as the smaller wing, and lower than the larger one, but it would be significantly higher than the swimming pool enclosure on the south-western end of the house.
7. As the extension would be largely contained by the two wings, its impact on openness would be limited. However, it would nevertheless be a significant amount of new built development which is currently open and therefore would result in some harm to openness. This would conflict with one of the fundamental aims of the Green Belt, for it to be kept permanently open.
8. In terms of appearance, the proposal would be fully glazed, contrasting with the predominant style of render and timber windows and detailing used on the main elevations of the house. The rear elevation of the extension would consist of 15 panels of glazing, rather than the two large, simple panels of the extension which was the subject of the previous appeal decision. This arrangement would provide an appropriate scale and design, which would echo the form of the rear wings of the dwelling and the materials of the large swimming pool enclosure on the south side of the dwelling.
9. Unlike the "floating box" concept of the previous appeal proposal, the current proposal would have a pitched roof, with eaves at about the same height of the south-western wing, and lower than the north-eastern wing. I consider that, whilst unusual because of its height, the proposal overcomes the criticisms of the Inspector in respect of the previous scheme, and would not result in material harm to the character and appearance of the area.
10. The appellants argue that LP Policy HOU8 is not consistent with the advice in the Framework, which indicates that planning policies and decisions should not attempt to impose architectural styles or particular tastes and that they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. However, I see no inconsistency with this advice in seeking to ensure that extensions respect or complement the existing dwelling. Policy HOU8 does not seek to

impose any particular styles or tastes, nor does it rule out innovative or original styles. I therefore consider that it is in general conformity with the Framework.

11. I find on this issue that whilst the proposal would result in some harm to openness, it would not cause material harm to the character and appearance of the area or conflict with LP Policy HOU8 or the relevant advice in the Framework.

Other considerations

12. The appellant has obtained from the Council a formal determination that prior approval for an extension to the dwelling is not required under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). That extension would be located within the area between the two rear wings of the house where the appeal proposal would be sited, but would be significantly larger in terms of the extent of rearward projection. Whilst it would have a lower height, it would have a flat roof, which was one of the features that the previous Inspector found to be objectionable, a view with which I concur, on the basis that it would jar with the architecture of the existing dwelling.
13. I consider that the fallback position would be more harmful than the appeal proposal in terms of openness and character and appearance, and this is a material consideration. However, there is no indication that it is the appellant's intention to implement the "permitted development" extension, and the mere theoretical ability to construct a more harmful extension does not carry as much weight as a clearly evidenced intention to do so. Accordingly I afford the fallback position only modest weight.
14. I have had regard to the lack of objection from neighbours and the support from the Parish Council, but this adds only little weight in favour of the proposal.

Balancing exercise

15. I have found that the proposal would be inappropriate development in the Green Belt. Paragraph 87 of the Framework says that such development is harmful by definition. There would also be some harm arising from loss of openness. Paragraph 89 of the Framework requires that substantial weight is given to any harm to the Green Belt. Against this is the only modest weight which I attach to the fallback position, and in my judgement, this does not clearly outweigh the substantial harm that would be caused to the Green Belt. Accordingly, very special circumstances do not exist in this case sufficient to justify the development.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.


INSPECTOR

Item 5i - 18/00173/FUL – Land Adjacent to The Swan, Tewkesbury Road, Coombe Hill

Additional comments relating to 18/00173/FUL – Land adjacent to the Swan Public House at Coombe Hill.

The Parish Council has been notified that the above planning application is to be discussed at the Planning Committee Meeting on Tuesday 20th October 2020. It was discussed at the remote Parish Council meeting on Wednesday 14th October 2020 and it was felt that updated information needed to be supplied to elected members on the Planning Committee Panel. There are several concerns that need to be shared:

The Parish Council's initial response to the proposals in April 2018 was lukewarm. Concerns were expressed about over development but subject to issues around road safety, flooding and drainage it was felt that this was the maximum amount of development that could be adequately supported in Coombe Hill over the period of the JCS plan. Following the Developers revised plans in May 2018; the Parish Council submitted a second response. As none of the original concerns had been addressed the Parish Council felt that there was no option but to object to the revised scheme in July 2018. The Leigh Neighbourhood Development Plan is often quoted within the Developers Design and Access Statement but the planning officer has decided that in its present draft stage it carries 'no weight'. The LNDP is currently being reworked to ensure that it fits within the larger draft TBC Local Plan (POTBP) that is currently with the Inspectors. There are places within this POTBP that are at odds with the approved JCS – the suggested number of houses situated at Coombe Hill being one of these anomalies (JCS Policy SD10).

The Parish Council have been made aware that the Developer (Centaur Homes Ltd) is also seeking to reduce their contributions towards the County Council's S.106 Economic Development and Strategic Planning Officer, [REDACTED] request for contributions towards provision of facilities at local schools etc. It is understood that the developers feel that the housing development is uneconomic if they have to pay the full amount. The Parish Council strongly feel that if the Developer is unable or unwilling to fulfil the requested contributions, contributions which are badly needed for the parish infrastructure, then they should look elsewhere to build the houses. Without the full and appropriate level of infrastructure contributions the new development will provide zero benefits to the parish. The Parish Council are not concerned about profit margins for developer.

As of Wednesday 14th October 2020, the GCC Highways have opened a consultation regarding the M5 Junction 10 improvements which include the upgrading of the Coombe Hill Junction. They have released a comprehensive document 'M5 Junction 10 Improvements Scheme Technical Appraisal Report Coombe Hill junction /A4019 widening'. This was first drafted on 30th July 2020 and the final draft was on 10th September 2020. The report provides much useful information on traffic data, including vehicle numbers, accidents and pedestrian safety together with information on flooding, drainage and the water courses that are in close proximity. GCC Highways were made aware of both proposed building sites at the start of their data collection. Both these sites are within the GCC study boundaries. It is noted that both schemes have been acknowledged on a detailed map (Option 1 p80). The data contained in the GCC report is considered to be more accurate and up to date. Parish Councillors are of the opinion that traffic data, drainage, flooding and surface water information supplied by both Developers wishing to build at Coombe Hill should be reviewed so it matches the more recent data produced by GCC Highways.

Collision data that was collected between July 2014 and June 2019 and supplied by GCC confirmed that only 3 collisions were recorded, but no fatalities were recorded in the last 5 years. (The fatality happened February 2013). Paragraph 2.6.24 explains that collisions involved or were caused by vehicles emerging from the PFS on the A38 which is directly opposite this proposed development for Centaur Homes. Highways goes as far to say that there needs to be a strategy to improve conditions at the PFS and this is before any new houses are built. It is also well known locally that the frequent 'shunts' that do occur in the area are rarely reported to the Police or Highways.

The Report goes into great detail about the Water Environment, section 14.5 page 61. There is useful data and references to the Leigh Brook, The River Chelt and The Coombe Hill Canal.

It is no surprise that the two separate development sites, the suggested enlargement of the Business Centre and recent addition of the improvements to the Coombe Hill traffic lights are all interlinked. It is gravely important that vehicle and pedestrian safety is paramount at this busy junction. It is also extremely important to ensure that the

water environment issues are dealt with to prevent any increases to flooding, drainage problems and excessive surface water run-off. As stated before, the proposed site will never flood as it sits on the highest part of a ridge at the Coombe Hill junction. The Parish Council are trying very hard to ensure that the building of any houses in this area will not increase the flood risk to houses and businesses below this site as a direct result of bad management and misinformation.

Encs – copy of the M5 Junction 10 Improvements Scheme Technical Appraisal report Coombe Hill Junction/A4019 Widening doc

Revised 16.10.2020

Response to Planning Committee Report dated 20 October 2020

Ref: 18/01239/FUL

Land Adjacent To Hucclecote Road and Golf Club Lane, Brockworth, Gloucestershire.

I am writing this in response to the published report, to highlight the concerns of Gloucestershire County Council regarding the recommendation to limit the contribution to meet essential Education and Libraries infrastructure to £345k.

The request made by GCC as highlighted at para 5.6 in the report is for

Pre- school places	£670,040.40
Primary school places	£436,884.45
Secondary school places	£951,539.00
Total Education	£2,058,463.85
Libraries	£ 32,536.00

The LA now has a statutory requirement to ensure the sufficiency of places for early years/pre-schools for children aged 2,3,4 years and this development creates an additional demand for places unable to be met by existing providers.

Almost all schools across the area are now full or expected to be full from the demand arising from previously approved development and therefore there are no longer and 'spare' school places to allocate to this development. The funds above relate to the need to provide additional primary and secondary places to enable children from this development to have a school place.

Local Authorities with responsibility for Education do not get funding from central government to deliver new school places to meet demand arising from new development.

There is a misunderstanding that if an LA doesn't secure funding from developers, then it will be able to seek funding via the DfE through a Basic Need allocation. Whilst this is theoretically possible there is no budget allocated by the DfE for this purpose in practice, so it is a dangerous assumption to make. The DfE expects local authorities to seek and secure developer contributions towards new school places that are created as a result of housing development (see guidance below). Basic Need funding is allocated primarily to meet population growth in existing communities and is not to be seen as an option to negate housing developers' responsibility to mitigate the impact of their development on education. It is allocated where there is clear evidence submitted by a LA that there is growth forecast from an increase in the birth rate/migration in existing areas - not from new housing.

From 2009 there has been a steady rise in population across Gloucestershire, not just from new housing but from a rise in the birth rate and inward migration, latest projections indicate that this has now reached a peak and is on a slightly downward trajectory. Consequently the LA has been allocated zero Basic Need funds for 2021 and 2022 as we cannot make a case for growth in existing communities. As indicated above the DfE expects local authorities to seek and secure developer contributions towards new school places that are created as a result of housing development.

There is also the misconception that central Government provides capital funding for new Free Schools via the Education and Skills Funding Agency (ESFA) independent of the LA, and that this route would avoid the need to secure developer contributions. A Free School is a school set up by an organisation such as an academy trust or a group of individuals, funded by the government but not controlled by the local authority. Where a case is made for a new Free School to meet the demand arising from a housing development, the ESFA will approach the LA to recover the relevant S106/CIL funding secured from the housing developer and use it towards the cost of providing the new school. If a site for the new school and the appropriate level of funding is not forthcoming, a new Free School is unlikely to be supported. So where a case can be made, securing developer contributions is justified and necessary.

The following link sets out DfE guidance and expectation on developer contributions:

<https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth>

If sufficient developer contributions cannot be secured and the LA cannot accommodate the additional children arising from new development, then the LA must then consider whether any other Council capital resources are available or whether borrowing could be considered. This is clearly not a sustainable way forward and consequently the decision to object to a planning application arises.

What makes matters significantly worse is the fact that

- (i) developers are often citing that they no longer need to pay any (or very limited) contributions towards education, stating the fact that they're paying CIL;
- (ii) the CIL monies secured to date are extremely low,
- (iii) the current JCS CIL Infrastructure List consists solely of 'critical' items – none of which include any education infrastructure.

S106 was introduced in the 1990s and over the years funding has been reduced by central government in the expectation that developers are required to mitigate the impact of their developments.

The funding requirement towards education provision in Gloucestershire is similar to other neighbouring local authority areas such as Oxfordshire and Worcestershire, and benchmarking statistics collected nationally show that the national picture is similar with some regional variations.

The comment in the report that there are alternative funding streams that GCC has access to for the delivery of education infrastructure is misleading and a request is therefore made to the Committee to give the appropriate weight to the need for essential additional education infrastructure in the area of the development. This will ensure the development is fully accountable for the impact of the proposal and will enable the LA to fulfil its statutory obligations to provide sufficient and local early years and school places.


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