

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Tuesday, 3 July 2018 commencing at 10:00 am**

## **Present:**

Chair  
Vice Chair

Councillor J H Evetts  
Councillor R D East

## **and Councillors:**

P W Awford, R A Bird (Substitute for M A Gore), G F Blackwell (Substitute for T A Spencer),  
D M M Davies, J E Day (Substitute for R E Allen), D T Foyle, J Greening, R M Hatton,  
A Hollaway, E J MacTiernan, J R Mason, A S Reece, P E Stokes, P D Surman,  
H A E Turbyfield, R J E Vines and P N Workman

## **also present:**

Councillor G J Bocking

### **PL.10 ANNOUNCEMENTS**

- 10.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 10.2 Members were reminded that, at its meeting on 17 May 2016, the Council had confirmed the Scheme for Public Speaking at Planning Committee as a permanent arrangement. The Chair gave a brief outline of the scheme and the procedure for Planning Committee meetings.

### **PL.11 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

- 11.1 Apologies for absence were received from Councillors R E Allen, M A Gore and T A Spencer. Councillors R A Bird, G F Blackwell and J E Day would be acting as substitutes for the meeting.

### **PL.12 DECLARATIONS OF INTEREST**

- 12.1 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.

12.2 The following declarations were made:

<b>Councillor</b>	<b>Application No./Agenda Item</b>	<b>Nature of Interest (where disclosed)</b>	<b>Declared Action in respect of Disclosure</b>
P W Awford	17/00514/OUT Bell House Farm, Old Road, Maisemore.	Is a Borough Councillor for the area.  Is a Gloucestershire County Councillor for the area.	Would speak and vote.
P W Awford	17/00852/OUT Yew Tree Farm, Tewkesbury Road, Twigworth.	Is a Gloucestershire County Councillor for the area.  Is a life member of the National Flood Forum.  Is a Borough Council representative on the Lower Severn (2005) Internal Drainage Board.  Is a representative on the Severn and Wye Regional Flood and Coastal Committee and on the Wessex Regional Flood and Coastal Committee.	Would speak and vote.
A Hollaway	18/00325/FUL Rollingwood, Haymes Drive, Cleeve Hill.	Is a Borough Councillor for the area.  Is a Member of Southam Parish Council but does not participate in planning matters.  Had visited the property and a neighbouring property on two occasions – once at the invitation of the resident to view the site from their garden and a second time to explain the site visit procedure. She had not expressed an opinion on either occasion.	Would speak and vote.

A Hollaway	18/00346/FUL 24 Ratcliff Lawns, Southam.	Is a Borough Councillor for the area.  Is a Member of Southam Parish Council but does not participate in planning matters.	Would speak and vote.
J R Mason	18/00420/FUL 16 Greenways, Winchcome.	Is a Member of Winchcombe Town Council but does not participate in planning matters.	Would speak and vote.
P D Surman	17/01371/FUL Shurdington Nurseries, Little Shurdington.  18/00044/FUL Shurdington Nurseries, Little Shurdington.	The applicant is one of his immediate neighbours.	Would not speak or vote and would leave the Chamber for the consideration of this item.
R J E Vines	17/01371/FUL Shurdington Nurseries, Little Shurdington.  18/00044/FUL Shurdington Nurseries, Little Shurdington.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

12.3 No further declarations were made on this occasion.

### **PL.13 MINUTES**

13.1 The Minutes of the meeting held on 5 June 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

### **PL.14 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL**

#### **Schedule**

14.1 The Technical Planning Manager submitted a Schedule comprising planning applications and proposals with recommendations thereon. Copies of this had been circulated to Members as Appendix A to the Agenda for the meeting. The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

**18/00420/FUL – 16 Greenways, Winchcombe**

- 14.2 This application was for a change of use from amenity land to private residential garden (revised application following refusal of application ref: 17/01130/FUL to erect one metre high timber fencing around part of residential garden area only and planting of hedgerow).
- 14.3 A Member questioned whether the land was within private ownership and confirmation was provided that this was the case. The Planning Officer explained that a previous application in 2011 for the erection of a single dwelling on land adjacent to No. 18 Greenways had included this area of land within the residential area of No. 16. In response to a query as to what was meant by public amenity land as referenced in the Officer report, the Technical Planning Manager recognised this was confusing terminology and clarified that there was no definition but it could be considered to be, for example, a grass verge or something similar which had performed that function within the streetscene. The planning history of the site showed that it had lawful residential use and, whilst it was included in the description of development, it was not considered to be a change of use so planning permission was not required for that element of the proposal.
- 14.4 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

**RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.

**17/00514/OUT – Bell House Farm, Old Road, Maisemore**

- 14.5 This was an outline application for residential development of 60 units with all matters reserved for future consideration. The Committee had visited the application site on Friday 29 June 2018.
- 14.6 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. Upon being taken to the vote, it was

**RESOLVED** That the application be **REFUSED** in accordance with the Officer recommendation.

**17/01371/FUL – Shurdington Nurseries, Little Shurdington**

- 14.7 This application was for the erection of three summerhouses for display purposes. The Committee had visited the application site on Friday 29 June 2018.
- 14.8 The Chair invited the applicant to address the Committee. The applicant explained that he had the opportunity to sell Lugarde luxury and affordable summerhouses at Shurdington Nurseries. Their location, adjacent to the green netting tunnel, did not intrude into the landscape, rather it enhanced the general ambience of the site. The summerhouses were very popular and would provide a welcome addition to the range of landscape products that were already sold at the nurseries – as he understood it, Shurdington Nurseries had a Certificate of Lawfulness to sell imported products allied to the horticultural landscape industry which would include summerhouses. The summerhouses would be placed on individual timber decking structures which would enable them to be transported about the nursery if required. They took two months to order and arrived flat-packed for erection on site. They would be used as demonstration models to enable potential customers to inspect the quality and workmanship of the materials; they would also be for sale. The applicant advised that the summerhouses were less than three metres high and did not ordinarily require planning permission when located in residential gardens as they constituted permitted development. This side of the business would provide

extra employment for at least two people, should Members be minded to permit the application. In summary, he believed that the addition of three portable summerhouses would benefit the appearance of the nursery; Badgeworth Parish Council supported the proposal and he hoped that Members would do the same.

- 14.9 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted as the economic benefits of the proposal would outweigh any potential harm to the openness of the Green Belt. The proposer of the motion pointed out that summerhouses were consistent with what you might expect to see within the Green Belt, particularly in connection with this type of business. Other businesses had been operating successfully within the Green Belt for several years and this seemed to be a very well-run site. The summerhouses would clearly not be permanent structures, as set out in the Officer report, and the fact they would be placed on timber decking demonstrated they were for display purposes only. Economic growth was given particular importance in the National Planning Policy Framework and the Joint Core Strategy and he did not feel that this would be inappropriate development, nor would it harm the openness of the Green Belt. In his opinion, this was a viable operation which was suited to the location. The seconder of the motion explained that the site was well screened within the Green Belt and he would gladly support the application.
- 14.10 A Member fully supported the proposal and questioned whether it was necessary to put forward an argument for very special circumstances. He drew attention to Page No. 73, Paragraph 5.12 of the Officer report and indicated that the debate seemed to be around whether the proposal was for new building, which would be inappropriate and, by definition, harmful to the Green Belt. It was clear to him that the summerhouses were for display purposes only and he did not see how they constituted new building in the Green Belt. The Technical Planning Manager advised that case law on what constituted a building was lengthy but a proposed structure built in a particular place - even if it was constructed as a temporary build - did have a degree of permanence and it was very clear from the proposal that the summerhouses would stay in one place as display items, therefore, by their very nature they were considered to be buildings. The fact that summerhouses had permitted development rights when constructed in gardens meant that they were considered to be such development in the first place.
- 14.11 The Planning Officer indicated that, if Members were minded to permit the application, it was important to include a standard condition in respect of time implementation as this was not a retrospective application. Upon being put to the vote, it was
- RESOLVED** That the application be **PERMITTED** as the economic benefits of the proposal would outweigh any potential harm to the openness of the Green Belt, subject to the inclusion of a standard condition around time implementation.
- 18/00044/FUL – Shurdington Nurseries, Little Shurdington**
- 14.12 This application was for retention of six storage containers and associated open storage. The Committee had visited the application site on Friday 29 June 2018.
- 14.13 The Chair invited the applicant to address the Committee. The applicant explained that planning permission had been granted in 1998 to operate his landscape business from the site and a lot of hard work had been done over the years to develop the site into a working nursery which was fit for purpose, not only for landscape gardeners but for the public as well. During this time, it had been kept in mind that the business was located within the Green Belt and in an Area of Outstanding Natural Beauty, consequently, planting displays throughout the site had been sensitively positioned to add attractiveness. The site was kept clean and tidy and gained many compliments. The landscape business had expanded during the

last twenty years and now offered fencing and arboricultural services as well as a unit for turf laying and general landscaping. There were seven employees overall and their future livelihoods would be seriously affected if planning permission was not granted. It was essential that the ship containers remained and the landscape business continued to make up for downturns in the market. For example, there was a major downturn from late February 2018 to the end of the first week of April due to the “Beast from the East”, and another currently due to the very hot and dry weather. The landscape/horticultural business was so dependent on the weather, hence the need to have a landscape business based at the nursery working hand in hand. This flexible approach had enabled Shurdington Nurseries to continue when others had been less successful – within a mile or two of the site, Hillview Nurseries, Hatherley Nurseries, Badgeworth Nurseries and Bracelands had all closed. The applicant explained that the landscaping units had been divided into three sections: fencing, arboricultural and general landscaping - this area took up just 6% of the four-acre site. He recognised that at least three of the containers could be considered intrusive in the landscape due to their unsympathetic colour and, if that was an issue for Members, he would be willing to repaint them in green to match the others, and to replace the metal fencing with wooden closed-board feather-edged fencing. He clarified that the mobile office currently on site was for sale and would soon be gone.

- 14.14 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted on the basis that the economic benefits arising from the proposal would outweigh any potential harm to the openness of the Green Belt, subject to the inclusion of a condition to ensure that the containers were painted green in order to lessen the impact on the landscape. The Planning Officer advised that conditions should also be included to secure the replacement of the metal fencing with a more appropriate design and to define the use of both the storage containers and area of open storage to ensure this was ancillary to the landscape garden business at the site. Furthermore, she would strongly recommend a temporary planning permission given the form of the structures and their visual impact in the Area of Outstanding Natural Beauty; if the applicant found that the storage containers worked well and wished to continue with storage for the business after this time, he should consider a more appropriate permanent building. The proposer of the motion drew attention to Page No. 82, Paragraph 5.34 of the Officer report which stated that the applicant had indicated they would consider a temporary permission; however, due to the level of identified harm, Officers did not consider this to be an acceptable solution. The Technical Planning Manager explained that this comment was made in the context of what Officers were recommending i.e. on the basis of a refusal - it was a very different context if Members resolved to permit the application. The design and form of the storage containers was not generally appropriate for permanent siting and, if Members considered that some storage should be allowed, a permanent building would be a more appropriate long-term solution.
- 14.15 During the debate which ensued, a Member expressed the view that the proposal was for storage containers which were, by nature, temporary and easily movable, as such, he could not see the advantage of a temporary planning permission. The Technical Planning Manager advised that case law on containers set out that they should be considered as permanent structures due to their size and Members had to make a judgement as to whether this form of development was acceptable in this location on a permanent basis. Any future application would be considered in the context of the structures already on the site and it may be that a more aesthetically pleasing building would have merit above the existing storage containers. Given the fact that the applicant had been willing to consider a temporary planning permission, the proposer indicated that he would consider amending his proposal to a temporary planning permission for 10 years. If a temporary planning permission was granted

on that basis, a Member questioned whether the applicant could come back in 10 years' time and be allowed to continue using the containers, provided he still needed them. The Technical Planning Manager reminded Members of the purpose of a temporary planning permission and expressed the view that 10 years was too long; in his view, three years would be enough time for the applicant to work up an application for the construction of a new building. The proposer of the motion considered that three years was not long enough – if Officers felt that 10 years was not an appropriate period for a temporary planning permission, he felt that the application should be permitted on a permanent basis and his original proposal stood. Upon being put to the vote, it was

**RESOLVED** That the application be **PERMITTED** on the basis that the economic benefits arising from the proposal would outweigh any potential harm to the openness of the Green Belt and landscape, subject to the inclusion of conditions to ensure the containers were all painted green; that the metal fencing be changed to a more appropriate design; and to define the use of both the storage containers and the area of open storage to ensure this was ancillary to the landscape garden business at the site.

#### **18/00288/FUL – 5 Pine Bank, Bishop's Cleeve**

14.16 This application was for the erection of a single storey front and side extension including garage conversion.

14.17 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being taken to the vote, it was

**RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.

#### **18/00325/FUL – Rollingwood, Haymes Drive, Cleeve Hill**

14.18 This application was for the erection of a first floor/two storey side extension and a single storey rear extension. The Committee had visited the application site on Friday 29 June 2018.

14.19 The Chair invited a local resident to address the Committee. The local resident explained that his property would be adversely affected by the proposal in terms of the loss of visual amenity – specifically overshadowing, loss of light, the overbearing nature as well as loss of privacy which contravened Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 (March 2006) and would greatly affect the enjoyment of his home. He drew attention to Page No. 88, Paragraph 5.3 of the Officer report which stated that the property was set at a higher level than the application site and the proposed side extension would be stepped in from the site boundary to reduce its impact; however, he explained that the second storey side extension was full width at the front and only stepped in towards the back, thus giving no relief to his property. The plans were not detailed enough to establish if the eaves of the new second floor side extension would overhang the boundary line at the front which should not be allowed. He went on to indicate that other local residents felt that the proposal represented overdevelopment, particularly in terms of the two storey east facing elevation adjoining the boundary of the neighbouring property. The land on Cleeve Hill was constantly moving which was evident from the underpinning of the B4632 which ran adjacent to Haymes Drive – there was evidence of subsidence, both in relation to this and neighbouring properties, therefore the extent and type of development needed very careful consideration. Access and egress to the property was via a fragile road constructed for light domestic traffic originally designed to serve only two properties at the time of construction. The foundations were of uncertain construction and contained services including sewerage and water. The

road had been tree-lined for safety and integrity, partly due to a potentially fatal accident, so no trees could be removed for access. Historic damage to the sewer pipes had seen the leakage of raw sewage onto the drives of adjacent properties. He went on to explain that the watercourse alongside the north-eastern edge of the road ran into a chamber at the entrance to The Gables; in the past, heavy rain with ensuing debris had caused a temporary blockage at the opening of the chamber which had flooded Rollingwood and the side of Broadmead's land. Any damage to the underlying pipework could cause extensive flooding as there would be no immediate way to stop it. He pointed out that access to all properties in Haymes Drive was along a narrow single-track road, which had no passing places, and, with the arrival of new residents, there were already five additional permanent vehicles; Haymes Drive could not tolerate a further increase in traffic movements.

- 14.20 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be refused on the basis that the size and design was inappropriate development in the Green Belt and would have a harmful visual impact on the appearance of the property and the Special Landscape Area; there would be an unacceptable adverse impact on neighbouring properties in terms of loss of privacy and light and permanent overshadowing. The proposer of the motion indicated that she also had concerns about subsidence given the site's proximity to Cleeve Hill - the main road was unstable and steel rods were being used to help keep it upright. The Chair indicated that the proposal would increase the overall floor area by 36% over and above the original dwelling which would not be disproportionate in Green Belt terms and therefore it would be difficult to defend this refusal reason at appeal. On that basis, the proposer and seconder of the motion confirmed they would be happy to omit this reason. The seconder of the motion felt that this demonstrated the value of the Committee Site Visit as Members had been able to see the impact on the neighbouring property. A Member felt that, when looking at the drawings on Pages No. 90/C and 90D of the Officer report, the position of bedroom four looked rather strange in relation to the position of the garage.

- 14.21 Upon being taken to the vote, it was

**RESOLVED** That the application be **REFUSED** as it would have an unacceptable adverse impact on the residential amenity of neighbouring properties in terms of loss of privacy and light and permanent overshadowing and fail to respect or complement the character and appearance of the existing dwelling and the Special Landscape Area.

**18/00346/FUL – 24 Ratcliff Lawns, Southam**

- 14.22 This application was for a two-storey extension to rear; demolition of the existing garage and re-build larger with extensions to front and rear; revised dormer roof forms and various internal alterations; and replacement of the existing doors and windows.

- 14.23 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

**RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.



**17/00852/FUL – Yew Tree Farm, Tewkesbury Road, Twigworth**

- 14.24 This was an outline application for the erection of up to 74 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and a vehicular access point from Tewkesbury Road with all matters reserved except for means of access. The Planning Committee had visited the application site on Friday 29 June 2018.
- 14.25 The Planning Officer advised that, whilst the appearance, landscaping, layout and scale were reserved, the applicant had provided an indicative masterplan layout which set out the likely characteristics of the development. The application site formed part of Strategic Allocation A1 Innsworth and Twigworth in the Joint Core Strategy and was part of that allocation shown as housing and related infrastructure on the Joint Core Strategy indicative site layout proposals map. Alongside Policy SA1, Policy A1 of the Joint Core Strategy provided guidance on the wider allocation which was expected to deliver approximately 2,295 new homes; nine hectares of employment generating land; and, a local centre including the provision of an appropriate scale of retail, healthcare and community facilities and education facilities to meet the needs of the new community. Planning permissions for two separate parcels of land in Strategic Allocation A1 Innsworth and Twigworth had been granted at appeal in December 2017; this included planning permission on land to the south-west of the application site for a mixed-use development comprising up to 725 dwellings and a local centre, primary school and the creation of a new vehicular access from the A38 Tewkesbury Road.
- 14.26 Whilst the current application site was separated from the development proposals to the south and west by Orchard Park residential caravan site, the applicant had provided a masterplan showing how the current proposal would relate to this wider site. The proposed local centre and primary school in the adjacent development would be accessible to future residents, either via the A38 or the footpath to Brook Lane. It was proposed that vehicular access for the current application would be provided off the A38 Tewkesbury Road, which was subject to the sign-posted 40mph speed limit along the front of the site. The required sight stopping distances commensurate with the sign-posted speed limit would require visibility splays of 120 metres in both directions from a 2.4 metre setback. Highways England had been consulted on the application and advised that the required visibility could be achieved within land under the applicant's control and secured by way of an appropriate planning condition. The proposed development also included a sustainable drainage basin in the south-west corner of the site and the Lead Local Flood Authority had raised no objection to the application based on the submitted surface water management proposals, subject to a planning condition requiring a detailed design, maintenance and management strategy. In terms of education, following consultation with Gloucestershire County Council, it had been confirmed that the two schools most likely to be affected by the development – Norton Church of England Primary and Churchdown Academy – had insufficient capacity to deal with the increase in pupil numbers. In accordance with the County Council 'Local Developer Guide', a Section 106 contribution was therefore required for additional pre-school, primary and secondary school places. The Planning Officer drew attention to the fact that the Twigworth permission to the south of the site included a primary school which could serve the needs of the wider allocation.
- 14.27 In conclusion, the Planning Officer advised that the application proposed new housing on a site allocated for that purpose in the Joint Core Strategy and, subject to securing Section 106 obligations, it was considered that the proposal represented sustainable development. It was therefore recommended that authority be delegated to the Technical Planning Manager to permit the application, subject to the addition of, and amendments to, planning conditions set out in the Officer report and completion of planning obligations to secure the Heads of Terms.

- 14.28 The Chair invited the representative from Twigworth Parish Council to address the Committee. The Chair of Twigworth Parish Council expressed concern that the community was once again having to battle to save precious Green Belt from new development and to protect existing houses from floodwater. When the outline application for a mixed residential development comprising up to 58 dwellings had been submitted, the Parish Council had been given an opportunity to attend a drop-in session at Down Hatherley Village Hall – that was not the case this time around and, had it not been for an eagle-eyed resident of the community, the Parish Council would have been none the wiser. She pointed out that the ridge and furrow meadow at Yew Tree Farm flooded, and had contributed to many of the neighbouring properties flooding, notably in 2007. The Environment Agency classed the field as being within Flood Zone 1; however, it was not going to flood as a result of river or sea flooding, as stated in the description of this flood zone, and she raised concern that there was no accurate or up-to-date evidential report for pluvial flooding that would take this field into account aside from the recent report from the Parish Council that formed part of the Robert Hitchins appeal and the Joint Core Strategy. The Parish Council questioned why a sustainable urban drainage system in the centre of the development, emptying into Brook Lane, was necessary if there was no threat of flooding and asked if the residents had been consulted to find out how they were affected when the Brook flooded. The system could not cope with the existing houses, so the Parish Council failed to see how it would manage with a further 74 dwellings. She went on to indicate that the water table in the area was, at worst, 1 foot below the surface and, in summer, less than 1 metre below the surface; a sustainable drainage system in this terrain was doomed to fail from the start. The Parish Council wished to remind Members of the evidential report produced for the Joint Core Strategy and the Robert Hitchins appeal by George Sharpley, with witness reports from residents that were forced out of their homes by the pluvial flooding from this particular field. Within this report was photographic evidence from householders affected by the flooding and the Parish Council asked Members to refer back to this and look at the photographs before making a decision. In terms of access, nothing had changed since 2013 – if anything, the A38 was busier and underestimating traffic movements from this development would not help the situation. The Parish Council also wished to draw attention to the results of the archaeological report carried out in 2013 which could not be ignored. As a community, Twigworth recognised there was a demand for new housing but they wished to protect the existing houses and the Parish Council hoped that Members would take this decision very seriously.
- 14.29 The Chair indicated that he had exercised his discretion under the Constitution to allow the Ward Member for Innsworth with Down Hatherley to speak in respect of this item. Councillor Bocking indicated that there were three main issues with development in this area: traffic, flooding and infrastructure. Flooding was the predominant issue and Minute No. CL.95.13 of the Extraordinary meeting of Tewkesbury Borough Council held on 31 January 2017 in relation to the Joint Core Strategy stated that: “...*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*”. He had put a number of questions to the Lead Member for Built Environment at the Council meeting on 23 January 2018 and, in response to a question as to the current status of the masterplan for flood mitigation for the Innsworth/Twigworth site, had been advised: “...*the Secretary of State had imposed conditions stating that no development should commence until a detailed surface water drainage strategy for the entire site had been submitted to, and approved in writing by, the Council*”. This development could not be provided on a piecemeal basis and, without a masterplan in place, this application was premature. There were serious questions around transport and access, as Members would have seen from the Planning Committee Site Visit, and the larger

infrastructure was not yet in place – work on Longford roundabout had not started and he quoted from the housing infrastructure bid for the A38 to A40 Twigworth Highway Link which stated that *“With the full development of the strategic allocations in this location...the traffic demand is such that a new link road between the A38 and A40 joining these two strategic allocations is required. This has been evidenced in the Joint Core Strategy transport strategy (DS7)”* and *“the position of the Council is that the whole site requires the infrastructure proposed”* and later, *“the evidence base as submitted and examined at the JCS hearings included this road link between the two sites...Without such an intervention, the transport issues would become unacceptable as development in the area takes place and would have a far wider impact including economic growth”*. This development would increase the number of dwellings in Twigworth by almost 50% and he questioned where children would go to school given that the primary school had closed and the new school was part of another development which may not come forward until years later. In a letter from the Deputy Chief Executive’s office, signed by the Technical Planning Manager, to the then Secretary for Communities and Local Government regarding the appeals in respect of Land North of Innsworth Lane, Innsworth and Land at Tewkesbury Road, Twigworth, it was stated that *“...the Inspector’s Final Report repeats the need to take into account the development and infrastructure needs of the wider development of the strategic allocation”*. In his opinion, this demonstrated that the site must be viewed as a whole and piecemeal development must not be allowed without, or prior to, delivery of infrastructure, on that basis, this application was premature, possibly by several years. The Joint Core Strategy was controversial to begin with so it was important that it was delivered in the right way.

14.30 The Chair indicated that the Officer recommendation was to delegate authority to the Technical Planning Manager to permit the application, subject to the addition of, and amendments to, planning conditions set out in the Officer report and completion of planning obligations to secure the Heads of Terms, and he sought a motion from the floor. It was proposed and seconded that the application be refused on the basis that it was premature in the context of delivering the necessary infrastructure associated with the strategic allocation in the Joint Core Strategy.

14.31 In response to a Member query regarding flood risk, which had been a source of considerable debate over the years, the Planning Officer advised that the applicant had submitted a drainage strategy for this particular site which the Lead Local Flood Authority had confirmed was acceptable, subject to the detailed design being submitted and approved by the local planning authority. During the appeal in respect of Land at Tewkesbury Road, Twigworth, the Inspector had looked at flooding in detail and a lot of technical evidence had been submitted to support that. The Inspector’s findings had stated that the potential flooding and drainage problems were capable of being addressed by way of planning condition. The Inspector had been satisfied there was a workable solution - which could potentially result in an easement in areas - as there was sufficient flexibility in terms of the design and location of the attenuation ponds to adequately deal with any pluvial flooding. The Member understood that individual applications were being submitted for the strategic allocation; however, this did not address the fundamental question around adopting an overall masterplan approach. There had been a suggestion in the Officer presentation that these concepts had been agreed and there should be some masterplanning for flood alleviation works for the whole area. Members were well aware that flooding was a big issue in this area and he was seeking some assurance in that regard. The Technical Planning Manager fully understood these concerns and the Council had fought hard to get this into A1 in the Joint Core Strategy in line with Policy SA1. The strategic allocation should be masterplanned for many reasons, including flood risk; however, this had been set aside by the Secretary of State in separately allowing the Twigworth and Innsworth applications on appeal without an overall masterplan – this had set the template for what happened going forward. The Inspector was happy for each of these applications to

“wash its own face” in terms of drainage and flood alleviation, as such, it would be difficult to take a different view on this site, particularly considering it was for 74 houses.

- 14.32 Following a brief debate regarding the documentation that had been quoted by the Ward Member for Innsworth with Down Hatherley, and the requirements in terms of masterplanning, the Technical Planning Manager clarified that, where the appeal decisions referred to the entire site, this related to the application site for Twigworth or Innsworth respectively; whilst the Council had made a case at the Inquiry for a masterplan across the whole allocation, this had not been required by the Secretary of State who had been clear that it was down to each site to assess its own impacts and to address them accordingly. The proposer of the motion felt it was to be borne in mind that the Twigworth application that had been allowed on appeal was for 725 dwellings whereas this application was for 74 and those properties would feed into the wider drainage network; residents were quite right to be alarmed about this proposal when they were aware that planning permission had already been granted for another 725 dwellings in the area. He raised concern that the typography of the site was ridge and furrow and the application was proposing to locate a balancing pond outside Orchard Park, the biggest residential area in Twigworth – in his view this was badly thought out and would be ineffective. The Technical Planning Manager clarified it was Officers’ understanding that the Secretary of State had been talking specifically about the 725 properties. Whilst this needed to be fully taken into account when assessing this site, the Lead Local Flood Authority had been consulted and he assured Members that the proposal would have been considered in the context of the Twigworth and Innsworth applications having been allowed on appeal. A Member drew attention to Page No. 106, Paragraph 9.2 of the Officer report which set out that Policy A1 of the Joint Core Strategy stated that the strategic allocation would be expected to deliver adequate flood risk management across the whole site and the detailed flood risk assessments must utilise the latest flood risk modelling information for the whole site and any other areas impacted by the development in terms of flood risk. The Technical Planning Manager accepted this was the wording of the policy; however, the point he was making was that the Secretary of State had essentially set this aside in allowing the Innsworth and Twigworth appeals. This was clearly disappointing but it was the context in which other proposals within the strategic allocation must be considered. The proposer of the motion questioned whether it was possible that the appeal decisions could be interpreted in another way and the Technical Planning Manager reiterated his understanding that the Secretary of State had applied conditions relating solely to the individual application sites and he did not read this in any other way. Whilst the Joint Core Strategy Inspector had agreed that there should be allocation-wide masterplanning from a flood risk perspective, in dealing with the Innsworth and Twigworth appeals, the Secretary of State had thought differently and had set aside the requirement for an allocation-wide flood risk masterplan in seeking only individual drainage requirements for those sites.
- 14.33 The proposer of the motion expressed the view that there were major issues with this site coming forward in isolation. The application should be refused on several grounds - not just flood risk - and he made particular reference to access and education provision. The Head of Development Services indicated that Members needed to be absolutely clear on the position in relation to the Joint Core Strategy and the two appeal decisions. The Technical Planning Manager had explained the situation with flood risk and Members needed to keep this in mind when making their decision. There had been issues in terms of highways but the position of County Highways and Highways England was clearly set out at Page No. 96 of the Officer report. There was already education provision within the wider masterplan and this application would make a significant contribution towards that. She stressed that this was the context in which Members must determine the application. A Member pointed out the duty to co-operate which was implicit in the Joint Core Strategy and

necessitated the inclusion of large urban extensions. With that in mind, he did not feel it was appropriate to deliver these sites on a piecemeal basis without the required infrastructure and this was the message which must be sent to the government – infrastructure must come first. The Technical Planning Manager assured Members that he fully understood this sentiment; notwithstanding this, looking at the particular circumstances of this case, the large-scale infrastructure had been addressed through the 2,000 plus dwellings that had already been granted planning permission on the neighbouring site in the strategic allocation e.g. highways improvements to the A38, education provision and an extension to Innsworth Technology Park. Whilst he understood how frustrating it was that this had been allowed to come forward, this was the situation in terms of the decision taken by the Secretary of State. He felt that it was important for Members to clarify why they considered this site to be premature given that 2,000 plus houses had already been granted planning permission, and what difference a further 74 would make when the strategic allocation was expected to deliver approximately 2,295 houses in total. In Officers' opinion prematurity was not an adequate reason to withhold planning permission and Members needed to be very clear about the harms of permitting 74 dwellings in this context. Officers had had regard to the professional advice from the consultees in making their recommendation and clear reasons would need to be provided if Members were minded to refuse the application.

- 14.34 The proposer of the motion to refuse the application indicated that delivery of the Joint Core Strategy was predicated on infrastructure and Tewkesbury Borough Council had been unsuccessful in its Housing Infrastructure Fund bid for an A38 to A40 link road so it was not clear whether this would be delivered. He was firmly of the view that an overall masterplan was required. A Member questioned how the government could turn down this bid when it had been promised because of extra development arising from the inclusion of the Innsworth and Twigworth strategic allocation – something which Tewkesbury Borough Council had been firmly against. When the Joint Core Strategy was being formulated, part of the Green Belt had been removed and this site had been brought into the strategic allocation so to go back to piecemeal development made no sense. She felt that the Council had a responsibility to the residents of Innsworth and Twigworth and the application should not be permitted without a strategic flood risk assessment and the necessary infrastructure in terms of roads and education.
- 14.35 A Member questioned what an appropriate way forward would be given the strength of feeling about the site and the area but also taking account of the constraints imposed by the planning rules and regulations. Members had worked hard to identify strategic sites for the Joint Core Strategy to try and avoid building in this area but, having been unable to exclude it based on technical advice, it had been reluctantly accepted as a strategic site and therefore the principle of development had also been accepted – the issue that remained was one of masterplanning. Based on the advice that had been given so far, he sought clarification as to whether an ad-hoc appeal “trumped” strategic planning and questioned what the likely outcome of an appeal would be, should the application be refused. In response, the Legal Adviser felt that it was important for Members to be aware that the Council was highly likely to have costs awarded against it at appeal on a refusal for the lack of a comprehensive masterplan for the entire strategic allocation. The Technical Planning Manager had already made a case for giving very clear, exact reasons for refusal in terms of why a development of 74 houses would be unacceptable given that 2,000 dwellings had already been permitted within the site. The Joint Core Strategy Inspector had been persuaded on a need for flexibility on masterplanning and, though policy SA1 did refer to proposals being accompanied by a comprehensive masterplan for the entire strategic allocation, it also stated that that *“JCS authorities will be flexible in considering different approaches to achieving a comprehensive masterplan providing that proposals still take fully into account the*

*development and infrastructure needs of the wider allocation and demonstrate that it would not prejudice the sustainable delivery of the entire allocation*". In considering the appeals – which covered the majority of the strategic allocation - the Secretary of State had effectively concluded that the absence of an overall masterplan would not prejudice the delivery of the whole allocation. In terms of highway infrastructure, Policy A1 talked about delivering the *potential* for a through-link and measures necessary to mitigate traffic impact. She explained that an outline application for a mixed used residential development comprising up to 58 dwellings had been refused in August 2013, but this was prior to the site being included in the strategic allocation and at a time when the site was within the Green Belt so it was now a very different context. The Technical Planning Manager added that he did not believe that the 2013 application had gone to appeal but, irrespective of this, a new chapter had been created in terms of the site through the adoption of the Joint Core Strategy; an application for new residential development in the Green Belt would previously have been a straight forward refusal but this had changed now that the site was allocated for housing within the Joint Core Strategy. He would never state that an appeal decision "trumped" strategic planning, but the recent appeal decisions were an indication of the Secretary of State's current position and how Inspectors were likely to look at any future appeals. In referring to the Legal Adviser's point about the issue of flexibility in masterplanning, a Member felt that this application did undermine the sustainability of the overall development of the site. With regard to the Technical Planning Manager's comments, in his mind, unless they had been overtaken by subsequent developments, the conditions included on these appeal decisions should stand. In response, the Technical Planning Manager reiterated that Members needed to demonstrate what harms would arise from this development of 74 houses over and above that which would arise from the 2,000 plus that had already been given planning permission on the site. In terms of transport infrastructure, there were conditions on the Innsworth and Twigworth appeal decisions which required certain infrastructure to be put in place by a certain point; this had been considered by County Highways and, subject to conditions and a Section 106 contribution, it was not felt that an additional 74 houses would have an adverse impact in that regard. Therefore, the question for Members remained as to what reasons would justify refusal as he was not convinced that an additional 74 houses would prejudice the overall allocation. A Member indicated that he could understand this argument if the 2,000 dwellings had already been built, and the roads and schools had been provided, but that was not the case and he did not feel planning permission should continue to be granted for developments that were not being delivered. The Technical Planning Manager reiterated that the advice from the authorities responsible for providing infrastructure was that there was no reason to withhold planning permission on this specific site.

- 14.36 A Member drew attention to Page No. 100, Paragraph 5.10, of the Officer report, taken from Policy A1 of the Joint Core Strategy in respect of Strategic Allocation A1, specifically bullet point viii) which set out that *"flood risk management will be a critical part of masterplanning the site in linking the Innsworth and Twigworth areas, avoiding overland flow routes and addressing surface water flooding. Detailed flood risk assessments must utilise the latest flood risk modelling information for the whole site and any other areas impacted by the development in terms of flood risk"*. She pointed out that Page No. 98, Paragraph 2.4 of the Officer report, which referred to the appeal on the adjacent site, made reference to the provision of a neighbourhood centre and the creation of new vehicular accesses from the A40 Gloucester Northern Bypass, Innsworth Lane and Frogfurlong Lane. She could understand Officers' reticence to refuse the application, and Members were all fully aware of the costs associated with an appeal arising from that, but she reiterated that the Council had a responsibility to residents of the borough in this area to defend what they believed was right and proper. Whilst this application was for 74 houses, there would actually be a lot more within the strategic allocation and that needed to be masterplanned, as was being done for the Ashchurch area; without that

masterplanning, there would be no control over how the borough would look in 10 or 20 years' time.

- 14.37 The Chair advised that the site was a strategic allocation in the Joint Core Strategy and the statutory consultees had raised no objection to the proposal; if Members were minded to refuse the application then clear reasons were needed to go against this advice. Whilst Officers had sympathy with the situation, it was important to recognise the costs associated with a likely subsequent appeal. The proposer of the motion to refuse the application continued to be of the view that the application was premature given the lack of masterplanning and questioned whether a deferral might be more appropriate. Another Member agreed that masterplanning was the fundamental reason for refusal and suggested that this could be framed in another way. Piecemeal, unplanned development was disastrous and his main concern was achieving a satisfactory outcome for residents that was compliant with legal requirements and planning policy. The principle of development had been established so it was a question of how that was delivered - he raised concern that statutory consultees would only consider the circumstances within the boundary of this particular application site, rather than the wider implications, therefore it was important to take this opportunity to evoke masterplanning in the area. The Technical Planning Manager provided assurance that the statutory consultees did not look at the site in isolation and were fully aware of what was happening with the wider strategic allocation. Members needed to be clear about what they were seeking in terms of masterplanning. Robert Hitchins had done what was required by the appeal decisions and would be unwilling to engage any further in relation to masterplanning outside of those planning permissions. If Members were minded to defer the application, they needed to ask themselves what information was required to satisfy them that 74 houses would not have a detrimental impact on the strategic allocation as a whole.
- 14.38 A Member failed to see what a deferral would achieve and she continued to support the motion to refuse the application. In terms of reasons, she referred to Page No. 98, Paragraph 2.4, and Page No. 100 of the Officer report which related to Strategic Allocation A1 and Policy A1 of the Joint Core Strategy which she felt was sufficient. The Technical Planning Manager understood the suggestion; however, his advice to Members would be that it was not considered that an Inspector, or the Secretary of State, would agree with the requirement for masterplanning and comprehensive development of the site in the context of the strategic allocation as a whole. Another Member went on to express the view that it was important for Members to have an idea of the potential costs associated with an appeal before they made a decision. The Technical Planning Manager indicated that Members had heard the very clear Officer advice in terms of an appeal and, unless there were robust reasons which were reasonable in the context of the strategic allocation and what had already happened, the Council would have costs awarded against it.
- 14.39 During the debate which ensued, a Member expressed the view that a deferral would be the best option and would give an opportunity to seek clarification on a number of issues. The Chair felt that Members needed to identify the specific areas they wished to find out about and a Member indicated that his main concerns related to the lack of existing school places in the area; flood mitigation plans; access; and highways, particularly in terms of the speed of the road. The Technical Planning Manager indicated that it would also be possible to ask the applicant to provide a comment on how the site did not prejudice the rest of the strategic allocation and how this would integrate with the wider scheme. He confirmed that the various statutory consultees could be invited to address the Committee when the application came back for consideration. It was proposed and seconded that the application be deferred in order to seek further information and clarification in respect of flooding; highways; education; and, connectivity. A Member felt that it was important to understand more about the archaeology of the site and the law around historical ridge and furrow land. Another Member noted that a new layout had been submitted

during the determination of the application which allowed for a drainage pond within the scheme - this had replaced once of the dwellings reducing the number from 75 to 74. She felt that the impact on the adjacent properties in the event that this system failed, which she considered to be highly likely, needed to be taken into account. She also suggested that it would be appropriate to seek detailed legal advice as to whether a refusal reason based on Strategic Allocation A1 and Policy SA1 of the Joint Core Strategy, and the lack of a comprehensive masterplan, would be robust enough to withhold planning permission. Upon the deferral being put to the vote, it was

**RESOLVED** That the application be **DEFERRED** in order to seek further information and clarification in respect of flooding - including the impact on neighbouring properties if the proposed sustainable drainage systems were to fail - highways; education; and connectivity.

## **PL.15 DEVELOPMENT CONTROL - APPLICATIONS TO THE COUNTY COUNCIL**

15.1 The following Gloucestershire County Council decision was **NOTED**:

<b>Site/Development</b>	<b>Decision</b>
18/00352/CM Unit 6 The Aerodrome Stoke Road Stoke Orchard  Variation of condition 2 (duration) to renew temporary planning permission until 1 June 2028 of planning consent 13/0024/TWMAJW dated 25.06.13 for the change of use of two general industrial/warehouse buildings (B2/B8 use classes) to a waste transfer operation.	This application was <b>PERMITTED</b> subject to a number of conditions in respect of commencement of development; duration; scope of the development; storage of chemicals; record keeping; and hours of operation.

## **PL.16 CURRENT APPEALS AND APPEAL DECISIONS UPDATE**

16.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 16-23. Members were asked to consider the current planning and enforcement appeals received and the Department for Communities and Local Government appeal decisions issued.

16.2 It was

**RESOLVED** That the current appeals and appeal decisions update be **NOTED**.

The meeting closed at 12:40pm



## Appendix 1

**SCHEDULE OF PLANNING APPLICATIONS**  
**ADDITIONAL REPRESENTATIONS**

Date: 3 July 2018

The following is a list of the additional representations received since the schedule of applications was prepared 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.

Page No	Item No	
2	55	<p><b>17/00514/OUT - Bell House Farm, Old Road, Maisemore</b></p> <p>The Policies and Constraints section has not been included within the main report and is included below for reference:</p> <p>Joint Core Strategy - SP1, SP2, SD3, SD4, SD6, SD8, SD9, SD10, SD11, SD12, SD14, INF1, INF2, INF3, INF4, INF5, INF6, INF7.</p> <p>Tewkesbury Borough Local Plan to 2011 (March 2006) - TPT6, RCN1, RCN2.</p> <p>Flood and Water Management SPD</p> <p>Affordable Housing SPD</p> <p>National Planning Policy Framework</p> <p>Planning Practice Guidance</p> <p>Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990</p> <p>Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)</p> <p>The First Protocol, Article 1 (Protection of Property)</p> <p><b>Constraints</b></p> <p>Within 50m of listed buildings - Grade II Listed Bell House Farm and Milestone Cottage</p> <p><b>Community, Education and Library Provision</b></p> <p>An update is still awaited from The County Council Community and Economic Development Officer (CEDO) with regards to education and library provision.</p> <p>A response is also still awaited from NHS England with regards to required financial contributions towards GP/medical facilities.</p> <p>Furthermore there will be a requirement for contributions towards the provision of recycling infrastructure, dog fouling bins and signs to cater for the needs arising from the development, as follows:-</p> <ul style="list-style-type: none"> <li>- Recycling - £73 per dwelling</li> <li>- Dog bins &amp; signs - 1 dog bin per 45 houses at £350 per bin and 1 sign per 10 houses at £50 per sign.</li> </ul> <p>The above elements would be required in connection with the development but it is considered that these matters would be capable of resolution through negotiation and the subsequent securing of an appropriate Section 106 agreement.</p>

3 & 4	71	<p><b>17/01371/FUL and 18/00044/FUL - Shurdington Nurseries, Little Shurdington Consultations</b></p> <p>The County Highways Authority has confirmed it has no objections to the development based on the use of the storage containers and open storage as detailed in the application.</p>
8	95	<p><b>17/00852/OUT - Yew Tree Farm, Tewkesbury Road, Twigworth</b></p> <p>In addition to the Heads of Terms set out in Paragraph 17.10 of the Officer report, the County Highways Authority requires a Section 106 contribution of £161,625 towards the DS7 transport mitigation strategy which was developed to address the cumulative impact of the Joint Core Strategy (JCS) development including constraints at junctions along the A38. Due to the residual cumulative impact along the A38 corridor from the development, along with the impact from the allocated sites as identified within the JCS, the Highways Authority consider this contribution is required. The applicant has agreed to enter into this obligation.</p> <p>Paragraph 6.9 of the Officer report states that Orchard Park Residential Caravan Site does not form part of Strategic Allocation A1. This is incorrect, Orchard Park forms part of Strategic Allocation A1.</p> <p>Further to the preparation of the Officer report, the applicant has submitted a 'Proving Layout'. <b>This will be displayed at Committee.</b></p> <p>Following the completion of the report, six additional objections have been received from local residents. In addition to concerns which echo those set out in the Officer report, additional objections raised are summarised as follows:</p> <ul style="list-style-type: none"> <li>- Noise levels will greatly increase for the already existing residents, some of whom are elderly and have lived there for a long time.</li> <li>- The field in question is ridge and furrow and is of historical interest and should not be built on.</li> <li>- The development of the Kings Acre Area of Orchard Park is not shown on the applicant's masterplan and it is not open fields as indicated.</li> </ul> <p>An additional objection has also been received from Twigworth Parish Council (set out in full below):</p> <p><i>Here we are again battling to save our precious green belt, with no very special circumstances highlighted, to remove it from green belt and build. Battling to save our existing houses from swathes of flood water, battling to ensure that Twigworth residents and the Parish Council have a say and their objections are heard and taken on board. In 2013 when this developmental area was first applied for we had the opportunity to access a drop in at Down Hatherley Village Hall. For some reason this has not been the case this time and if it wasn't for an eagle-eyed resident of the community, we would have been none the wiser this time.</i></p> <p><i>This particular ridge a furrow meadow at Yew Tree Farm historically floods and has contributed to many neighbours to be flooded out of their houses during the floods of 2007. As we know the Gloucestershire Local Flood team have only begun since 2015, to recognise pluvial flooding and to recognise and take serious this pluvial flooding. Reliant on residents to highlight to them when they have been flooded out of their properties, surely cannot be accurate. We have heard this first hand from the team in the past. Relying on no specialists to make a call to state that they are flooded, relying on residents by doing this to affect their home insurance, Not a very technical way to gather such important information and no wonder the Environment Agency flood mapping for the area, is inaccurate. We hear that the Environment Agency class this field as being in Flood Zone 1. No it isn't going to flood, due to the river flooding or even sea flooding, as flood</i></p>

zone 1 category states. Nowhere is there an accurate and up to date evidential report for pluvial flooding that will take this field into account apart from the recent report from Twigworth Parish Council as part of the Hitchins appeal and the JCS.

Tewkesbury Borough Council during the JCS were asked to report back on alternative suitable brown field sites to use. If they have completed what they had been asked to do previously, this would not be an issue with a land owner and developer wanting to develop on this volatile green field and this development would have been refused, as it had been previously in 2013. If there is no threat of flooding why is there a SUDs system in the centre of the development with its suggested emptying into Brook Lane. Has anyone thought to ask the residents of Brook Lane how they are affected when the Brook backs up and floods. And where does this Brook flow to? Hatherley Brook of course, which as we are all aware flows the in the opposite direction and floods the green belt fields of the JCS strategic development area, when the River Severn bursts its banks. So this will also add to the waves and waves of flood waters in our area. We have read into the facts that Severn Trent have advised that soakaways in this area will not work and worst case scenario, if no other form of drainage from the houses can be sought, they can be tapped into the current drainage system. This system now cannot cope with existing houses, so how will it cope with a further 75 dwellings?

The water table in the area is at worst 1 foot below the surface and in the summer less than 1 metre below the surface. A SUDs system in this terrain is doomed to fail from the start. Who will maintain this SUDS system, how will it be safe, who will renew the system after its lifespan? All unanswered questions not touched upon in the documentation on the planning website. To quote North Gloucestershire SWMP final report published by Halcrow from October 2014, where Twigworth appeared.....

"Definition of surface water flooding for North Gloucester SWMP For the purposes of this study, surface water flooding is defined as: - surface water runoff; runoff as a result of high intensity rainfall when water is ponding or flowing over the ground surface before it enters the underground drainage network or watercourse, or cannot enter it because the network is full to capacity, thus causing flooding (known as pluvial flooding); - flooding from groundwater where groundwater is defined as all water which is below the surface of the ground and in direct contact with the ground or subsoil; - sewer flooding\*; flooding which occurs when the capacity of underground systems is exceeded due to heavy rainfall, resulting in flooding inside and outside of buildings. Note that the normal discharge of sewers and drains through outfalls may be impeded by high water levels in receiving waters\*\* as a result of wet weather or tidal conditions;"

This particular field in Twigworth along with all other fields the same side of the A38, are affected by these flooding issues. This study was carried out for the whole of Gloucester inclusive areas for study were Brockworth, Churchdown, Innsworth, Longford and Twigworth.

In the northern area report which was inclusive of Innsworth, Churchdown and Twigworth it is estimated that over 270 residential properties were affected by the flooding that occurred in 2007. Although this field is separated from the larger green belt earmarked for a strategic development affected by pluvial flooding in the area, this field itself is affected by pluvial flooding and by suggesting that the SUDS system can be piped through to the Brook Lane ditch leading to the Hatherley Brook is an unsafe option. The flood report was aimed at 4 brooks in the area with one of them being the Hatherley Brook, Where will this SUDs water end up? In existing properties that cannot be raised to the suggested level referred to in the planning documentation. The new properties will be safe and dry but existing ones will not.

*We would like to remind all present about the evidential report produced for the JCs and the Robert Hitchins appeal by George Sharpley, with witness reports from residents that were forced out of their homes by the pluvial flooding from this particular field. Within this report was photographic evidence from householder affected by this flooding and you can see the extent of the pluvial flooding on this field. Again, we reiterate, please refer back to this and take a look at the photos before making a decision*

***Access to the A38, from the Proposed Development area.***

*Nothing has changed to the suggested access since 2013. If anything, the A38 is now increasingly busier and by underestimating traffic movement from this development is not helping the situation. How can the Highways department estimate only 35 movements towards Longford roundabout during peak time morning and 35 movements towards Norton peak-time. As we are all aware and you only have to visit Kingsway or even Whittington Park Longford, to find out that families have more than one car. Cars are strewn all over the roads on the estate both sides affecting traffic passing through. No developer ever provides the parking required for 4 or 5 cars that are the norm with new housing estates, they just build and walk away leaving the residents to suffer.*

*The JCS determination was hinged on the correct infrastructure being planned for and we have since found out the link road from the A40 to the A38 to alleviate any kind of traffic issues, has now been denied so this will now not go ahead in the format suggested during this inquiry. Thus this decision will exacerbate more traffic chaos on the A38. For the last 7 months (not taking into consideration of the road works that have happened and still happening at present), Twigworth heading to the Longford roundabout has featured on every traffic report each and every weekday morning on Heart FM for the area. This has been worsened due to the impact of traffic from the Whittingford development at Longford adding to this chaos and will only increase if this development were to go ahead. If the JCS strategic development were to also go ahead, the A38 will become more of a traffic issue for the existing residents and new residents to the area.*

*We read with interest, the documentation related to this application and realise that funding must be made agreed to by the developer. It seems that Twigworth itself will not benefit from this funding apart from perhaps gaining a dog fouling bin.*

- *Funds have been highlighted to support libraries, our closest library is at Churchdown,*
- *Funds have been highlighted for astro turf - we have no sports facilities in the village so must be for Plock Court in Gloucester City area.*
- *Funds have been highlighted towards swimming facilities - our local pool would be Cascades in Tewkesbury due to ease of transport*
- *Funds have been highlighted for Sports hall - where might this be?*
- *Funds for Playing pitches - again we have no idea where this might be and can only assume Plock Court*
- *Funds for Indoor bowls - again looking like it could be at Brockworth, not really for the community of Twigworth as it would take at least half an hour to access this*
- *Funding for community buildings - we have no community building*
- *Funding for playing pitches - we are assuming this is for Gloucester City Council for Plock Court*
- *Funding for changing facilities - again none in the area*

	<p><i>We take from this that all areas around Twigworth, mostly Gloucester City, that will benefit from this development if it were to go ahead although this will cause increased road usage to access these facilities so making the traffic chaos a great deal worse. We will be left with existing houses that will flood due to the increased height of this new development.</i></p> <p><b>Archaeological Investigations in 2013</b></p> <p><i>The results of the Archaeological Report carried out in 2013 but Cotswold Archaeology, show that and I quote, "archaeological features were encountered in all trenches" from the Roman period and "mid 1st to mid 3rd AD pottery was retrieved", and "mid 1st to 2nd-century AD pottery" All of these seemed to be linked to from Severn Valley Ware.</i></p> <p><b>In conclusion</b></p> <p><i>"The evaluation has identified archaeological features, pre-dating the extant medieval or later ridge and furrow cultivation within the proposed development area. The earliest features encountered comprise east/west, north/south and northwest/southeast-aligned ditches and gullies within the southern and eastern parts of the site. Within the westernmost field, no features or deposits of archaeological significance"</i></p> <p><i>"It remains probable, if unproven, that the identified field boundaries are associated with the Roman building and associated pits and ditches previously identified 600m north-east of the site, at Six Acres Field and along Twigworth Fields Lane"</i></p> <p><i>This significant archaeological find cannot go ignored.</i></p> <p><i>As a community, we understand there is a demand for new housing but we are just protecting our own houses. Please take the decision today very seriously as to not affect the existing community.</i></p>
--	---