

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 17 August 2021 commencing
at 10:00 am**

Present:

Chair
Vice Chair

Councillor J H Evetts
Councillor R D East

and Councillors:

K Berliner (Substitute for R A Bird), C L J Carter (Substitute for L A Gerrard), M A Gore,
D J Harwood, M L Jordan, E J MacTiernan, J R Mason, P W Ockelton, A S Reece, J K Smith,
P E Smith, R J G Smith and M J Williams

also present:

Councillors M Dean, V D Smith and R J Stanley

PL.15 ANNOUNCEMENTS

- 15.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 15.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

PL.16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 16.1 Apologies for absence were received from Councillors R A Bird, G F Blackwell, L A Gerrard, P D Surman, R J E Vines and P N Workman. Councillors K Berliner and C L J Carter would be acting as substitutes for the meeting.

PL.17 DECLARATIONS OF INTEREST

- 17.1 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.
- 17.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
C L J Carter	Agenda Item 5c – 21/00007/FUL – Henley Bank Kennels, Mill Lane, Brockworth.	Is a Member of Brockworth Parish Council but does not participate in planning matters.	Would speak and vote.
D J Harwood	Agenda Item 5c – 21/00007/FUL –	Is a Member of Brockworth Parish	Would speak

	Henley Bank Kennels, Mill Lane, Brockworth.	Council but does not participate in planning matters.	and vote.
M L Jordan	Agenda Item 5b – 20/00956/FUL – 25 Paynes Pitch, Churchdown. Agenda Item 5k – 21/00515/FUL - Land at Ashville Business Park, Commerce Road, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
J R Mason	Agenda Item 5m – 21/00342/FUL – Back of Eldersfield Close, Winchcombe.	Is a Member of Winchcombe Town Council but does not participate in planning matters.	Would speak and vote.
J R Mason	Agenda Item 6a – 21/00807/CM – Wingmoor Farm, Stoke Orchard Road, Bishop's Cleeve.	Is the Council's Lead Member for Clean and Green Environment.	Would not speak or vote and would leave the room for the consideration of this item.
R J G Smith	Agenda Item 5b – 20/00956/FUL – 25 Paynes Pitch, Churchdown. Agenda Item 5k – 21/00515/FUL - Land at Ashville Business Park, Commerce Road, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
M J Williams	Agenda Item 6a – 21/00807/CM – Wingmoor Farm, Stoke Orchard Road, Bishop's Cleeve.	Is the Council's Deputy Lead Member for Clean and Green Environment.	Would not speak or vote and would leave the room for the consideration of this item.

17.3 There were no further declarations made on this occasion.

PL.18 MINUTES

18.1 The Minutes of the meeting held on 20 July 2021, copies of which had been

circulated, were approved as a correct record and signed by the Chair.

PL.19 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

- 19.1 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.

21/00019/FUL - Part Parcel 0250, Manor Lane, Gotherington

- 19.2 This application was for residential development comprising 45 dwellings, creation of new access, public open space and other associated ancillary works.
- 19.3 The Planning Officer advised that the application site comprised two agricultural fields at the eastern end of Gotherington. The site was located within the Special Landscape Area, as designated within the Tewkesbury Borough Plan, and the Cotswold Area of Outstanding Natural Beauty was located to the east on the other side of the railway embankment. The site was outside of, but immediately adjacent to, the residential development boundary of Gotherington. The proposed dwellings would be in the western part of the site with informal open space and a Sustainable Urban Drainage System (SuDS) pond in the eastern portion which would also contain new native hedgerows and trees and informal mown paths. Two vehicular accesses and two pedestrian accesses would serve the site off Gretton Road to the north. As the Council could not at this time demonstrate a five year supply of deliverable housing land, in accordance with Paragraph 11 of the National Planning Policy, the presumption in favour of sustainable development, i.e. the tilted balance, applied. Therefore, the presumption was that planning permission should be granted unless policies for protecting assets of particular importance provided a clear reason for refusing the development, or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits. The Cotswolds National Landscape Conservation Board had provided a consultation response which stated that the adverse impact on the Area of Outstanding Natural Beauty was a clear reason to refuse the application; however, Officers did not agree with the view that was a clear reason in itself, although there was harm to the setting and views of the Area of Outstanding Natural Beauty from Nottingham Hill. The delivery of 45 market and affordable houses would provide a significant social benefit, especially in the context of a housing supply shortfall. Economic and social benefits would also arise from the construction process and increased spend in the local economy during the occupation phase. Notwithstanding this, as set out in the Committee report, Officers considered that the proposal conflicted with the spatial strategy and the development plan when taken as a whole and harm would arise from cumulative growth in Gotherington in such a relatively short period of time, taking account of the Ashmead Drive application as well. In addition, the proposal would give rise to a harmful impact on the landscape including detrimental impact on views from the Area of Outstanding Natural Beauty and its setting as well as harm to the Special Landscape Area and significant views identified by the community as important in the Gotherington Neighbourhood Development Plan, particularly those from Nottingham Hill. At this stage the applicant had not entered into appropriate planning obligations to secure affordable housing, nor was there a signed Section 106 Agreement for financial contributions towards education, libraries, recreational or recycling facilities; however, those matters were capable of being resolved. Whilst the tilted balance was applied, it was considered that the adverse impacts significantly and demonstrably outweighed the benefits when assessed against the policies in the National Planning Policy Framework as a whole, as such, the proposal was not considered to represent sustainable development and there were no material considerations which indicated that the proposal should be determined other than in accordance with the development plan.

It was therefore recommended that the application be refused.

- 19.4 The Chair invited the representative from Gotherington Parish Council to address the Committee. The Parish Council representative indicated that the Gotherington Neighbourhood Development Plan did not highlight this site for development and it was not included within the Tewkesbury Borough Plan or the Joint Core Strategy. The proposal did not respect the linear form of the village and was not in harmony with the surrounding area. The Gotherington Neighbourhood Development Plan had come into legal force on 19 September 2019 and the village had already exceeded the number of allocated properties; the results of the appeal regarding the proposed Ashmead Road development of 50 properties was awaited and that in itself would bring the number of new properties to 143. The surrounding area was prone to flooding and climate change meant there was a long term risk of increased flooding which the Parish Council was concerned could be accelerated by this proposal. The Parish Council representative pointed out that the village was already short of playing pitches for both cricket and football and the current community centres were small – the village hall had a maximum capacity of 80 and the Old Chapel a maximum capacity of 40 so many clubs and societies were already full. This, together with the shortage of playing facilities, had an adverse effect on social cohesion and could lead to residents of the proposed development being socially isolated with access to the hall and playing area a lengthy walk or car journey away. Road safety was also a concern with the planned site entrance on Gretton Road as that was opposite the entrance to ongoing development across the road; the lack of a planned footpath from the site towards the village was not only a potential risk to pedestrians but would result in many more car journeys. Gotherington was a rural area in beautiful countryside with only one main road running through it and the position of the site meant the proposed development would result in increased car journeys as the village had a limited bus service.
- 19.5 The Chair invited a local resident who wished to speak in objection to the proposal to address the Committee. The local resident explained that she represented the Manor Lane Action Group. She indicated that, in 2016, Councillors had voted unanimously to refuse development in this Special Landscape Area on the basis that the proposal would encroach into the rural landscape and would have a harmful impact on its character and appearance; the appeal Inspector had subsequently stated the adverse impacts would outweigh the benefits. The Action Group's view was that this new proposal did nothing to mitigate the harms that Councillors and the Inspector previously identified. The Cotswolds National Landscape Conservation Board recommended that the proposal be refused stating it would have a "significant adverse impact on the natural beauty of the Cotswolds" and that the presumption in favour of granting permission by the tilted balance being engaged should not be applied. The two fields abutted the Nottingham Hill Area of Outstanding Natural Beauty and were part of its topography. The fields were prominent in views from its footpaths and, in recent months, more people than ever had come to enjoy the tranquillity and openness that the area offered. The Gloucestershire-Warwickshire steam railway was adjacent to the site and thousands of passengers each year enjoyed the views of Nottingham Hill to the south. The view northwards across the valley to Dixon Hill and west towards the Malvern Hills would be ruined by a modern housing estate just a few metres away from the railway line. No parked cars or roadways could be seen from Nottingham Hill and the rear gardens of the bungalows on Manor Lane gave a soft and pleasant edge to the village – this development would bring the village closer to Nottingham Hill and provide a dominant view of an additional 45 houses, roadways and over a hundred cars. Furthermore, the removal of hedgerow to form an entrance would open up views of passing traffic. The proposal would extend the built form of Gotherington further into open countryside; to the east there would be just one field between Gotherington village and the garden centre. With 34 two storey houses, the plan did not respect the built form of the surrounding area, which was mainly bungalows and

1.5 storey houses, nor did it respect the linear form of the village. The local resident indicated that the development offered no benefits to the village – Gotherington had already over-delivered on the number of houses required in the Neighbourhood Development Plan and to permit yet more housing of this scale would be disastrous for social cohesion. The Manor Lane Action Group wished to protect the village, the Area of Outstanding Natural Beauty and the beautiful countryside around it for all of Gotherington's residents, visitors and for generations to come. She asked the Committee to reject the proposal.

- 19.6 The Chair invited a local Ward Member for the area to address the Committee. The local Ward Member indicated that the previous speakers had covered all of the main technical planning aspects but he wished to reiterate a few key points. He pointed out that the site was outside of the settlement boundary and the Committee report accepted the proposal would cause harm to the landscape. The development plan had allocated Gotherington for residential development of 450 houses; however, if this proposal was permitted, the village would have seen an increase of 43% which was quite clearly overdevelopment. He supported the view of the Cotswolds National Landscape Conservation Board that the proposal would have a significant harmful impact on the views of the Area of Outstanding Natural Beauty, particularly from Nottingham Hill. The linear form of development that prevailed in Gotherington would be less harmful than that proposed, which was effectively a housing estate with no great integrity and would have an urbanising effect that was an issue for the landscape in the Area of Outstanding Natural Beauty. He urged the Committee to reject the application.
- 19.7 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member noted the objection from the Cotswolds National Landscape Conservation Board in terms of the significant harmful impact on the Area of Outstanding Natural Beauty which was shared to some extent by the Planning Officers, albeit they did not agree the impact would be significant. She tended to agree with the Cotswolds National Landscape Conservation Board and asked whether the tilted balance would apply if Officers took a different view in relation to that. In response, the Planning Officer confirmed there was a slight difference of opinion on the level of harm identified by the Council's Landscape Adviser, who had been commissioned to independently review the application, and the Cotswolds National Landscape Conservation Board; a judgement needed to be made as to whether the perceived level of harm was a clear reason to refuse the application and, if that were the case, the tilted balance did not apply. Officers considered the principal harm would be to the view from the Area of Outstanding Natural Beauty to Nottingham Hill and the harm to the setting when looking back from the Hill. Whilst Officers did not consider that in itself a reason to refuse the proposal, when all other factors were taken into account, it was felt that the harms would significant and demonstrably outweigh the benefits. The Development Manager reiterated that the extent of the harm was a matter of judgement but pointed out that the Council's Landscape Adviser was a qualified landscape professional; the Cotswolds National Landscape Conservation Board did not have that level of qualified individuals. The Member queried whether, if she believed the proposal would cause significant harm to the Area of Outstanding Natural Beauty which meant that the tilted balance was not engaged, that would bolster the reason for refusal. The Development Manager confirmed it would not change the actual reason for refusal as set out in the Committee report.
- 19.8 It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The proposer of the motion indicated that the Cotswolds National Landscape Conservation Board, local residents and the local Ward Member had all raised concern about the significant harm that would be caused to the Area of Outstanding Natural Beauty and she was of the view that the

tilted balance should not be engaged in this instance. Upon being put to the vote, it was

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

20/00956/FUL - 25 Paynes Pitch, Churchdown

19.9 This application was for demolition of existing dwelling and erection of five dwellings and associated access. The Planning Committee had visited the application site on Friday 13 August 2021.

19.10 The Planning Officer advised that the application site related to a large dwelling at 25 Paynes Pitch in Churchdown along with its garden and parking area. The site was located within the settlement boundary of Churchdown where the principle of residential development was acceptable, subject to all other material considerations and policies in the development plan. The existing dwelling was currently in a poor state of repair and, whilst it was considered historic, the Council's Conservation Officer did not consider it to be a non-designated heritage asset and did not object to its demolition. The residential garden area was bound by timber board fencing and vegetation and access was currently via a track to the west. The application site also contained a strip of land to the south of the garden boundary which was not within the applicant's ownership although they did have right of access over the land – the applicant had undertaken Land Registry and legal checks and had been in direct contact with the former developer but had been unable to establish the ownership. Members were advised that, ultimately, the lawfulness of the implementation with regard to site ownership was not a matter for the Planning Committee. The strip of land contained trees of a mixed species consisting of native and non-native trees. The trees were clearly visible to the public and had high amenity value contributing to the streetscene. As removal of the trees would have a detrimental impact on the surrounding area and would mean the loss of an important habitat, a group Tree Preservation Order (TPO) had been made on 17 June 2020. Turning to the proposal itself, it was noted that the scheme had been reduced from six to five dwellings as a result of discussions between Planning Officers and the applicant during the course of the application with amendments to the design approach. The revised application proposed the demolition of the existing dwelling and the erection of five four-bedroom dwellings with vehicular access via Dunstan Glen through a single entry point across the area subject to the group TPO. The existing access road to the west from Paynes Pitch would be closed and become an area of landscaping. The dwellings themselves would be two storey and contemporary in style with a 'split pitch' roof and three of the dwellings would have side garages. The material would comprise Cedral Click Boarding and black and buff grey bricks. A number of objections had been made in terms of the design approach but, after careful consideration, Officers found the proposals to be acceptable in that regard. With respect to layout, it was felt that the building line would correspond with the dwellings to the east and would respect the existing street pattern in the locality. The roof lines, separation distance and the recessed garages would also break up the perceived bulk of the dwellings. Whilst the proposed contemporary materials were not characteristic of the immediate locality, they were considered suitable for modern types of building and the context of the setting. In order to facilitate the development, some of the trees protected by the TPO would need to be removed; however, those of highest quality – including a Sycamore, Lawson Cypress and Ash – were to be retained and, to compensate for their loss, the applicant proposed planting new trees across the front of the site, to the front of the dwellings and within the gardens including extra heavy standard trees at the front to give immediate visual impact and create habitats. Furthermore, it was proposed that additional trees be planted to the west of the development to create a community orchard. The Council's Tree Officer had raised no objection to

the proposal. Concerns had been raised about the ecological impacts and highway safety but no objections had been received from the Council's Ecological Advisers or County Highways. Overall, Officers considered that the proposed development would constitute sustainable development in the context of the National Planning Policy Framework as a whole and it was therefore recommended that the application be permitted.

19.11 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that he was speaking on behalf of the residents of Dunstan Glen and the wider village community and he pointed out there had been 134 letters of objection to the proposal. The cramped development was neither sympathetic to the local character nor did it create a high standard of amenity. The local residents felt the adverse impact caused by the density, design and colour palette would significantly outweigh any benefits and the proposal conflicted with planning policies intended to protect the local character and living standards. Five properties had been shoehorned onto the plot, two of which had no garages because of lack of space, and faced onto four properties in Dunstan Glen. In terms of construction site access, this was the second choice and should be refused on highway safety grounds. The local resident pointed out that no pedestrian survey had been undertaken by County Highways and strategies such as site "banksmen" and site notices would not mitigate the risks or meet the duty of care required to protect the public to acceptable levels. An independent pedestrian survey had concluded that 18,078 persons would pass the entrance over the build period. There were no footpaths in Dunstan Glen and the roads were narrower than stated, therefore, pedestrians could not be segregated and protected from site traffic raising the risk of personal injury. Both roads suffered from dense on-street parking and Chosen Hill School, with 1,200 pupils, used the roads. Furthermore, there was a sharp, blind bend to navigate which was entirely unsuitable for Heavy Goods Vehicles (HGVs). There were 144 open plan gardens in the street and children played both in those gardens and on the roads. The local resident stated that the Fire Service site visit had confirmed there would be a risk that appliances would not be able to access the properties. Turning to landscaping, the local resident indicated that 1,250 square metres of impermeable ground needed an underground surface water retention tank of 65 cubic metres to stop flooding - an indication of insufficient landscaping and overdevelopment - and a tank malfunction would mean that three properties in Paynes Pitch would flood. He pointed out that the front gardens were car parking bays and reiterated that TPO 404 - the Dunstan Glen hedgerow - would be reduced by 45%; if the southern boundary fence not owned by the applicant was removed, this would effectively cull the hedgehogs which resided there. In addition, there was no landscaping proposed in the centre section of plots two and three which looked directly into Dunstan Glen. In terms of the land ownership, the local resident explained that the Dunstan Glen hedgerow land had been owned by Bovis Homes since 1983 and, in 1986, they had given him permission under licence to cultivate the land in perpetuity. Bovis Homes had now gifted him the sole ownership of the land and its title deeds for services to the community.

19.12 The Chair invited the applicant's agent to address the Committee. The applicant's agent thanked Officers for their thorough report and the recommendation that permission be granted, subject to conditions. The applicant's agent pointed out that the site was not within open countryside, it was within an existing settlement and contained a sizeable building in a significantly poor state of repair. The proposed development would provide a much needed family-sized home in a very sustainable location at a time when Tewkesbury Borough was unable to meet its housing supply targets. Whilst the concerns of the Parish Council and local residents were acknowledged, and had been throughout, the applicant had worked hard with Officers over the last 10 months to address concerns raised. This had resulted in a reduction in the scale of development from six to five dwellings, as well as changes

to the proposed levels, increases to the intervening distances to neighbouring properties and enhancements to the landscape scheme, tree protection and overall scale and mass of the development. Following detailed assessment of all factors, no objections had been raised to the scheme by Officers – including the Tree Officer and Urban Design Officer - or County Highways. In respect of tree loss, those that would be removed were defined as 'low quality and value (C2)', with those of higher quality being retained and protected. The trees previously removed had not been subject to any protection, yet the application provided a real opportunity to compensate for that loss through the planting of new species, including fruit trees and shrubs. An updated Demolition and Construction Method Statement had been submitted which would reduce the impact of the construction phases by controlling factors such as hours of working, vehicle parking, wheel washing and noise emission and the applicant's agent confirmed they would be happy for this to be included as a condition. In summary, the applicant's agent indicated that the development would not give rise to unacceptable impacts in relation to matters ranging from ecological impact to highway safety. As confirmed by Page No. 75, Paragraphs 7.9-7.11 of the Committee report, an applicant did not need to own the land to apply for planning permission on it and matters concerning land ownership should have no bearing on planning decisions. The application had been submitted in October 2020 and had experienced significant delays yet clearly accorded with prevailing policies and would help the authority meet its shortfall of housing in a sustainable location. The homes would be well-designed and within an existing residential development on a site in desperate need of regeneration. Therefore, he respectfully asked that permission be granted in line with the Officer recommendation.

- 19.13 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 permitted in accordance with the Officer recommendation. A Member noted there was clearly an issue regarding land ownership in relation to this and she asked for confirmation that, should access over the disputed land not be available, the development could not go ahead as proposed. The Chair confirmed that would be the case as the other accesses were not at all suitable and he reiterated this was not an issue for the Planning Committee in determining the application. The Member noted that the applicant's agent was happy to include a condition to require the development to be carried out in accordance with a considerate construction scheme and she questioned whether that was possible. In response, the Development Manager indicated it was not something that could be required by condition but it could be encouraged. Notwithstanding this, if there were any issues during the construction phase, the Environmental Protection team could investigate under its own powers.
- 19.14 Another Member went on to express her disappointment that the house itself was being demolished. She recognised it was in a poor state of repair but it was not beyond redemption and she felt its loss would be detrimental to the village and the habitats that would be lost along with the house and land. In terms of the five year land supply, she pointed out that the average price of properties in the road was £450-500,000 and she noted there was no affordable housing so the proposal would not help those in greatest need. She asked whether the new houses would contain any additional eco-features; she presumed there would be electric vehicle charging points but she considered that housing of this price and quality should go further than that. With regard to the entrance/exit to the site, she felt it was far too small for the actual size of the road and the cul-de-sac would lead to a lot of congestion as the development was likely to generate an additional 10 cars as a minimum. A Member indicated that he had attended the Planning Committee Site Visit and had initially thought it was a good site; however, he had been very concerned about the access point. It was a nice family cul-de-sac where children could be seen playing at certain times of the day and he asked County Highways to

confirm whether they had actually visited the application site to carry out an assessment as opposed to using Google Maps or similar. The County Highways representative advised that the consultation response had been put together by a colleague but he had been to the site himself to look at the highways and he agreed with those comments – he did not consider the parking to be narrow and did not think there were any highway safety concerns with five dwellings served off the cul-de-sac. A Member questioned whether, because of the issues with the access being on land not owned by the applicant, the applicant could actually demolish the house prior to that civil situation being resolved. The Development Manager confirmed that was a possibility; however, no particular planning reason had been identified to suggest that would be a problem. In response to a further query regarding suitability of the access, the Development Manager reiterated that County Highways had looked very closely at the proposed vehicular access to see if it was acceptable from a highway safety perspective and had not identified any concerns so that was the expert advice in terms of whether it was suitable. In terms of the question about eco-features, the Planning Officer advised that one of the proposed conditions was that no work would commence on the development until an Ecological Enhancement and Mitigation Statement had been submitted and approved and additional ecological features would be secured via that condition. There was a separate condition regarding electric vehicle charging points. A Member queried what happened if the developer stated that additional eco-features that had been required were not viable and the Development Manager advised that would be dealt with based on the various factors at that time. Another Member indicated that he was disappointed the existing building would be demolished and that nothing more could be done regarding heritage. He also questioned where the nearest Flood Zone 2 was in relation to the site as he understood that water was to be retained in an underground surface water retention tank which could be a concern depending on its proximity to Flood Zone 2. The Development Manager clarified that the site was located within Flood Zone 1 and the Lead Local Flood Authority had looked at the proposed scheme and found the drainage to be acceptable.

- 19.15 Upon being put to the vote, the proposal to permit the application in accordance with the Officer recommendation was lost. It was subsequently proposed that the application be refused on the grounds of highway safety due to the dangerous access and as the design of the housing was not in keeping with the surrounding area. A Member agreed that the proposed access would be dangerous in terms of large vehicles entering and exiting the site. Another Member suggested that the application should also be refused on the grounds of overdevelopment and the adverse impact on the neighbouring amenity; she would also like to refuse due to lack of affordable housing but recognised that was not possible as there was no requirement for affordable housing provision in this case. A Member expressed the view that the existing property was capable of conversion and pointed out there were a number of other buildings of that type pepper-potted across developments so it would be preferable to adapt, extend or renovate as opposed to demolish. In response, the Borough Solicitor explained that, whilst it may be preferable, that was not what the applicant was seeking to do and Members had to determine the application based on its own merits. If Members were minded not to permit the application, they needed to make a proposal with reasons for refusal based on evidence that could be given at an appeal – the fact they might prefer something else to happen at that site was not something that could be relied upon in that instance. A Member raised concern that there were no sound planning reasons to refuse the application and if the Committee voted in favour of a refusal, the authority would lose control with the Inspector setting the conditions. Another Member felt that the loss of natural habitats was a reason for refusal as some of the protected trees would have to be removed and he agreed it was overdevelopment of the site; this was a regular route for children attending schools in the area and he was also

concerned that refuse vehicles would have difficulties with access.

- 19.16 The Development Manager indicated that several Members had put forward their reasons as to why they were unhappy with the proposal; however, a clear set of reasons was needed as to why planning permission should be refused. Whilst he appreciated the concerns regarding highway safety, Members had heard from the specialist consultee that there were no highway safety concerns from their perspective. In terms of design, Officers considered the proposal to be acceptable but it was a matter of judgement and Members may take a different view. The Council's Tree Officer had been asked to assess the proposal and raised no objection and he reminded Members that a number of TPOs had been made to safeguard the area as a 'green oasis' in terms of the character that gave to the streetscene. It was fully accepted that a few trees and shrubs would be removed but the three best trees would be safeguarded to be retained and others would be planted. On that basis, he could see no robust reason to refuse the application aside from the issue of the detailed design of the dwellings which was a matter of judgement. A Member indicated that the proposal conflicted with Paragraph 9 of the National Planning Policy Framework in relation to promoting sustainable transport and Policy SD11 of the Joint Core Strategy which required a mix of dwelling sizes as well as the policy regarding integrated development which this was not. The proposer of the motion to refuse the application indicated that she wished to amend her original proposal and propose that the application be refused on the basis of the inappropriate design which was totally out of keeping with the surrounding area. This proposal was subsequently seconded. It was proposed and seconded that the motion be put to a recorded vote and, upon receiving the necessary support, voting was recorded as follows:

For	Against	Abstain
C L J CARTER	K BERLINER	
D J HARWOOD	R D EAST	
M L JORDAN	J H EVETTS	
E J MACTIERNAN	M A GORE	
P W OCKELTON	J R MASON	
P E SMITH	A S REECE	
R J G SMITH	J K SMITH	
	M J WILLIAMS	

- 19.17 With seven votes in favour and eight votes against, the motion to refuse the application was lost. It was subsequently proposed and seconded that the application be deferred in order to allow further conversations to take place in relation to access and design and to allow Officers to establish the proximity of Flood Zone 2 to the site. Upon being put to the vote, it was

RESOLVED That the application be **DEFERRED** in order to allow further conversations to take place in relation to access and design and to allow Officers to establish the proximity of Flood Zone 2 to the

site.

21/00007/FUL - Henley Bank Kennels, Mill Lane, Brockworth

- 19.18 This application was for demolition of existing buildings and erection of 16 affordable homes and associated infrastructure. The Planning Committee had visited the application site on Friday 13 August 2021.
- 19.19 The Planning Officer advised that the application site comprised a broadly rectangular parcel of land located to the north of Mill Lane with a residential dwelling in the southern part and kennels in the northern part. The rear of the site currently operated as a kennels and cattery. The Council's Conservation Officer considered the existing dwelling was a non-designated heritage asset and did not object to its loss. The site was within the boundary of the Strategic Allocation A3 North Brockworth as allocated within the Joint Core Strategy and defined by the Joint Core Strategy Proposals Map and was part of a much wider site allocated for approximately 1,500 dwellings, employment land, community facilities and green infrastructure; the site itself was allocated for housing and related infrastructure on the Joint Core Strategy Proposals Map. The principle of the application was therefore considered acceptable subject to all other material considerations. Land to the east of the site – Phase 1 Perrybrook – was granted reserved matters permission in January 2020 for the erection of 135 dwellings and the approved scheme, which was currently being implemented, would provide a Sustainable Urban Drainage System (SuDS) basin. To the west of the site was the access road serving community sports facilities including a Multi-Use Games Area and sports pitches which were granted approval in September 2018 – these community facilities were partially implemented. To the south of the site beyond Mill Lane was Henley Bank High School. The application proposed 16 affordable homes with a single point of access off Mill Lane. It was noted that the application had been amended following concerns raised by Officers about the design approach. The applicant had advised that the scheme would be managed by a registered housing provider and the proposed layout showed that 10 semi-detached properties would be located in the southern and northern part of the site with a three storey apartment block in the north-west corner which would provide six flats. The development would clearly contribute towards the supply of affordable housing and help meet the objectively assessed need for housing in the borough in an area where the principle of housing was acceptable. This was particularly relevant given that the Council could not currently demonstrate a five year housing land supply. Following the revisions to the scheme, Officers considered the proposal was acceptable, subject to appropriate planning conditions and planning obligations, and would not give rise to unacceptable impacts in relation to archaeology, ecology, flood risk and drainage, highway safety or residential amenity. Whilst the proposal would result in the loss of a non-designated heritage asset, that was considered a minor harm so the Conservation Officer had raised no objection. Taking into account all of the material considerations and the weight to be attributed to each one, it was considered that the identified harm arising from the loss of the non-designated heritage asset would not significantly and demonstrably outweigh the benefits in the overall planning balance, therefore, it was recommended that authority be delegated to the Development Manager to permit the application, subject to appropriate planning conditions and planning obligations. It was noted that the recommendation had been incorrectly stated as 'Permit' in the Committee report and should have read 'Delegated Permit'.
- 19.20 The Chair invited the applicant's agent to address the Committee. The applicant's agent thanked Officers for their well-considered report and positive recommendation. As set out in the Committee report, the application sought permission for 16 much-needed affordable homes on a brownfield site within the North Brockworth Joint Core Strategy strategic housing allocation. The

development would significantly contribute towards affordable housing supply, helping Tewkesbury Borough meet its objectively assessed need. Whilst no third party objections had been received, the applicant's agent noted that the Parish Council had raised concerns regarding overdevelopment and highway safety; however, Members should be mindful that the site was previously developed and had been in use as a commercial dog kennel business, therefore, it was not an undeveloped greenfield site. There was already an impact on the site and the existing use was not well-suited to the housing allocation and its carefully designed masterplan. The application had been thoroughly assessed by County Highways and Highways England and neither objected on highway safety grounds. Furthermore, the application proposed access improvements connecting to the wider development. The applicant had also agreed to the requested contributions towards sustainable transport improvements. With regard to the design and scale, the development had been carefully considered and adjusted to best meet the design code and policy requirements. It met the relevant space standards and density was consistent with the surrounding developments. The wider allocation proposed both sports pitches and amenity areas immediately adjacent to the site for which direct connections had been incorporated into the scheme to allow direct access for residents. The application provided a real opportunity to significantly enhance the site and immediate surrounding area through the removal of aged buildings and a commercial business, replacing it with much needed homes within a strategic allocation. The applicant had an active local registered housing provider ready to deliver the scheme for those most in need. Taking into account all these factors in favour of permission, the applicant's agent hoped Members would feel able to support the Officer recommendation.

- 19.21 The Chair indicated that the Officer recommendation was that authority be delegated to the Development Manager to permit the application, subject to appropriate planning conditions and planning obligations, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. A Member indicated that she could not support the application and pointed out that the Council's Housing Enabling Officer had objected on the grounds that it did not meet the housing needs of the area. The proximity of the housing to the school and the adjacent sports facilities had been met with opposition and the access would be one of a number of other accesses out of Henley Bank which would be overwhelming and unsuitable for family homes. In her view, 16 properties in this location was far too many. Another Member sought clarification as to the difference between affordable rent and social rent; the density of the site per hectare; and when the Council had moved away from integrated housing developments. In terms of the green agenda, there was nothing in the report about solar panels or electric vehicle charging points. Whilst he recognised that affordable rented properties were not eligible for the government grant scheme in relation to solar panels, there was a social housing development in Minsterworth where solar panels had been installed so it was possible and he was tired of trying to make sure that measures were not too onerous for developers given the climate change emergency. In response, the Planning Officer drew attention to Page No. 103, Paragraph 7.14 of the Committee report, which set out that the density of development equated to 32 dwellings per hectare which was about average for an urban environment. Condition 13 of the proposed recommendation required the installation of electric vehicle charging points at the properties. Page No. 105, Paragraph 7.29 of the Committee report, stated that the housing mix and tenure had been agreed in consultation with the Council's Housing Enabling Officer and was considered acceptable and in accordance with the needs of the local area. He clarified that social rented housing was owned by a local authority or registered provider who charged a rent set by government guidance via the national rent regime whereas affordable rented housing was subject to rent control which required rent to be no more than 80% of local market rent, including service

charges, and was measured by the amount of local housing allowance administered in the local authority area. The Development Manager explained that building regulations had caught up with planning policy in terms of eco-features so it would be difficult to impose conditions which required additional features over and above those requirements. Any new development would need to accord with building regulations which was the most that could be secured through the planning system. A Member indicated that, not too long ago, it had been considered quite ground-breaking to have electric vehicle charging points on housing sites but was now a matter of course so the next step was surely to push for other measures such as air to air heat source pumps and she asked how Members could try to secure a better offer. In response, the Development Manager advised that, in his view, this should be a requirement of law and regulation as opposed to planning policies. Developers were building to the standard required by building regulations and that was the way forward from his perspective.

- 19.22 A Member pointed out there was a lack of sport and recreational space in Brockworth which would only be exacerbated by this scheme. Doctors surgeries were 50% oversubscribed and schools were full to capacity with some looking to build more classrooms on their recreational spaces. The roads were very busy with vehicles at school drop-off and pick-up times, despite the road having been widened, and buses parked opposite the school entrance. Shops were quite distant from the development so there would be reliance on motor vehicles. Green space was being used as a vegetable patch and there were mature trees at the end of the garden which he felt should be protected if possible. In his view, the proposed development was not in keeping with the area - or the adjacent development currently being built which comprised a number of three storey buildings - and would not serve the needs of the Brockworth community. The Member went on to draw attention to Page No. 109, Paragraph 7.64 of the Committee report, which stated that the local planning authority would seek to secure appropriate infrastructure where necessary, directly, fairly and reasonably related to the scale and kind of the development proposed, and that financial contributions would be sought through Section 106 and Community Infrastructure Levy mechanisms as appropriate, and he asked if there was any update in that regard. In response, the Planning Officer advised that Gloucestershire County Council had asked for a contribution towards early years places and secondary school places, subject to review in relation to the Interim Position Statement Pupil Product Ratios from New Housing Developments. A contribution was also being sought towards recycling and waste bin facilities.

- 19.23 Upon being taken to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to appropriate planning conditions and planning obligations.

20/00567/FUL - Bank Farm Barns, Main Street, Dumbleton

- 19.24 This application was for conversion of existing building into two self-catering holiday let units with new log store and covered seating area.
- 19.25 The Planning Officer advised that the application related to a Dutch barn at Bank Farm which was located to the north of Dumbleton village within the Conservation Area and Special Landscape Area. The barn currently provided two storeys of storage and was clad on three sides with a mix of timber and corrugated sheeting. The application sought permission to convert the barn into two holiday lets and would entail the cladding of the principal open side with corrugated sheeting and formation of window and door openings to allow the building to operate as tourist accommodation. The application also proposed a new single storey timber-framed building to provide a log store and seating area. Policy TOR2 of the Tewkesbury Borough Plan related to the provision of serviced and self-catering accommodation

and restricted such accommodation outside of residential development boundaries to the conversion and renovation of existing buildings. The reasoned justification advised that, whilst new development would not normally be accepted in open countryside, some types of tourist accommodation were well-suited to conversions which could breathe life into old buildings. Furthermore, Policy AGR6 supported the conversion of rural buildings to short stay holiday accommodation where buildings were permanent, capable of conversion and would not adversely affect the rural environment or residential amenity. The building comprised a substantial Dutch barn with adjoining timber-framed lean-to and the proposed alterations were considered acceptable and would result in a well-designed structure which would balance the alterations necessary to allow it to be used for holiday let purposes, whilst retaining the utilitarian character of the agricultural building. The site was well-screened by mature trees and shrubs and it was considered that the proposal would not result in adverse impact on the wider landscape, Conservation Area or the living conditions of adjoining occupiers. It was therefore recommended that the application be permitted, subject to conditions set out in the Committee report.

19.26 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. A Member drew attention to recommended condition 4 which required the holiday let units to only be occupied as holiday units and not occupied by any individual or family group for more than two months in any 12 month period. He raised concern that the holiday lets could be turned into residential dwellings once the conversion had been carried out and, whilst he understood that would require planning permission for change of use, he asked whether anything further could be done at this stage to prevent that. In response, the Development Manager clarified that the condition proposed was adequate in terms of that and there was nothing further that could be added.

19.27 Upon being put to the vote, it was

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

21/00398/FUL - Land South of Wheatpieces, Walton Cardiff, Tewkesbury

19.28 This application was for erection of a two storey office development (Class E use).

19.29 The Planning Officer advised that the application site comprised an undeveloped parcel of land adjacent to Rudgeway Lane and to the east of the Bloor Homes development at Tewkesbury Meadows. To the north of the site was a recreation ground and housing at Nightingale Way with open fields to the south and east. The application sought permission for a two storey office building to provide a new regional office for Bloor Homes. The building would be set to the western part of the site and would flank Bluebell Road. The proposal would include 66 car parking spaces to the southern and eastern part of the site along with additional landscaping within the site and to the boundaries. Policy SD1 of the Joint Core Strategy set out that employment-related development would be supported within the principal urban areas of Tewkesbury Town and in the wider countryside where it was located within, or adjacent to, a settlement of an appropriate scale and character, as in this instance. As such, this proposal accorded with the policy and was considered acceptable in principle. The proposed two storey building would have a simple linear form which had been designed to be reflective of an agricultural barn. The proposed materials palette of red brick, metal cladding and roof slates would secure a satisfactory appearance which would reflect materials used in the adjoining housing development. Whilst the building would be of a substantial size, it would be set away from nearby dwellings and would not adversely impact the living conditions of those occupiers or the character and appearance of the wider area. Although the

proposal for a permanent development at the site would result in some landscape harm, that would be limited considering the relationship between the site and adjoining built development. A considerable number of objections had been received raising concerns regarding highway safety in particular. The proposal would result in an increase in vehicles using Bluebell Road and the scheme had been accompanied by a transport assessment. The details had been reviewed by the County Highways Officer who had advised that the proposal would not result in an unacceptable impact on highway safety or a severe impact on congestion on the wider road network. Confirmation was provided that the Council's Ecological Adviser was satisfied there would be no adverse impacts, particularly in relation to Great Crested Newts, subject to conditions. On balance, the proposal was considered to be acceptable and it was recommended that authority be delegated to the Development Manager to permit the application subject to conditions and the completion of a Section 106 legal agreement to secure a travel plan bond and monitoring fee. It was noted that the recommendation had been incorrectly stated as 'Permit' in the Committee report and should have read 'Delegated Permit'.

19.30

The Chair invited the applicant's representative to address the Committee. The applicant's representative indicated that this was a detailed proposal for the relocation of Bloor Homes Western from its current office premises in Furrowfield Park to new purpose-built premises off Bluebell Road. This £5m investment would facilitate the continued, managed expansion of the regional headquarters, creating new direct and indirect employment as well as associated workforce skills and training opportunities. The rationale for the application had been explained more fully in a letter which Members would have received from Bloor Homes last week as summarised in the Committee report. He did not intend to repeat the commentary on that or other relevant aspects of the proposal that were made in the Committee report which provided a well-balanced summary of the proposal; however, he did wish to address what was clearly the key concern of the vast majority of those members of the local community and the Parish Councils that had commented on the application. Such comments related to the amount of car parking spaces for the proposed office; potential pedestrian and cycle conflict on Bluebell Road; and the impact of the additional car journeys on the local highway network. Whilst these concerns were appreciated, the applicant's representative provided assurance that the nature of Bloor Homes' operations - with staff and visitors entering and leaving the offices throughout the day - and its flexible working hours meant that a full office car park of 66 spaces, plus the grasscrete overspill spaces, would be very much the exception and not the rule. Office-based staff could arrive any time between 0730 and 0930 hours and leave between 1600 and 1830 hours so traffic would be spread out. The transport assessment's analysis of potential arrival and departure trips was based on a robust worst-case scenario; even then the generation of 41 two-way vehicle movements during the busiest peak hour only equated to a movement every 90 seconds. This scenario had been carefully considered by County Highways in assessing the implications for highway safety and the impact on the local road network which had concluded that, given the standard of Bluebell Road with its 6.7 metre carriageway width, there would be no safety or capacity implications as a result of the proposal and there were no justifiable grounds on which an objection could be maintained. Further to that matter, Members may be aware that the current offices at Furrowfield Park were located at the end of a residential cul-de-sac with a five metre carriageway width and sited alongside a popular walking and cycling route to Tewkesbury School – to his knowledge, there had never been any planning enforcement or community safety complaints to, or action by, Tewkesbury Borough Council in respect of Bloor's business operations, including vehicular movements. There were internal procedures in place with regard to staff conduct when entering and leaving the premises, including a 20mph speed limit, and the applicant's representative provided assurance that would be carried across to the new office where there would be a very similar location context. Bloor had a longstanding relationship with, and commitment to,

Tewkesbury. Many of the staff lived locally and he hoped that would reassure Members that the last thing they wanted to do was compromise highway safety on Bluebell Road for the local residents of homes they were proud to have built.

- 19.31 The Chair invited a local Ward Member to address the Committee. The local Ward Member indicated that he was representing the many residents, families, businesses and community groups who were, like him, very concerned by this proposal. There were a number of sound planning reasons for this application being unsuitable including, but not limited to, the negative impact on nature; the unsuitability of an office building on the site; highway suitability and resident safety; excessive traffic generation through a residential area; and noise and disturbance resulting from the use. He did not have time to go into the detail about the concerns that had been expressed to him and the extensive reasons why it was an unsuitable development so he urged Members to look at the many, many objections and comments submitted during the consultation process including the MP for Tewkesbury's detailed comments opposing his application. He noted that the applicant had attempted to mitigate some of the reasons for objection but that response would do little to reassure the local residents who felt very strongly that they had been treated unfairly by the developer who recently sold them the houses with the promise of peaceful enjoyment of their homes, only to be surprised by this application. The local Ward Member had been contacted by, and met with, many local residents who felt angry, let down and disappointed by the application and put forward valid concerns about their safety and that of their children – these objections were available on the planning portal and he had personally seen 43 that had been put forward. The residents were not against development but they were against inappropriate development such as this. The local Ward Member indicated that he had received a petition signed by 420 local residents and people of Tewkesbury who were objecting to the application and asked for the space to be used instead for the enjoyment of the community and local groups. They felt strongly that an office building would be much better placed on one of the borough's business parks; after all, the Joint Core Strategy highlighted there was adequate industrial and commercial unit space in the borough without the need to encroach on residential areas for that purpose. He stressed this was not about NIMBY-ism but about appropriate development in appropriate locations and he firmly and strongly believed this application was not that – fundamentally it was an application for business development in a newly built residential area which must be wrong. In the recent County Council elections he had spoken to many local residents on the doorstep and they felt they were not being listened to, that inappropriate development was taking place without consideration and proper planning so he urged Members to show them that they did care, they did listen and they wanted to do what was best for this wonderful town.

- 19.32 The Chair indicated that the Officer recommendation was that the authority be delegated to the Development Manager to permit the application, subject to conditions and the completion of a Section 106 legal agreement to secure a travel plan bond and monitoring fee, and he sought a motion from the floor. It was proposed and seconded that the application be deferred for a Planning Committee Site Visit in order to assess the proposal in the context of the objections raised by local residents. The proposer of the motion suggested that would also give the petition organiser the opportunity to provide the Committee with the reasons behind the 418 signatories' objections which had not been provided to date. A Member raised concern that there was a process in place for requesting site visits and he did not feel it was appropriate to defer the application on that basis at this stage. Upon being put to the vote, it was

RESOLVED That the application be **DEFERRED** for a Planning Committee Site Visit in order to assess the proposal in the context of the objections raised by local residents.

21/00282/FUL - Elm Gardens, Badgeworth Road, Badgeworth

- 19.33 This application was for erection of a two storey side extension, first floor extension, front porch extension and remodelling of bungalow (amended).
- 19.34 The Planning Officer advised that the site was located to the west of Badgeworth Road and to the north of the A40 within the Green Belt and a public footpath crossed the site from Badgeworth Road to the north-west. The application proposed substantial extensions to the existing bungalow, resulting in a much larger two-storey dwelling. The main issues for consideration were whether the resultant dwelling would comply with Green Belt policy; if the extensions would be of an acceptable design and appearance; and consideration of the permitted development fallback position. The National Planning Policy Framework made clear that development in the Green Belt was inappropriate other than for a limited number of defined purposes; this included extensions and alterations to a dwelling which were not considered inappropriate development provided that it did not result in disproportionate additions over and above the size of the original building. Notwithstanding this, the application as proposed was considered inappropriate development in the Green Belt. The fundamental aim of Green Belt policy was to prevent urban sprawl by keeping land permanently open and, by virtue of its increased size and height, the proposed two storey dwelling would have a materially greater impact on openness than the existing bungalow. As the proposal would be inappropriate development and, by definition, harmful to the Green Belt, the proposal should not be permitted except in very special circumstances. The applicant had sought to make a very special circumstances case relying on the permitted development fallback position. Case law had established that permitted development rights could be taken into account as a fallback position where some alternative form of development is then proposed and there was a realistic prospect of those permitted rights being implemented if permission was refused for the alternative proposal. In this case, prior approval had been granted for an additional upper extension and rear extension and a plan had been submitted to demonstrate how the property could be extended under permitted development rights. It was considered that the permitted development scheme would result in a functional dwelling and there was a realistic prospect of that being implemented if this application was refused. The fallback proposal would be 28% larger in floor area and 32% larger in volume than the proposal before Members and would result in a more sprawling form of development with the single storey extensions being more visually prominent. The applicant's fallback position had been accepted and given considerable weight in terms of the very special circumstances case. The dwelling was situated in a large and isolated plot and, in that context, the proposed dwelling was considered to be a suitable scale relative to the plot. The fallback position would result in a sprawling building of poor design whereas this proposal would have a relatively compact footprint and amended plans had reduced the mass of the roof and the size of the front gable extension to minimise its visual impact. The proposal would result in a reduced scale and a more considered and consolidated design than the fallback position and the proposed materials were acceptable. The applicant had agreed to the removal of future permitted development rights and for additional soft landscaping to reduce the visual impact. It was noted that the proposal would not have an adverse impact in terms of neighbouring amenity and highway safety. The Planning Officer advised that a public right of way crossed the site from Badgeworth Road to the rear of the bungalow along the northern boundary and the boundary wall prevented access to that from Badgeworth Road - it was not permitted to obstruct or build over a public right of way and diversion was controlled by separate legislation so the applicant would need to seek consent from County Highways. In summary, whilst the proposed development was inappropriate in the Green Belt, it was considered that very special circumstances had been demonstrated which clearly outweighed the harm to the Green Belt by reason of

inappropriateness and any other harm arising from the proposal. As such, the Officer recommendation was to permit the application.

- 19.35 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. A Member sought clarification on the very special circumstances case and the Development Manager advised that, in this instance, the fallback position and what could be built under permitted development rights amounted to the very special circumstances required. The plan at Page No. 177 of the Committee report showed what could be built under permitted development rights and, because of that, Officers considered there were very special circumstances to allow the proposal shown at Page No. 175 of the Committee report to be permitted. Upon being taken to the vote, it was

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

21/00534/FUL - Land to the Rear of 34 Priory Lane, Bishop's Cleeve

- 19.36 This application was for erection of a detached dwelling, garage and new access.
- 19.37 The Planning Officer advised that the application sought permission for a detached one and a half storey, three-bedroom detached dwelling with an attached garage. The site formed part of the rear amenity space of 34 Priory Lane in Bishop's Cleeve and was located to the east of the lane towards the junction with Longlands Road. There were existing dwellings to the east, west and south. The proposal complied with Policy SD10 of the Joint Core Strategy, therefore, the principle of housing in this location was acceptable and, given the Council's inability to demonstrate a five year housing land supply, Paragraph 11 of the National Planning Policy Framework applied. The proposal would form part of the rear garden of 34 Priory Lane and would be surrounded by development on all sides and not visible from the public highway. The proposed design was contemporary in style and was considered appropriate to the character of the area - approval had recently been granted for alterations to 34 Priory Lane with a similar design approach and palette of materials. To ensure high quality design, samples and details of the materials would be subject to condition. The design had been amended in order to address the concerns of neighbouring residents siting it further from the western boundary and adding obscure glazing to the bathrooms for privacy. The layout would be in accordance with national space standards. The impact on neighbouring amenity had been carefully assessed and, although objections had been received from properties to the west, it was noted that the roof light to the west elevation would be directed to the less private part of the rear amenity space of 30a Priory Road and screened in part by a tall tree, the amended plans had increased the height for the rooflights to habitable rooms on the side elevations and the roof lights to the west roof elevation would be obscurely glazed with a condition applied to set the cil of the roof lights no lower than 1.7 metres above floor level. It was considered that the development would be afforded acceptable levels of amenity in terms of outdoor space, outlook and privacy. The submitted plans indicated that the proposed dwelling had a new drive to the west side of 34 Priory Lane and would benefit from two parking spaces. It was noted that the access had been approved under a previous application. County Highways had no objection to the proposal in highway safety terms and had recommended a condition for electric vehicle charging points. Foul drainage was to be connected to the main sewer and surface water would discharge to soakaways; however, the proposal had been assessed by the Flood Risk Management Engineer who had commented that insufficient information had been provided with regard to the suitability of the ground to accommodate soakaways. As such, it was recommended that a condition be included requiring drainage works to be approved and implemented prior to commencement of

development which had been agreed by the applicant. Therefore, the Officer recommendation was to permit the application.

- 19.38 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.

21/00631/FUL - Greensleeves Shooting Club, The Range, The Park, Stoke Orchard

- 19.39 This application was for erection of a cover over the existing firing point.
- 19.40 The Planning Officer advised that the application site was located to the west of Bishop's Cleeve, south of Stoke Road and adjacent to the Wingmoor Farm Household Recycling Centre. The site was currently used by Greensleeves Shooting Club. This application sought full permission for the removal of three 'sentry boxes' from the existing firing points and the erection of a steel-framed single storey cover. The shelter would measure 16.5 metres by 5.7 metres and would have a maximum height of 4 metres. The frame would be constructed out of galvanised steel and the roof would consist of composite panels in Juniper Green colour. The application required a Committee determination as Tewkesbury Borough Council was the landowner. As assessment of the material considerations, including the impact of the development upon the Green Belt, was set out at Pages No. 191-193 of the Committee report. Officers considered that the proposed development complied with the relevant planning policies, therefore, it was recommended that it be permitted.
- 19.41 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.

21/00767/FUL - The Kneelings, Dog Lane, Witcombe

- 19.42 This application was for erection of a two storey side and rear extension.
- 19.43 The Planning Officer advised that the application related to a detached two storey property known as The Kneelings, which was located on Dog Lane in Witcombe. The application site was located in the Cotswolds Area of Outstanding Natural Beauty and within the designated Green Belt. A Member had requested that the application be determined by the Committee given its location in the Green Belt and Area of Outstanding Natural Beauty. An assessment of the material considerations, including the impact of the development on the Green Belt, was set out at Pages No. 199-202 of the Committee report. Officers considered that the proposed extension, when taken together with the extensions that had already been built at the property, would result in a disproportionate increase in size compared to the original building and would diminish the openness of the Green Belt. As such, the proposed extension would amount to inappropriate development in the Green Belt and harm would be caused to its openness. In this case, Officers considered there were no other factors which outweighed the harm identified to the Green Belt, consequently no very special circumstances existed to justify the development and

the application was recommended for refusal. As set out in the Additional Representations Sheet, attached at Appendix 1, the application was supported by a planning statement which included, inter alia, the applicant's case in terms of the impact of the proposed development on the Green Belt. The applicant considered that the proposed extension would result in a proportionate addition over and above the size of the original building. Officers noted the position advanced by the applicant; however, when taking account of the information derived from the historic maps dated from 1922 to 1974 and the earliest planning history of the site held by the Council, a different approach was taken to establish whether the proposed extension would result in a disproportionate extension over and above the size of the original building.

- 19.44 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the Planning Officer had stated in the Committee report that, owing to the proposal's simple, subservient shape and form, the development would cause no harm to residential amenity; respected the character of the existing dwelling; conserved the scenic beauty of the Area of Outstanding Natural Beauty; and was not a substantial extension in terms of the current dwelling. Furthermore, no objections had been received to the proposal. The application was therefore entirely compliant with all relevant local and national planning policy. Notwithstanding this, the property was located within the Green Belt where domestic extensions were acceptable provided they did not result in disproportionate additions over the size of the original dwelling, i.e. the dwelling as it existed on 1 July 1949. He pointed out that a disproportionate addition was considered to be 50% of the original floorspace. The applicant had provided conclusive, unequivocal evidence from the Ordnance Survey in 1947 – which was evidence derived from an official government source, not conjecture – showing the property as having a gross external area (GEA) of 292.6 metres. The proposed extension increased the floorspace of the original dwelling by just 17.15% which complied with policy. There was evidence of the dwelling having been there for 400 years and its form had been altered many times, as evidenced in the planning statement; however, local authority records for the property only began in 1965 and, as a result, the Planning Officer had determined that to be the date of the original dwelling as which point it appeared to be a more modest 165 metres square. The applicant's agent contended that it was incorrect for the authority to determine 1965 as the date of the original dwelling simply in the absence of its own records and contrary to conclusive Ordnance Survey evidence provided by the applicant. In terms of the balance of probabilities test, the case of *Gabbitas vs. the Secretary of State* determined that, if the planning authority had no available evidence of its own to contradict, or otherwise make the applicant's version of events less than probably, there was no good reason to refuse the application. As such, the applicant's agent suggested that the planning authority had erred on the site of caution in its consideration of this matter and he respectfully requested that the proposal be permitted. Given that the Planning Officer's position had only been made clear last week, the applicant had been unable to source further evidence to corroborate the Ordnance Survey record in that time but, should Members deem that to be necessary, the applicant's agent requested the application be deferred on that basis.

- 19.45 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 it would not result in a disproportionate addition over and above the size of the original building and would not amount to inappropriate development in the Green Belt. The proposer of the motion clarified that he was making this proposal as he preferred the applicant's submission in

terms of the Ordnance Survey evidence showing the size of the original dwelling. A Member raised concern that there was no policy justification to negate the need to demonstrate very special circumstances on account of the Green Belt location. Another Member queried whether there were permitted development rights associated with the property and what could be built under those rights if the application was refused. In response, the Development Manager explained there was an inconsistency with government policy given what was set out within the National Planning Policy Framework and the permitted development rights issue that had been heard earlier in the meeting in terms of things which could be done – the government had not restricted permitted development rights in the Green Belt whereas they had in the Area of Outstanding Natural Beauty and Conservation Areas etc. That case had not been advanced in terms of there being permitted development rights and, as it was limited to dwellings constructed between 1 July 1948 and 18 March 2018, it did not apply in this instance as this dwelling had been there for over 100 years. In relation to the point about the very special circumstances, his understanding was that the proposer of the motion did not consider it was necessary to put forward a very special circumstances case because it was a proportionate extension due to the evidence put forward by the applicant's agent. The proposer of the motion confirmed that was correct.

19.46 Another Member felt it should be noted that a lot of effort had been made to cover the issue of proportionality within the Tewkesbury Borough Plan. The Committee report stated there was no specific guidance on this but a 50% increase was generally applied by Officers with anything above that considered to be disproportionate. The Tewkesbury Borough Plan Working Group had looked at ways to overcome the inconsistencies around proportionality and it was intended to introduce a Supplementary Planning Document once the Borough Plan had been adopted.

19.47 The Development Manager suggested that, if Members were minded to permit the application, conditions should be included around the timescales for implementation; the development being carried out in accordance with the approved plans; and materials. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** subject to conditions around the timescales for implementation; the development being carried out in accordance with the approved plans; and materials the drafting of which would be delegated to the Development Manager.

21/00736/FUL - 10 Carrant Road, Mitton, Tewkesbury

19.48 This application was for erection of a two storey side and rear extension.

19.49 The Development Manager advised that the application related to a semi-detached property in Mitton. The existing car port was proposed to be retained as part of the scheme and the ground floor element would have an open front; however, it was unlikely it would be used for storing cars due to the lack of space when opening the door from the property and it was noted there was a hardstanding at the front of the property as well as on-street parking. The existing garage to the rear could be seen on the ground floor plan and would be accessed via the walkway created by the ground floor extension.

19.50 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. A Member noted that part of the site was within Flood Zone 2 and 3, which he imagined would be right at the bottom of the very long garden, and he queried if that was relevant to the application. In response, the Development Manager confirmed it was a site constraint as the

application site related to the whole plot; however, it was not referenced in the main body of the report as it was some way from the house. In response to a query from another Member as to why the Lead Local Flood Authority had not commented on the application, the Development Manager clarified it was because the proposed development did not affect the parts of the site located within Flood Zones 2 and 3.

19.51 It was

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

21/00515/FUL - Land at Ashville Business Park, Commerce Road, Churchdown

19.52 This was an application for erection of temporary automobile showroom and wash building with associated access, parking and landscaping for a two year period.

19.53 The Planning Officer explained that the application site was located to the east of Ashville Business Park within the Green Belt and benefited from planning permission for the construction of a new Jaguar Land Rover car showroom and associated facilities. The approved Spectrum Medical building was located immediately east of the application site. This application sought planning permission for the erection of a temporary showroom and wash building, along with associated access, parking and landscaping for a two year period. This was required purely to allow the car dealership to remain in use and continue its motor sales whilst the new permanent showroom was under construction. The application required a Planning Committee determination as Churchdown Parish Council had raised an objection on the grounds that the proposal infringed on the Green Belt. An assessment of the material considerations was set out at Pages No. 228-231 of the Committee report and Members were advised that the principle of development was established by virtue of the extant planning permission relating to the site. Notwithstanding this, it was accepted that the proposal would constitute inappropriate development in the Green Belt; however, a case had been made for very special circumstances which was founded upon the site's planning history and the temporary nature of the proposed development. It was considered that, on balance, the harms arising from the proposal by virtue of it constituting inappropriate development in the Green Belt were outweighed by other considerations; there was a clear economic benefit which weighed in favour of the proposal and the case for very special circumstances had been accepted. On that basis, the Officer recommendation was to permit the application.

19.54 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. A Member questioned whether the development would cause any issues in terms of flights from Gloucestershire Airport as the site was directly opposite the main runway. In response, the Planning Officer confirmed that the proposed building was temporary and would be at a lower height than the existing building so there would be no problems regarding the flight path. Another Member expressed the view that the whole area around the site was becoming a real blot on the landscape; whilst she accepted there were certain areas designated for employment she was concerned about the loss of Green Belt. She noted that the proposal was for a temporary building and would like a condition to be included to ensure the site was returned to its natural state at the end of the two year period. The Planning Officer explained that the site already had planning permission for the redevelopment of the site, construction of a new showroom and associated facilities – application reference: 18/01082/FUL - and this site would be developed in accordance with that planning permission so would become part of the car park in association with the Jaguar Land Rover showroom rather than being

returned to its natural state. A Member questioned whether the trees at the back of the showroom would be removed and the Planning Officer advised there was no proposal in respect of the trees in this application – the trees would have been dealt with in determining application 18/01082/FUL so there may be protection measures in place in respect of that scheme.

19.55 Upon being put to the vote, it was

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

21/00494/FUL - Brock Farm, Church Lane, Staverton

19.56 This application was for change of use of land for the temporary siting of a mobile home (farm worker accommodation).

19.57 The Planning Officer advised that the application related to land associated with Brock Farm and was located immediately opposite the existing farm complex off Church Lane in Staverton within the Green Belt. The proposal was for change of use of land to allow for the temporary siting of a mobile home as farm worker accommodation. The local Ward Member had requested that the application be brought to the Planning Committee in order to assess the suitability of the proposal given its Green Belt location. Members were advised that, since the Committee report had been published, additional information had come to light which had resulted in a change to the Officer recommendation. This was set out in the Additional Representations Sheet, attached at Appendix 1, and related to the assessment as to whether there was an essential need for the proposed accommodation. Contrary to the agricultural need assessment detailed at Pages No. 243-246 of the Committee report, the applicant had asserted that the alternative accommodation within their control was not readily available as both properties were on protected tenancies. The Council's Agricultural Consultant had requested additional information be provided to assess the security of tenure and the applicant was in the process of gathering that but had not been able to provide the relevant documentation in advance of the current meeting. It was also materially relevant that the essential need for the temporary farm worker accommodation was heavily reliant on the proposed calf building (application reference: 21/00211/FUL) being permitted. For those reasons, the Officer recommendation had been amended to defer the application to allow further information to be provided and for the application concerning the proposed calf building to have been determined.

19.58 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to defer the application to allow further information to be provided and for the application concerning the proposed calf building to have been determined and he sought a motion from the floor. It was proposed and seconded that the application be deferred in accordance with the Officer recommendation and, upon being put to the vote, it was

RESOLVED That the application be **DEFERRED** to allow further information to be provided and for the application concerning the proposed calf building to have been determined.

21/00342/FUL - Back of Eldersfield Close, Winchcombe

19.59 This application was for removal of condition 4 (electric vehicle charging point) of planning application 20/01044/FUL.

19.60 The Planning Officer advised that the proposal was to remove a condition from an existing permission granted at the end of 2020 requiring the installation of an electric vehicle charging point to a new garage. A Committee determination was required as Winchcombe Town Council had objected to the proposal on the basis of

its strong support for Policy TRAC9 of the emerging Borough Plan, relating to plug-in or ultra-low emission vehicles. No letters of representation had been received in relation to the proposal. The Parish Council's concerns had been considered; however, it was the view of Officers that the proposal would be reasonable in the context, considering the scale and location of the development and following a consultation response from County Highways which had raised no objection to the removal of the condition. For the reasons outlined in the Committee report, Officers felt that the condition attached to the permission did not meet all of the required tests for a planning condition and its removal would have a negligible impact on carbon emissions in this instance. As such, it was recommended that the application be permitted.

- 19.61 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 refused on the basis that the removal of the condition would fail to encourage sustainable travel and healthy communities. The proposer of the motion expressed the view that the condition had clearly been considered necessary when the application had been determined and he questioned why it should be removed at this stage. During the debate which ensued, a Member questioned whether there was any electricity in the garage currently and the Planning Officer advised there was no existing power to the block of garages. A Member was of the opinion that one of the main considerations when determining the application and including the condition should have been whether there was an existing electricity supply. He felt that the government was not doing enough to support local planning authorities in terms of the provision of electric vehicle charging points – this was one way people could try to circumvent the system and the Planning Officers had to assess the application based on the relevant planning policies and guidance which was the reason for the recommendation to permit the removal of the condition. In response to a query, the Planning Officer explained that her understanding was that, at the time of the application, the applicant had lived behind the block of garages on the main road but had since moved to another property in Winchcombe.
- 19.62 A Member drew attention to Page No. 255, Paragraph 7.4 of the Committee report which stated that the proposed garage would not necessarily be used for the storage of a vehicle and was likely to be used for general domestic storage purposes. In her view this was completely the wrong assumption to make and, if the issue with parking on housing estates was to be resolved, people should be encouraged to use garages to store vehicles, not for overspill storage – if there was a way this could be enforced, things would be much more straightforward. The Development Manager understood all of the comments that had been made and both sides of the argument; however, in this particular case, the circumstances had changed since planning permission was granted as the applicant no longer lived close by, furthermore, there was no electricity supply to the building so the most pragmatic approach would be to support removal of the condition in this instance. The seconder of the motion to refuse the application queried whether there was an electricity supply in the main road and he presumed there would be a reduction in car parking space on the estate if the garage was not being used for vehicle storage. In response, the Development Manager advised that it was a fair assumption that there was an electricity supply to the street as it was a housing estate. He was not aware of any particular issues in terms of the loss of a car parking space; County Highways had assessed the application and had raised no concerns. In addition, he pointed out that it was not possible to say for certain that the building would not be used for vehicle storage. The proposer of the motion to refuse the application expressed the view that provision of an electric vehicle charging point would not be that onerous and there was government funding available to assist with installation.
- 19.63 Upon being put to the vote, the proposal to refuse the application fell. It was

subsequently 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.

20/01111/FUL - Hillend Farm, Hillend, Twyning

- 19.64 This application was for demolition of three poultry sheds and erection of two dwellings and detached garage.
- 19.65 The Planning Officer advised that the existing site comprised the Grade II listed main farmhouse together with a grouping of brick ancillary rural buildings which benefitted from extant permission for reconstruction to create two holiday cottages, plus an annex to serve the main house. The site also included three redundant former poultry sheds. The current proposal sought to demolish the poultry sheds and replace them with a courtyard development of two new dwellings. The proposal also included provision of a new detached brick garage and store to serve the main farmhouse. With regard to the principle of development, the proposal did not comply with criterion 3 of Joint Core Strategy Policy SD10 as the buildings were last utilised for poultry farming and agriculture and forestry uses were excluded from the National Planning Policy Framework's definition of previously developed land. Nevertheless, the site was not isolated – being well-related to the existing properties of Hillend which was, itself, part of the wider settlement of Twyning and with existing built development to the east, west and south - therefore the proposal was considered to represent infilling in accordance with criterion 4 (ii) of Joint Core Strategy Policy SD10 and the principle was considered to be consistent with the spatial strategy of the development plan. As had been mentioned, the main house was Grade II listed, as such, there was a requirement for the scheme to preserve the setting of Hillend Farmhouse in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990, the National Planning Policy Framework and Joint Core Strategy policy on heritage assets. The Conservation Officer considered that the originally submitted scheme, which comprised a more contemporary palette of materials, would result in a neutral impact on the setting of the listed farmhouse. A revised proposal had subsequently been put forward with a more traditional palette of red brick, larch timber cladding and plain clay roofing tiles and the Conservation Officer considered that to be more appropriate as the resulting scheme would meet the high bar of enhancement to the setting of the heritage asset in the context of the National Planning Policy Framework. On the basis of the revised scheme, the application was recommended for permission.
- 19.66 The Chair invited the representative from Twyning Parish Council to address the Committee. The Parish Council representative explained that the Parish Council objected to the application for six reasons: the proposal would create two new isolated houses in the open countryside outside of the residential development boundary; the development was contrary to the National Planning Policy Framework, Joint Core Strategy and emerging Tewkesbury Borough Plan and did not meet the exceptions in Policy EDP1 of the Twyning Neighbourhood Development Plan; the development would set a precedent for wider local development which would adversely affect the local community and residential amenity; the height, scale and massing of the building would have a significant impact on the sensitive rural location and neighbouring properties; there would be extensive works within the curtilage of the listed historic farmhouse setting and the immediate area could be overburdened by traffic and parking as outbuildings were already used for holiday lets; and the overdevelopment of this historic location with a new building footprint outside of the adopted development boundary would have significant environmental impacts and could not be considered sustainable.

- 19.67 The Chair invited a local resident speaking in objection to the scheme to address the Committee. The local resident wished to draw Members' attention to the letter written to the Council by the Inspector of the emerging Tewkesbury Borough Plan and he quoted "separately from the process to identify allocations in the Tewkesbury Borough Plan, a number of other sites have been given planning permission since the Joint Core Strategy was adopted, some on appeal. As at April 2020, with the allocations to be included in the Tewkesbury Borough Plan and taking existing completions and commitments into account, a total provision of 9,337 dwellings has now been identified leaving a reduced shortfall of 563 to be met through the Joint Core Strategy review for the period to 2031". The Inspector went on to say that, with the overall figure, Joint Core Strategy Policy SP2 provided for about 1,860 new homes in the two rural service centres and 1,038 dwellings in the service villages, thus more than meeting the Joint Core Strategy service village requirement. The local resident felt it was clear from this most recent statement that service villages did not require more housing other than that already allocated in the emerging plan; in the case of Twyning, the Council agreed as there were no further allocations for Twyning within the plan. The Council had been very supportive of the Twyning Neighbourhood Development Plan in refusing three recent applications, two of which were now at appeal with the other expected within the next few days – he noted that another application would be submitted within the next few months. Although this was a small application, it was important from a precedent perspective and he asked Members to apply the same considerations to this application which was outside of the Twyning Neighbourhood Development Plan and the Tewkesbury Borough Plan development boundary and could not, in any regard, be considered infilling. Members would know that the five year housing land supply calculation remained undefined, even in the High Court, and previous appeal decisions were not binding. The Inspector had regarded it as not essential to ensure a five year housing land supply at the time of adoption of the Borough Plan given the figured identified in his letter. This was just part of the developers' attempt to use its interpretation of the five year supply and lack of a local plan to further burden service villages with more development – Twyning did not need more housing.
- 19.68 The Chair invited the Development Manager to read out a statement from a local Ward Councillor. The local Ward Councillor wished to object to the application on the grounds that it was contrary to the Twyning Neighbourhood Plan and outside the residential development boundary. Policy GD1 of the Neighbourhood Plan stated that new housing outside the development boundary would only be allowed if certain criteria had been met and, as stated in the Committee report, those had not been met. Furthermore, Twyning was defined as a service village in the local plan and the site was not identified as a housing site allocation, nor located within the defined settlement boundary. The Planning Inspector's preliminary comments on the local plan clearly showed that service villages did not need additional houses, therefore, he believed the application should be refused.
- 19.69 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member noted that the Twyning Neighbourhood Development Plan had been adopted in April 2018, and had therefore been part of the development plan for more than two years, so she asked for clarification as to whether Paragraph 14 of the National Planning Policy Framework was in play. The Development Manager clarified that, whilst the policies within the Neighbourhood Development Plan were not out of date, the provision at Paragraph 14 of the National Planning Policy Framework did not apply because the Plan was more than two years old, as such, the tilted balance was relevant in this

instance. In response to a query, the Planning Officer clarified that the proposal was considered to be infilling as opposed to extending the service village boundary by virtue of the fact there was development to the east, west and south of the plot. A Member noted that the Committee report stated that comments were awaited from County Highways and he asked if those had been received. The Planning Officer explained that no comments had been provided for inclusion in the Committee report or the Additional Representations Sheet; however, County Highways had been engaged in the pre-application discussions and had raised no objections – no changes had been made to the proposals since that time.

- 19.70 It was subsequently proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion recognised that Twyning, as a service village, had already seen a lot of development but unfortunately there was no planning reason to refuse the application. Upon being put to the vote, it was

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

PL.20 DEVELOPMENT CONTROL - APPLICATIONS TO THE COUNTY COUNCIL

21/00807/CM - Wingmoor Farm, Stoke Orchard Road, Bishop's Cleeve

- 20.1 Attention was drawn to the report of the Development Manager, circulated at Pages No. 290-305, in relation to an application at Wingmoor Farm East which had been submitted to Gloucestershire County Council. Tewkesbury Borough Council had been consulted on the proposal and it was recommended that Members resolve to raise no objection to the application.
- 20.2 The Planning Officer confirmed this was a county matter on which Tewkesbury Borough Council had been consulted. The application related to activities taking place at the existing Materials Recovery Facility (MRF) at Wingmoor Farm East located to the west of Bishop's Cleeve. The site was located within the Green Belt and land to the north of the site, on the opposite side of Stoke Road, benefitted from the grant of outline planning permission for up to 215 dwellings and 2.24 hectares of commercial uses. The proposal sought to vary the wording of two conditions attached to an earlier planning consent in order to allow for the bulking and onward transfer of residual household waste - arising from households within the boroughs of Tewkesbury and Cheltenham – to the Energy from Waste facility at Javelin Park, Gloucester. As explained within the Committee report, those operations had already commenced and the application was therefore made in retrospect. No objections had been received from technical consultees; however, there were considerable objections from the Parish Councils and local residents in respect of the impact of operations on air quality, particularly odour, and noise disturbance; concerns had also been raised in respect of additional vehicular movements. An assessment of the material considerations was set out at Pages No. 299-302 of the Committee report and additional information could be found in the Additional Representations Sheet, attached at Appendix 1, which included supporting information from the applicants, submitted to Gloucestershire County Council, in response to the comments made by consultees and members of the public. Letters of representation in support of the application had been received from Tewkesbury Borough Council's Head of Community Services and Cheltenham Borough Council's Environmental Partnerships Manager. An identical letter of support had been received by Councillor Dobie at Cheltenham Borough Council. A summary of the points raised had been included in the Additional Representations Sheet and full copies of the representations were appended for completeness; however, it should be made clear that the 'other considerations' detailed within the supporting letters were not material planning considerations and could not be afforded any weight when assessing this proposal. For the reasons set out in the Committee report, and

taking account of the fact that technical consultees had raised no objection to the proposal, it was recommended that Members resolve to raise no objection to the application, subject to the planning conditions - as amended by this application - being attached to the original planning permission.

- 20.3 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident explained that the MRF at Wingmoor Farm was given planning consent based on a very special circumstances case for development within the Green Belt and had been presented as having no potential negative impacts as the items coming into the building for sorting would be clean, dry recyclables. Now, residual waste was taken to Wingmoor Farm which included nappies, pet waste, soiled hygiene products, food wrappers which were too contaminated for recycling, food waste when collections were not made – this was all tipped out and scraped up into an articulated lorry. In her view this was not a MRF, it was a waste transfer station. The planning history set out in the Committee report highlighted how the site had grown through variation and its impact on the neighbouring community had intensified with every one – this latest variation had certainly had a negative impact with a significant increase in the number of odour complaints to the Environment Agency over the last 18 months. The applicant had objected strongly to the proposal to build housing opposing the site because of the risk of negative impacts and the pressure it would put on their ability to operate; at the Wingmoor Farm Liaison Forum, both the applicant and the Environment Agency had reiterated many times that odour was expected around waste sites. On that basis, she questioned why a new activity would be added which increased the odour problems – the applicant demonstrated how likely odour would be by the very long list of actions needed to mitigate those odours. Odour complaints were notoriously difficult to substantiate as, unlike spillages, there was rarely any evidence left, so the vast majority of complaints were unattributed to the source. In her view, the original purpose of the facility was being undermined. Last year, over 36,000 tonnes of residual waste had gone through a recycling facility so she questioned what was happening to Tewkesbury Borough Council's recycling policy and pointed out that, if this application was granted, the MRF would no longer have capacity to accept recyclables. On that basis, she questioned whether the special circumstances which allowed for a huge building in the Green Belt were being abandoned as the proposed variation of the wording of condition 7 completely detached the MRF from the rest of this site which suggested the transfer process did not need to take place in this specific location and should certainly not be situated opposite, or close to, residential areas. She hoped Members would see the enormously negative impact of the application, raise an objection and insist that condition 7 remained and a protective odour control system be installed to protect both workers and local residents.

- 20.4 The Chair invited a local Ward Councillor to address the Committee. The local Ward Councillor indicated that he wished to voice his opposition to the application and ask Members to object due to the potential adverse impact from odours, additional lorries and pollution. Residents regularly complained of odours from the existing activities at Wingmoor Farm; the air temperature and wind direction could carry these odours over a long distance and affected many people, not just those living opposite the site. Residents reported being unable to open their windows at times due to the odours being so unpleasant - something he had personally experienced - and one had even reported that the odours triggered coughing which forced them to use their inhaler more often. This was a really serious issue that was depriving local people of the quiet enjoyment of their homes and gardens to which they should be entitled. He regularly attended the Wingmoor Farm Liaison Forum

and there had been a significant increase in odour complaints made to the Environment Agency. As a result, the Environment Agency had increased its checks on the area from monthly to weekly. With so many operators there were multiple causes and a cumulative impact. 97 members of the public had submitted written objections to this application, all citing the negative impacts of the site, predominantly odour. The two variations suggested would make possible a process likely to result in further odours and allow the applicant to radically change the original process upon which planning consent had been given. The location was entirely unsuitable and was set to become even less suitable following the planning consent given at appeal to build 215 houses less than 500 metres from Wingmoor Farm. The applicant and Tewkesbury Borough Council both objected on the grounds of pollution risk – in his view, the Council should not be arguing there was an odour risk to residents in 2019 only to agree to more odours in 2021. In addition to odours, the traffic around the site was already a substantial burden on homes along the approach road with 12 articulated lorry movements each day due to the increased size of vehicles needed for this process which added to the existing noise disruption and pollution. When the site first opened, a total of 93 traffic movements per day was proposed for the whole of the applicant's operations at Wingmoor Farm; through the many variations and additional planning consents, there were now 80 traffic movements per day for the MRF alone. This proposal would have a detrimental impact on many people and, if the MRF was no longer linked to servicing the landfill, there would be no end in sight for residents. Tewkesbury Borough Council aimed to deliver a good quality of life for all and this application ran contrary to that so he urged the Committee to oppose it.

20.5 The Chair indicated that the Officer recommendation was to raise no objection to the application and he sought a motion from the floor. In response to a Member query, the Development Manager confirmed that an Environmental Impact Assessment would have included assessments of all the relevant matters in terms of pollution. It was proposed and seconded that the Council should raise an objection to the application on the basis of the adverse impact from odours, additional lorries and pollution. The proposer of the motion pointed out that the lifetime of the site was supposed to be three years but with the relinquishing of conditions it could be never ending. In his view, the Hempsted site would be much more appropriate. The seconder of the motion felt the County Council was being cavalier about the operation as the site was never supposed to be for residual waste and she was aware of many complaints from residents of Bishop's Cleeve and the surrounding areas. In her opinion, it would be irresponsible if the Council did not raise an objection to the application. A Member shared this view as it was the current residents and the occupants of the 225 houses being built opposite the site who would have to deal with the consequences. The odour from the site along Stoke Road was really quite terrifying at times. Another Member indicated that she had an issue with this being a retrospective application and felt it was obviously being driven by economic reasons which was not a consideration for residents – the County Council should have taken this into account a long time ago. A Member echoed the concerns that had been expressed regarding the odour which he had experienced when playing rugby at Cheltenham North Rugby Club on Stoke Road; it had got to the point where the team had abandoned the club due to the smell.

20.6 In response to a query as to what would happen if the Council objected to the application, in particular whether operations would cease, the Borough Solicitor explained that the County Council would be required to take the objection into account in its determination of the application. It would be open to the County Council to decide whether or not it was expedient to take enforcement action and, if so, what the requirements of any Enforcement Notice might be. Upon being put to the vote, it was

RESOLVED That the Council **OBJECT** to the application on the basis of the

adverse impact from odours, additional lorries and pollution.

PL.21 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

21.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 306-309. Members were asked to consider the current planning and enforcement appeals received and the Ministry of Housing, Communities and Local Government appeal decisions issued.

21.2 Accordingly, it was

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

The meeting closed at 1:53 pm

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 17 August 2021

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>21/00019/FUL</p> <p>Part Parcel 0250, Manor Lane, Gotherington</p> <p>Playspace and Local Equipped Area of Play (LEAP)</p> <p>Details of an on-site LEAP have not been agreed with the applicant and neither has a financial contribution to suitable off-site provision. The applicant has advised they would prefer to make a financial contribution towards existing play equipment in Gotherington but officers have concerns that the existing facilities at Freemans Field would not be easily accessible for future residents as required by Policy RCN1 of the Adopted Tewkesbury Local Plan. In the absence of an agreement for either on-site provision or a contribution towards off-site provision, officers recommend reason for refusal 6 is amended to state:</p> <p>Reason for Refusal 6</p> <p>In the absence of appropriate planning obligations and on-site provision of a Local Equipped Area of Play, the proposed development does not adequately provide for open space, outdoor recreation and sports facilities and the proposal conflicts with Policy RCN 1 of the Tewkesbury Borough Local Plan to 2011 (March 2006), Policies INF4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and the National Planning Policy Framework</p> <p>Ecology</p> <p>Further to the preparation of the Committee report, the applicant has submitted additional ecology reports including Dormouse and Great Crested Newts Mitigation Strategies. The Council's ecological advisors have been re-consulted and advise that there are no objections to the application subject to the imposition of appropriate planning conditions to secure the ecological mitigation.</p> <p>Trees</p> <p>Further to the Tree Officer's concerns raised in Paragraph 7.101 of the Committee Report that additional information and details are require on the planting of trees, including within the built up area, the applicant has advised that 'it is simply not possible to fundamentally redesign the scheme to a provision for all the streets to be tree-lined one week prior to determination'. The applicant also advises that 'The level of tree planting at the entrance and along the main road on the eastern side with larger tree species (Oak/Beech/Lime) to create a sense of arrival and provide more ecological and amenity benefit is surely better from an arboricultural standpoint instead of installing smaller street trees?' and that 'Given that a</p>

	<p>requirement for detailed soft landscaping is expected via condition, we can have a look at this and place an emphasis on the use of specimen shrubs as focal points in the front gardens throughout the development and more trees in the rear gardens to avoid a major redesign'.</p> <p>Officers have considered these comments and consider that should planning permission be granted, there would be sufficient scope to secure additional tree planting within the development as a whole via planning condition to mitigate the concerns of the Tree Officer.</p> <p>County Council requested planning obligations to education and libraries</p> <p>Officers have received no update from the County Council regarding the quantum of the requested planning obligations to education and library facilities.</p>
5b	<p>20/00956/FUL</p> <p>25 Paynes Pitch, Churchdown</p> <p>Since the preparation of the Committee report four additional objections have been received raising the following points:</p> <ul style="list-style-type: none"> - Concerns about impact on ecology and hedgehogs. - Concerns about the impact of the construction phase and use of vehicles on minor roads and that the County Highways Authority has not robustly considered the proposal. - The construction method statement states that parking space for 10 vehicles will be provided on site, but space is only shown for two. - Any right of access, which in any event has been mitigated by a longstanding agreement, does not create a right of build or development over the parcel of land to the north of Dunstan Glen which should legally be left in situ. - The proposed dwellings do not reflect the grain of the locality and their character is an offence to the surroundings and harmful to the built environment. - The loss of trees would contribute to climate change and the new tree planting will take many years to mature and provide any benefits. - Whilst Dunstan Lodge is in a poor state of repair, it is capable of restoration and conservation which will allow the preservation of a heritage building however designated. There are several local examples of period dwellings in a similar state being restored and which are a shining example of responsible curating of the village. - Developers with a sense of community engagement should be willing to demonstrate the cost effectiveness or otherwise of a build and sell/let scheme for Dunstan Lodge. <p>A local resident has also advised planning officers that there has been a material change in aspects of land ownership related to this application. The resident advises that Bovis Homes has now given the resident 'The Sole Ownership of the Land and its Title Deeds' for that part of the site which contains the hedgerow adjacent to the north of Dunstan Glen. The resident advises that 'If the applicant is successful in this planning application there are aspects of the proposals which I will not give permission to implement across my land. Notwithstanding they have the legal right to gain access over my land to facilitate road access from Dunstan Glen to the curtilage of Dunstan Lodge'.</p> <p>Planning officers have asked the resident for copies of the relevant documents to substantiate these statements, but they have not been provided albeit extracts of</p>

email conversations have been provided.

Planning officers advise the Committee that Paragraphs 7.9 to 7.11 of the Committee Report refer to matters of land ownership and the lawfulness of the implementation is a matter for the applicant.

Amendments to Conditions

Since the preparation of the Committee report, officers recommend the following changes to the recommended conditions:

A new construction method statement has been submitted to demonstrate the 10 vehicles can be parked within the confines of the site boundary. It is recommended that condition 18 is updated to refer to this updated statement to state:

Condition 18

The development, including any works of demolition, shall only take place in accordance with the submitted Demolition & Construction Method Statement received on 10th August 2021 and shall be adhered to throughout the construction period.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

There have also been ongoing discussions with the applicant regarding the treatment of level changes to the parcel of land to the south of 23 Paynes Pitch which falls from south to north. It has been agreed that these matters can be considered as part of any discharge of conditions application and therefore it is recommended that conditions 4 and 5 be amended to state:

Condition 4

Notwithstanding the submitted details, no development shall be undertaken above DPC level until the existing and proposed levels across the site including the land to the south of 23 Paynes Pitch, and relative to adjoining land, together with the finished ground levels, floor levels and ridge levels of the proposed dwelling hereby approved have been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of residential and visual amenity

Condition 5

Prior to the occupation of the dwellings hereby permitted, details of all walls, fencing and other means of enclosure shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

Reason: To provide adequate privacy and an acceptable external appearance.

5e	<p>21/00398/FUL</p> <p>Land South Of Wheatpieces, Walton Cardiff</p> <p>A petition with 418 signatories has been received, however no specific reason for their objection to the proposal is given.</p> <p>A further letter of representation has been received from a local resident which seeks a controlled crossing over Bluebell Road. The highway implications of the proposal have been assessed and a specific crossing is not considered necessary.</p> <p>A letter of representation has been received from the applicant and has also been sent to Members of the planning Committee a copy is attached to this report.</p> <p>The recommendation remains as set out in the Committee Report.</p>
5h	<p>21/00631/FUL</p> <p>Greensleeves Shooting Club, The Range, The Park, Stoke Orchard</p> <p>Revised Condition</p> <p>Since writing the Committee report, an updated Site Location Plan and Proposed Block Plan has been submitted which shows the footprint of the proposed cover more accurately than the original versions. As such Condition 2 needs to be amended to the following:</p> <p>Unless where required or allowed by other conditions attached to this permission, the development hereby approved shall be carried out in accordance with the information provided on the application form, including details of the proposed materials and finish of the cover, and the following plans/drawings/documents:</p> <ul style="list-style-type: none"> - Site Location Plan (dated 06.08.21) - Proposed Block Plan (dated 05.08.21) - 3D View - Drawing No. G(2)
5i	<p>21/00767/FUL</p> <p>The Kneelings, Dog Lane, Witcombe</p> <p>Officer Update</p> <p>This application was supported by a Planning Statement which included, inter alia, the applicant's case in terms of the impact of the proposed development upon the Green Belt. The applicant considers that the proposed extension would result in an increase in Gross External Area (GEA) of 17.15% from the original building as it existed on 1 July 1948 and therefore the development would result in a proportionate addition over and above the size of the original building. In coming to this conclusion, for the purposes of this proposal, the applicant has derived the 'original building' to be that as shown on an Ordnance Survey (OS) Map which was revised in 1939 and published in 1947 (see Figure 9 in the Planning Statement). The extract shows the outline of what appears to be the main dwelling and three other buildings, joined together.</p> <p>Officers note the position advanced by the applicant, however, when taking account of the information from the historic maps dated from 1922 to 1974 and the earliest planning history of the application site held by the Council, your officers are not convinced that the 'three other buildings' shown on the published 1947 OS Map would have been used for residential purposes as part of the main dwelling, they may have been small farm buildings or stable buildings. Given the level of uncertainty it was considered it would be reasonable to establish whether the</p>

	<p>proposed extension would result in a disproportionate extension or addition from the building as shown in the earliest plans held by the Council of the dwelling, which are dated 1965.</p>
5k	<p>21/00515/FUL</p> <p>Land At Ashville Business Park, Commerce Road, Churchdown</p> <p>Additional Consultation Response</p> <p>The County Highways Authority has raised no objection to the application and has not recommended the imposition of any highways related planning conditions.</p>
5l	<p>21/00494/FUL</p> <p>Brock Farm, Church Lane, Staverton</p> <p>Officer Update</p> <p>Additional information has been received from the applicant in response to those comments raised by the Council's Agricultural Consultant. It is asserted that the availability of alternative accommodation within the applicant's ownership (Nos. 1 & 2 Church Cottages, Staverton) has been incorrectly assessed. Paragraph 7.23 of the Officer's Committee Report sets out that it is likely at least one of the cottages would be on an Assured Shorthold Tenancy and therefore considered potentially available. However, the applicant has indicated that both properties are on Protected Tenancies (lifetime protection with succession rights) and cannot be considered available for the purposes of meeting the identified functional need associated with the new farming enterprise (calf rearing).</p> <p>The Agricultural Consultant has provided an updated response. It is commented that if No's. 1 & 2 Church Cottages are on Protected Tenancies, with no other dwellings within easy access of Brock Farm, then a temporary dwelling would be considered essential subject to the calf building being permitted. However, it is advised that copies of the tenancy agreements and/or statutory declarations from the occupiers should be submitted in order to fully consider the security of tenure of either cottage. The applicant has been notified of this request for additional information but has been unable to provide the relevant documentation in advance of the application being presented to Planning Committee.</p> <p>It is also materially relevant that the 'essential need' for the temporary farm worker accommodation is heavily reliant on the proposed calf building (ref: 21/00211/FUL) being permitted. This application is still pending consideration and it would be somewhat premature to determine the current application ahead of that concerning the proposed calf building.</p> <p>For these reasons, the officer recommendation has been updated to DEFER to allow for the requested information to be provided and for planning application 21/00211/FUL to be determined. The application will return to Planning Committee once these matters have been addressed.</p>
6a	<p>21/00807/CM</p> <p>Wingmoor Quarry And Landfill, Stoke Road, Bishops Cleeve</p> <p>Additional Representations</p> <p>1. A joint letter in support of the planning application has been received from Tewkesbury Borough Council's (TBC) Head of Community Services and Cheltenham Borough Council's (CBC) Environmental Partnerships Manager. A copy of the letter has been appended to the Late Representations Sheet for Members' full consideration although a summary of the points raised has been provided below:</p>

- Direct delivery of residual household waste to the Energy from Waste facility (Javelin Park) would result in a significant increase in vehicular movements and emissions on the M5. For both authorities, there would be an increase of approximately 9,043 vehicular movements per year to Javelin Park if the Grundons' local waste transfer site was unavailable.
- Highways [England] made their recommendations on the planning application for the Energy from Waste (EfW) facility on the basis of waste from CBC and TBC being bulk transferred thereby limiting the additional vehicular movements. Direct delivery of residual household waste to the EfW facility would be contrary to Highways England's recommendation.
- Gloucestershire County Council arranges for the bulk hauling of waste from [the application site] which equates to 1052 trips. If TBC and CBC were required to direct deliver residual household waste to Javelin Park then this would result in 10,162 trips down the M5 motorway. This would result in an additional 273 tonnes of CO2 being released into the environment.
- If this application was not permitted then it is likely that direct delivery of waste to Javelin Park would increase vehicular movements on the local road network increasing congestion and emissions.
- Odours from the open-air landfill site at Wingmoor Farm will have reduced following the cessation of TBC and CBC's household residual waste being tipped at this site in July 2019. 30% of TBC's household waste goes direct to Javelin Park, with the remaining 70%, along with all of CBC's household residual waste, being tipped under cover at the Material Recycling Facility (MRF) building for onward bulk haulage to Javelin Park thereby minimising any odour pollution.
- Neither food nor garden waste is disposed of at the application site.
- It is acknowledged that there are local concerns over odour in the area but the Environment Agency, who have carried out monitoring, and the Gloucestershire County Council Waste Disposal Authority have confirmed that any odours do not originate from the waste transfer station with the exception of one incident in November 2020.

There are '**Other Considerations**' discussed within the supporting letter but it should be made clear that these are not material planning considerations and cannot be taken into account when debating the planning application.

2. An identical letter of support has been received from **Councillor Iain Dobie, Cabinet Member - Waste, Recycling and Street Services, Cheltenham Borough Council**. This letter has been appended to the Late Representations Sheet but a summary has not been provided below for the avoidance of repetition.

Additional Information

The applicant has submitted additional information to Gloucestershire County Council (GCC) in response to the comments made on the planning application both by consultees and the public. Please see attached in full.

There is no change to the Officer report in light of this additional information and it is recommended that the Planning Committee RESOLVE to raise no objection to the planning application.

Item No. 5e – 21/00398/FUL Land South Of Wheatpieces, Walton Cardiff, Tewkesbury

Our ref: NR/AW

WITHOUT PREJUDICE11th August 2021

By Email

Mr P Skelton
Tewkesbury Borough Council

Dear Mr Skelton

RE: Planning Committee 17 August 2021 – Agenda Item 5(e) Bloor Homes application for the erection of a two-storey office development (Use Class E) on Land South of Wheatpieces, Walton Cardiff, Tewkesbury (Ref. 21/00398/FUL)

I write with reference to the above full planning application which will be considered by you and your fellow Councillors at the Tewkesbury Borough Council Planning Committee meeting on Tuesday 17th August 2021.

We are very pleased that your Officers support the proposals and are recommending that the application is approved. I trust that you will be reassured to learn that prior to the application being submitted, Bloor entered into a period of formal pre-application advice with the Borough Council and Gloucestershire County Council as the Highway Authority which influenced the application submission; particularly in respect of the design and layout of the proposed two-storey offices, structural landscaping and highway access considerations. Throughout the course of determination of the application Bloor has continued to liaise closely with Officers to consider consultation responses and discuss any necessary revisions to the proposed development arrangements that will be before you for determination.

As you may be aware, Bloor Homes is a family owned, private company and our Western Regional Offices are based at Furrowfield Park in Tewkesbury. The Western Region covers Gloucestershire, Herefordshire, Worcestershire, parts of Warwickshire and West Oxfordshire. Bloor has successfully operated from our Furrowfield Park premises for over 14 years during which time we have delivered a number of high quality residential developments within the Western region as a whole and Tewkesbury Borough in particular; to include sites at Wheatpieces, Stoke Orchard and Winchcombe.

The Western office has experience a period of managed growth over this period commensurate with the year on year growth of the business and the number of new homes we deliver across the Region. Such has been the success of our activity that for the third consecutive year, Bloor Homes has been awarded 5-star builder status by the HBF based on their annual New Homes Customer Satisfaction Survey. Indeed, you may be interested to learn that the Western Office currently has a Customer Satisfaction rating of 97.5%; the highest in the Bloor Group.

As such, we like to think that Bloor Homes Western is a success story for the Borough; one which makes an important contribution to the local economy and its economic well-being. As well as employing 50 office based staff across a range of disciplines (a large number of whom are local residents) the regional office and our house building activities also directly and in-directly support a large number of jobs in the local construction and service sector, with associated expenditure on goods, supplies and services in the Borough.

Bloor Homes Western is a division of Bloor Homes Limited Western House, Furrowfield Park, Tewkesbury, Gloucestershire GL20 8UR
T 01684 290485 F 01684 290544 west@bloorhomes.com

Bloor Homes Limited. Registered No. 2162561 England.
Registered Office Ashby Road, Measham, Swadlincote, Derbyshire DE12 7JP VAT Reg No. 125 4938 61

bloorhomes.com

-Page 2-

Our Wheatpieces housing development was also the regional base for the Western region's Apprenticeship Training Centre; providing site-based training and skills development in brick laying and carpentry overseen by Apprentice Training Masters. Indeed, Bloor's commitment to supporting construction opportunities for young and local people; both on site and office based, is such that across the Bloor Group around 15% of our employees consist of current or former apprentices and trainees.

However, we have now outgrown our Furrowfield Park premises and there are no opportunities to physically extend the building or convert internal space. Even with the introduction of flexible working arrangements, the constrained office space and car parking limitations are preventing future growth and job creation.

The need to move is pressing and the key objective behind the application proposal is to move to new purpose built offices in Tewkesbury which will enable Bloor to stay in the Borough and facilitate our growth plans. This will see the company expand from 50 to 60 office based staff over the next 5 years, as well as providing a Regional Training Centre for our site-based staff. The new offices will represent a direct investment of around £5m by Bloor.

The search for a new site and/or freehold premises was on-going for a period of 18 months and was led by myself in liaison with Senior Officers of the Borough Council and local agents. The area of search initially focused upon Tewkesbury before expanding to consider the outskirts of Cheltenham. Unfortunately, we were unable to find suitable premises which met our requirements which led us to carefully consider the opportunity presented by land which we own off Bluebell Road, Wheatpieces on which to construct a new office to be built to the BREEAM 'Very Good' standard.

Needless to say the potential for Bloor to relocate to this site was the first matter discussed with your Officers during pre-application advice. As was confirmed by the formal advice received, the proposed development is considered appropriate in principle in consideration of the prevailing development plan policy framework. That said, Officers highlighted that particular regard would need to be paid to securing an acceptable design and landscaping for the proposed development given the edge of settlement location of the site.

As a consequence of the pre-application advice received and the post submission engagement we are, therefore, pleased to see from Committee Report that your Officers' professional judgement is that our proposal is supported and recommended for approval.

I enclose for your information a copy of the submitted Offices Street Scene drawing (I recommend you zoom in to best view the details).

We trust that this 'without prejudice' update is helpful in setting out the rationale for the planning application and I thank you for taking the time to read this letter.

Yours sincerely



STEVE ROBERTS
REGIONAL MANAGING DIRECTOR



Item No. 6a – 21/00807/CM Wingmoor Quarry And Landfill, Stoke Road, Bishops Cleeve

Community Services
Peter Tonge
 Head of Community Services



Planning Committee
 Tewkesbury Borough Council
 Gloucester Road
 Tewkesbury GL20 5TT

Contact Peter Tonge
 Your Ref
 Our Ref PJT - 09082021
 E-mail Peter.Tonge@teWKesbury.gov.uk

09 August 2021

Dear Committee Members

Planning Application: 19/0066/TWMAJW (TBC Ref – 21/00807/CM)

We write on behalf of Tewkesbury Borough Council and Cheltenham Borough Council in support of the above mentioned planning application.

Under direction from Gloucestershire County Council, the waste disposal authority, both of our councils have used Grundon's Waste Management at Wingmoor Farm (East) Stoke Road Bishops Cleeve as a waste transfer site for household residual waste (refuse) before onward transportation to Javelin Park energy from waste (EfW) site for the last 2 years which is a separate facility from the landfill site operated nearby. Work has been undertaken to seek to source an alternative waste transfer station and there are none available with the logical geographical area.

We would like to draw to your attention to relevant material planning considerations as set out below however there are also other considerations summarised in this letter which we believe planning officers and members of the committee should also be aware of as background context.

Material planning considerations: negative environmental impact

1. Increased vehicular movements and emissions on the M5 to Javelin Park

If the planning application is not approved, an alternative disposal point will be required for all of Cheltenham's household residual waste and the remaining 70% of Tewkesbury's which is not currently direct delivered to Javelin Park as the disposal point. Given there is no alternative local waste transfer station available to facilitate bulking of residual waste for onward haulage to Javelin Park, both authorities will be required to direct deliver all of its residual household waste to this location on the M5.

Direct delivery will result in a significant increase in the number of refuse vehicles driving on the road network to Javelin Park, a greater amount of emissions and mileage driven with the associated negative environmental impact, something both local authorities have tried to reduce and avoid in their support of the climate emergency. The road network is already congested at peak times during the day and during school holidays. Future road infrastructure improvements near J9 and 10 of the M5 or any associated with the GCHQ cyber-park on the A40 in Cheltenham are likely to worsen this situation due to the disruption likely to be caused by such extensive roadworks.

Tewkesbury Borough Council is currently responsible for 1,052 vehicle movements to Javelin Park (direct delivery) per year plus approximately 364 vehicular movements from Grundon's local waste transfer site to Javelin Park via bulk haulage vehicles per year for the remaining waste not direct delivered to Javelin Park, resulting in a total of approximately 1,416 vehicular movements per year to Javelin Park.

The number of vehicular movements to Javelin Park, if local waste transfer at Grundons was unavailable, would **increase from approximately 1,416 to at least 4,432 vehicular movements per year.**

In mileage terms, this equates to a change from approximately 33,186 miles per year to Grundons to approximately 126,245 miles per year to Javelin Park, an increase of approximately 93,059 miles per year. This will mean that there is an **increase of 113 tonnes of CO2 being released** into the environment based on the calculated mileage

Cheltenham Borough Council is currently responsible for approximately 1,116 vehicle movements to Javelin Park per year for all household residual waste via bulk haulage vehicles from Grundons' waste transfer site.

The number of vehicular movements to Javelin Park, were Cheltenham unable deliver to Grundons' waste transfer site locally and had to direct deliver, would increase from approximately 1,116 to approximately 5,730 per year, **an increase of approximately 4,614 vehicular movements per year.**

In mileage terms, this equates to a change from approximately 22,920 miles per year to Grundons to approximately 154,710 miles per year to Javelin Park, an increase of approximately 131,790 miles per year. This will mean that there is an **increase of 160 tonnes of CO2 being released** into the environment (based on the calculated mileage).

For both authorities, there would be an increase of approximately 9,043 vehicular movements per year to Javelin Park if the Grundons' local waste transfer site was unavailable.

The Highways Agency provided recommendations on the EfW planning application on the basis of the waste from Cheltenham Borough Council and Tewkesbury Borough Council being bulk transferred thereby limiting the additional vehicular movements. If direct delivery was the only option open to both Councils then this would go against the Highways Agency recommendation.

Currently the County Council arrange for the bulk hauling of the waste from the Grundon facility and this equates to 1052 trips. If the Councils need to direct deliver this will lead to 10,162 trips down the motorway to Javelin Park. **This will mean that there is a total increase of 273 tonnes of CO2 being released into the environment.**

There are a number of considerable non-material planning considerations which we would like the Planning Committee to be cognisant of and whilst we accept that they are not material in planning terms believe that the Committee should be aware of them.

2. Increased local vehicle movements and emissions

If the need to direct deliver to Javelin Park necessitates the purchase of additional vehicles for both household waste collection and street cleansing, which is expected to be the case as set out below, more vehicles are likely to be driving around the local road network increasing congestion and emissions.

3. Odours

Since the cessation of both Cheltenham and Tewkesbury's household residual waste being tipped at the open air landfill site at Wingmoor Farm in July 2019, odours at this site from municipal waste will have reduced. Approximately 30% of Tewkesbury Borough Council's household residual waste now

goes directly to Javelin Park and the remaining 70% of Tewkesbury's household waste, along with all of Cheltenham's household residual waste is now tipped under cover in the waste transfer site building for onward bulk haulage to Javelin Park minimising any odours. In addition, both authorities DO NOT dispose of food and garden waste at this Grundon's waste transfer site, further minimising any odours. We acknowledge that there are recent local concerns over odour in the area but the Environment Agency, who have carried out monitoring and Gloucestershire County Council Waste Disposal Authority have confirmed that any odours do not originate from the waste transfer station with the exception of one incident in November 2020.

4. Other considerations:

Financial consequences

With regard to the financial consequences to the council taxpayer. In 2018 Gloucestershire County Council considered directing our Councils to direct deliver our residual household waste to Javelin Park. Upon further consideration of the facts it became obvious that the costs and environmental dis-benefits of doing so were prohibitive for both Borough Councils and the County Council agreed that the best value option for all Councils involved was to commission a waste transfer station and bulk haul the waste down to Javelin Park.

The associated costs to both Councils of having to direct deliver their waste are set out below.

The actual costs that the Boroughs will incur if direct delivery is necessary are significant and relevant to the calculation of, 'expenditure reasonably incurred by the WCA in delivering waste to a place which is unreasonably far from the WCA's area'.

Capital expenditure will be required to purchase additional refuse, street cleansing and bulky waste collection vehicles as the current fleet numbers will not be able to complete all of the current service requirements in the boroughs due to the additional time that will be required to tip at Javelin Park. The capital purchase of vehicles would either require borrowing with a revenue implication for repayment and interest, or a loss of revenue on interest gained on reserves.

The tables below show the estimated additional unbudgeted capital and revenue costs for the Boroughs respectively arising out of the requirement to direct deliver waste to Javelin Park calculated in 2018 and therefore underestimate the current costs:

Cheltenham Borough Council	
Total Capital Costs	£824,000
Total One Off Revenue Costs associated with Change	£465,722
Total Annual Ongoing Revenue Costs (annual revenue cost plus satellite depot cost)	£1,093,295

Tewkesbury Borough Council	
Total Capital Costs	£503,000
Total One Off Revenue Costs associated with Change	£395,464
Total Annual Ongoing Revenue Costs (annual revenue cost plus satellite depot cost)	£937,224

If the planning variation is not agreed, there would not be sufficient time to procure new vehicles and so there would be additional short/medium term hire costs to manage until the newly procured additional vehicles arrived. Leaving the EU has also exacerbated the problem as vehicle supply times are considerably longer the previously meaning they could take more than a year to manufacture and deliver.

The one off Service Change Costs incurred include project support to implement the direct delivery option, project management, rerouting, procurement of vehicles, communicating with residents and contingency budget to deal with service change issues at time of change.

These costs are incorporated into the tables above as total one off revenue associated with change and were calculated in 2018 therefore these costs will have increased now.

It is therefore evident that not agreeing to the planning variation will only result in additional costs to the collection authorities (TBC and CBC) and these would likely have to be passed on to the taxpayer.

Depot Capacity

The Boroughs share a depot at Swindon Road, Cheltenham. Ubico has confirmed that there will not be the necessary capacity to store and maintain the increased number of vehicles at the depot so an additional site would be needed, with all of the associated on-costs of acquisition/rent, offices, welfare facilities, utilities, security, management and supervision which will also add cost to the operation. These additional costs will only result in additional costs to the collection authorities (TBC and CBC) and these would also likely have to be passed on to the taxpayer.

In addition, the current Ubico Operators licence does not allow for the number of proposed additional vehicles and it can take up to 26 weeks to amend an Operator's licence.

National Driver Shortage

The national driver shortage is well documented on the national news. Ubico are already struggling to attract and retain enough drivers for the current number of vehicles operating. This situation will be significantly exacerbated for both councils should we need to operate more vehicles as a result of not allowing the variation to the contract which is being sought.

We are not incognisant of the problems that residents are suffering with as a result of the waste operations in the Wingmoor Farm area, particularly the open landfill site, and work hard with the operator and the Environment Agency to address those problems and will continue to do so. The alternative, however, will cause significant disruption to all of the residents across both of the councils' areas. Therefore we consider that the best outcome for all of the residents of both Boroughs is that the Planning Committee will allow the variation as requested.

Disruption to residents

The need to direct deliver to Javelin Park will require rerouting of rounds to ensure that services operate efficiently. These changes will not only affect refuse rounds but will impact on recycling, food waste and garden waste rounds, as if day changes are required to make refuse rounds more efficient, all other service rounds would need to be rerouted to match the refuse round, as to avoid confusion as residents expect their collections to be on the same day.

Residents will need to be informed of these changes which will incur costs and there will be confusion as both Councils have had significant day or week change to all the services and rounds in the last few years.

Experience has shown that any rerouting exercise will result in increased missed collections as crews will need to learn new rounds and this will have an impact on customer services teams in terms of increased number of calls and resident dissatisfaction.

The direct delivery option not only impacts on the collection services but also impacts the street cleansing services and trade waste collection services. There will be a reduction in service levels if these vehicles need to tip at Javelin Park as there will be less time to carry out works as more time will be required to get to the tipping point.

Ubico/Council Resources

As Ubico Ltd deliver the services on behalf of both of the Boroughs, if the direct delivery option needs to be implemented significant Ubico resources will be required for this project. This will not only impact on the authorities directly affected but will also have an impact on other authorities that Ubico provide services for as resources will have to be directed away from planned works to the direct delivery mobilisation project.

There will also be an impact for the other services and staff that the Boroughs employ such as customer services, finance, legal/ procurement, communications and IT teams which will need to support the role of any service changes.

Project management for procurement and mobilisation of new vehicles and rounds for both councils would reduce Ubico and council officer time for carrying out other projects in the work and business plans. This would not be limited to waste officers, and so additional project support would be required.

Both authorities hope that you will take into account the material planning considerations set out at the beginning of this letter.

Yours sincerely

Peter J Tonge
Head of Community Services
Tewkesbury Borough Council

Karen Watson
Environmental Partnerships Manager
Cheltenham Borough Council



Marcus Sparrow
Senior Planning Officer
Gloucestershire County Council
Shire Hall
Westgate Street
Gloucester GL1 2TG

ask for: Councillor Iain Dobie
tel number: 01242 262626
email: Cllr.iain.dobie@cheltenham.gov.uk
our ref:
your ref: 19/0066/TWMAJW
date: 10 August 2021

Dear Mr Sparrow

Planning Application: 19/0066/TWMAJW

As Cheltenham Borough Council's cabinet member for waste, recycling and street services I am committed to supporting initiatives which improve our environment and therefore the climate emergency facing all of us. I am therefore writing to you as cabinet member in strong support of the above mentioned planning application.

I am aware that, under direction from Gloucestershire County Council both Cheltenham and Tewkesbury Borough Councils have used Grundon's Waste Management at Wingmoor Farm (East) Stoke Road Bishops Cleeve as a waste transfer site for household residual waste which is then transported to Javelin Park energy from waste site for the last 2 years which is a separate facility from the landfill site operated nearby. It appears there is no alternative waste transfer site available to us locally.

Whilst officers have written separately, I feel this issue may present such a negative impact on the environment that I also need to draw to your attention what I believe to be relevant material planning considerations but there are also other considerations which planning officers and members of the committee should be aware of.

Material planning considerations: negative environmental impact

1. Increased vehicular movements and emissions on the M5 to Javelin Park

If the planning application is not approved, an alternative disposal point will be required for all of Cheltenham's household residual waste and the remainder of Tewkesbury's which is not currently direct delivered to Javelin Park as the disposal point. Given there is no alternative local waste transfer station available to facilitate bulking of residual waste for onward haulage to Javelin Park, both authorities will be required to direct deliver all of its residual household waste to this location on the M5.

Direct delivery will result in a significant increase in the number of refuse vehicles driving on the road network to Javelin Park, a greater amount of emissions and mileage driven with the associated negative environmental impact, something both local authorities have tried to reduce and avoid in their support of the climate emergency. The road network is already

congested at peak times during the day and during school holidays. Future road infrastructure improvements near J9 and 10 of the M5 or any associated with the GCHQ cyber-park on the A40 in Cheltenham are likely to worsen this situation due to the disruption likely to be caused by such extensive roadworks.

I am advised that Tewkesbury Borough Council is currently responsible for approximately 1,416 vehicular movements per year to Javelin Park. The number of vehicular movements to Javelin Park, if local waste transfer at Grundons was unavailable, would **increase from approximately 1,416 to at least 4,432 vehicular movements per year**. In mileage terms there will be an **increase of 113 tonnes of CO2 being released** into the environment per year based on the calculated mileage.

Cheltenham Borough Council is currently responsible for approximately 1,116 vehicle movements to Javelin Park per year for all household residual waste via bulk haulage vehicles from Grundons' waste transfer site. The number of vehicular movements to Javelin Park, were Cheltenham unable deliver to Grundons' waste transfer site locally and had to direct deliver, would increase from approximately 1,116 to approximately 5,730 per year, an **increase of approximately 4,614 vehicular movements per year**.

In mileage terms, this equates to a change from approximately 22,920 miles per year to Grundons to approximately 154,710 miles per year to Javelin Park, an increase of approximately 131,790 miles per year. This will mean that there is an **increase of 160 tonnes of CO2 being released** into the environment per year (based on the calculated mileage).

For both authorities, there would be an increase of approximately 9,043 vehicular movements per year to Javelin Park if the Grundons' local waste transfer site was unavailable. This will generate an additional 273 tonnes of CO2 being released into the environment.

I am aware that the Highways Agency provided recommendations on the EfW planning application on the basis of the waste from Cheltenham Borough Council and Tewkesbury Borough Council being bulk transferred thereby limiting the additional vehicular movements. I am unclear why we would want to go against the Highways Agency recommendation.

2. Increased local vehicle movements and emissions

If the need to direct deliver to Javelin Park necessitates the purchase of additional vehicles for both household waste collection and street cleansing, which is expected to be the case as set out below, more vehicles are likely to be driving around the local road network increasing congestion and emissions.

3. Odours

Since Cheltenham and Tewkesbury's household residual waste stopped being tipped at the open air landfill site at Wingmoor Farm in July 2019, odours at this site from municipal waste will surely have reduced. Approximately 30% of Tewkesbury Borough Council's household residual waste now goes directly to Javelin Park and the remaining 70% of Tewkesbury's household waste, along with all of Cheltenham's household residual waste is now tipped under cover in the waste transfer site building for onward bulk haulage to Javelin Park minimising any odours. In addition, both authorities DO NOT dispose of food and garden waste at this Grundon's waste transfer site, further minimising any odours. I am advised that there are recent local concerns over odour in the area but the Environment Agency, who have carried out monitoring and Gloucestershire County Council Waste Disposal Authority

have confirmed that any odours do not originate from the waste transfer station with the exception of one incident in November 2020.

4. Other considerations:

There are a number of other considerations which I believe the Planning Committee should be aware of and whilst I understand that they are not material in planning terms, I believe that the Committee should be aware of them.

Financial consequences

With regard to the financial consequences to the council taxpayer, these are considerable as set out by officers in their letter. Gloucestershire County Council and both borough councils came to a sensible agreement to mitigate both environmental and financial consequences of direct delivery to Javelin Park in 2018. I do hope the council tax payer can avoid this burden again now but the high level cost estimates calculated at that time are set out below:

Cheltenham Borough Council	
Total Capital Costs	£824,000
Total One Off Revenue Costs associated with Change	£465,722
Total Annual Ongoing Revenue Costs (annual revenue cost plus satellite depot cost)	£1,093,295

Tewkesbury Borough Council	
Total Capital Costs	£503,000
Total One Off Revenue Costs associated with Change	£395,464
Total Annual Ongoing Revenue Costs (annual revenue cost plus satellite depot cost)	£937,224

It is therefore evident that not agreeing to the planning variation will only result in additional costs to the collection authorities (TBC and CBC) and these would likely have to be passed on to the taxpayer.

Depot Capacity

The Boroughs share a depot at Swindon Road, Cheltenham. Ubico has confirmed that there will not be the necessary capacity to store and maintain the increased number of vehicles at the depot so an additional site would be needed, with all of the associated on-costs of acquisition/rent, offices, welfare facilities, utilities, security, management and supervision which will also add cost to the operation. These additional costs will only result in additional costs to the collection authorities (TBC and CBC) and these would also likely have to be passed on to the taxpayer.

National Driver Shortage

The national driver shortage is well documented on the national news. Ubico are already struggling to attract and retain enough drivers for the current number of vehicles operating. This situation will be significantly exacerbated for both councils should we need to operate more vehicles as a result of not allowing the variation to the contract which is being sought.

Disruption to residents

The need to direct deliver to Javelin Park will require rerouting of rounds to ensure that services operate efficiently. These changes will not only affect refuse rounds but will impact on recycling, food waste and garden waste rounds, as if day changes are required to make refuse rounds more efficient, all other service rounds would need to be rerouted to match the refuse round, as to avoid confusion as residents expect their collections to be on the same day.

Residents will need to be informed of these changes which will incur costs and there will be confusion as both Councils have had significant day or week change to all the services and rounds in the last few years.

Experience has shown that any rerouting exercise will result in increased missed collections as crews will need to learn new rounds and this will have an impact on customer services teams in terms of increased number of calls and resident dissatisfaction.

Ubico/Council Resources

As Ubico Ltd deliver the services on behalf of both of the Boroughs, if the direct delivery option needs to be implemented significant Ubico and Council resources will be required for this project. This will not only impact on the authorities directly affected but will also have an impact on other authorities that Ubico provide services for as resources will have to be directed away from planned works to the direct delivery mobilisation project.

I do hope that you will take into account the material planning considerations set out at the beginning of this letter.

Yours sincerely,



Councillor Iain Dobie
Cabinet Member - Waste, Recycling and Street Services
Cheltenham Borough Council



Marcus Sparrow
Senior Planning Officer

30th July 2021

Strategic Infrastructure
Planning Development Management
Gloucestershire County Council
Shire Hall
Westgate Street
Gloucester, GL1 2TH

Re: 19/0066/TWMAJW - Variation of condition 7 (Buildings, plant and machinery) and 19 (Hours of operation) relating to planning consent 17/0066/TWMAJW dated 19/10/2017 at Wingmoor Farm East, Stoke Road Bishops Cleeve, GL52 7DG

Dear Mr Sparrow,

This letter provides an additional information and clarification to the comments made on the above planning application by both consultees and the public.

1. Retrospective application and appropriateness of the planning submission

It should be acknowledged that the current live planning application, ref. no 19/066/TWMAJW, was submitted to the Local Planning Authority (LPA) in December 2019 (informal project discussions with Gloucestershire CC (GCC) and preparation of the planning application took place prior to the formal submission). Despite a number of Grundon's enquiries about the validation of the application, it has taken the LPA a considerably long time (circa 16months) to register the application (although we understand that the national health crisis may have contributed to this delay to a certain extent).

The residual waste bulking and transfer operations at the Material Recovery Facility (MRF) have been considered as not impacting on or changing the current MRF use and the planning basis for the existence of the proposal has been investigated and considered to be acceptable under the existing planning consent. It has been confirmed that the proposed operation is not a 'change of use' matter that would require the submission of a new planning application. Such interpretation was confirmed in the legal advice letter (dated 7th March 2019) which was consequently agreed to by the LPA when the application was registered and an EIA Screening Opinion was issued (dated 26th April 2021).

2. Traffic movement

Under the current consent (PP 17/0066/TWMAJW, condition 5a) the MRF is permitted to receive up to 50,000 tonnes of general non-hazardous waste per annum. The vehicle movements associated with the operation of the MRF, when working at its full capacity, has been originally comprehensively assessed based on the annual waste throughput limit and the envisaged traffic was calculated at an average of 80 two-way movements per day (40 in and 40 out). These are expected to be permitted movements, although not specifically restricted by a planning condition. The assessment has also

taken into consideration various vehicle types and on that basis any potential impacts have been assessed on the local road network and the sensitive receptors along the local roads.

As demonstrated in the Planning Application Supporting Statement (PASS para. 2.3 and abstract from weighbridge data provided in Appendix 2), prior to the residual waste bulking and handling operation, the MRF was accepting up to 15,000 tonnes of waste yearly with an average two-way vehicle movements of 26 per day (13 in and 13 out). It was envisaged that the new contract would increase the amount of waste delivered to the site to its full permitted capacity, and it was expected it to be in a range of 35,000 tonnes per annum with predicted two-way vehicular movements of 54 per day (27 in and 27 out).

The residual waste contract is ongoing and the actual data is now available for this operation. The last twelve months of data have been obtained from the weighbridge and a summary table is provided in Figure 1 (Wingmoor Farm East MRF weighbridge /12 months data (01.05.2020 30.04.2021)). This demonstrates the inbound and outbound vehicular movements monthly/daily and the overall throughput of recyclable and residual waste in the past 12 month's period. The proposed operation consequently, and as predicted, utilised the capacity gap at the MRF.

Data confirms that the current vehicular movements from and to the MRF is lower than that envisaged at the time of the contract and does not exceed the vehicular movements permitted for the MRF site. The total RCVs/HGVs movements at the MRF (for both recyclable and residual waste streams) accounts to, on average, 40 one-way movements per day as detailed below.

On average there were 13 one-way RCVs/HGVs deliveries of recyclable waste to the MRF monthly. On average there were 20 one-way RCVs/HGVs deliveries of residual waste from Tewkesbury and Cheltenham boroughs to the MRF daily. On average 6 articulated vehicles left the MRF daily to deliver the residual waste to Javelin Park.

During the past year (May 2020 – May 2021) 46,554 tonnes of waste was received into the Materials Recovery Facility. This figure comprises 10,450 tonnes of recyclable waste and 36,403 tonnes of Council's household waste.

All vehicles travel directly to/from the east of the site using Stoke Road and not via Stoke Orchard village. Bulked residual waste from Gloucestershire is transferred from the MRF to Javelin Park via 'A' type roads and M5. The traffic associated with the site takes place within the permitted operational hours. An adequate car park provision is present at the site and there is no parking outside the site boundaries.

Previously, all residual waste deliveries from Cheltenham and Tewkesbury boroughs went to the Enover landfill site (located at: Stoke Road, Bishops Cleeve, GL52 7RS). To access the site all such traffic would pass the Wingmoor Farm East MRF site (the Application Site) and travel c.1.5 km further west to arrive at the landfill. All such residual waste traffic have been therefore passing Grundon site previously. It is understood that such arrangement was carried out for many years and vehicular movements associated with the Council's household waste disposal have been included in the usual traffic movements around Bishop's Cleeve/Stoke Road.

Since the Councils' household waste is now recovered at the EfW facility rather than disposed of at the landfill waste is mostly being delivered to the Wingmoor Farm East MRF first, where unacceptable items that are apparent are removed (such as plastic, metal, inert materials, EE waste etc.), waste are then bulked and transferred to Javelin Park.

To our knowledge a proportion of Tewkesbury borough's waste is also directly delivered to the EfW at Javelin Park where this is considered appropriate for the efficient use of the limited Council fleet as direct delivery ties up the vehicles and their crews for a long journey. A one year data was obtained from the Gloucestershire Waste Unit to demonstrate the number of movements directed to Javelin Park EfW by Tewkesbury BC, refer to Figure 2 (Tewkesbury Borough Council residual waste direct deliveries to Javelin Park /12 months data (01.05.2020-30.04.2021)/). On average there were 4 one-way RCVs/HGVs deliveries of residual waste directly from Tewkesbury BC to the EfW facility daily.

The RCVs/HGVs movements around Bishops Cleeve have been therefore reduced by this number compared to the previous landfilling arrangements.

Figure 3 (Residual waste traffic movement around Bishops Cleeve Stoke Road) shows a simple analysis between previous and current arrangements in regards to GCC's household waste management to demonstrate the overall increase/decrease of number of RCV/HGV movements around Bishop's Cleeve/Stoke Road since the commencement of bulking and transfer of residual municipal waste to and from the MRF at Wingmoor Farm East. A conclusion was drawn that currently there is a small daily net increase in traffic movement around Bishops Cleeve/Stoke Road of on average 2 vehicles.

3. Green Belt

The Green Belt designation is of a particular importance to the proposed development due to the Wingmoor Farm East location in the Green Belt area.

Further consideration is given below to the location of proposed operation within the Green Belt, the objectives of Green Belt policy and whether this operation is appropriate in that context.

3.1. National and Local Policy

The protection of the Green Belt land is considered in the **National Planning Policy Framework** (NPPF, March 2012, latest update July 2021).

The fundamental aim of Green Belt is to, para. 37 and 38:

"... prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."*

Para. 147 and 148 consider the proposals effecting the Green Belt and state that:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Minerals National Planning Practice Guidance (NPPG, Live, launched in March 2014) notes that:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- the degree of activity likely to be generated, such as traffic generation.” (Paragraph: 001 Reference ID: 64-001-20190722; Revision date: 22 07 2019*

Gloucestershire Waste Core Strategy (November 2012, WCS) is a core local policy framework document that address the issue of planning for waste management in Gloucestershire in the period 2012 to 2027.

Core Policy WCS13 – Green Belt states that:

“There will be a presumption against proposals for waste management that amounts to inappropriate development within the Gloucester – Cheltenham Green Belt except where it can be demonstrated that there are ‘very special circumstances’.

‘Very special circumstances’ to justify inappropriate waste development proposals will not exist unless the totality of the harm to the Green Belt and any other harm can be clearly outweighed by other considerations.

Where the proposal involves the re-use of an existing building in the Green Belt:

- It must not have a materially greater impact than the existing building on the openness of the Green Belt and the purpose of including land within it; (...)”

3.2. Principles

Gloucestershire has rich natural environment including extensive areas of Green Belt which amount to a large part of the area between Gloucester and Cheltenham of over 8,000 hectares. The potential constraints arising from the Green Belt designation, and other national designations, in finding waste management sites close to the sources of the waste arising is acknowledged by the County.

The protection of the Green Belt is vitally important, however GCC recognises the locational needs of some types of waste management facilities, as well as the wider environmental and economic benefits of sustainable waste management that may need to occur in the Green Belt.

Some of Gloucestershire's principal waste management facilities are therefore already located within the Gloucester-Cheltenham Green Belt. The Wingmoor Farm East is a strategic waste management integrated facility in the County, as indicated in the WCS plan, and remains a material consideration until replaced.

Any proposals coming forward on Wingmoor Farm East need to accord with the requirements of Core Policy WCS13 relating to the Green Belt.

The aim of this policy is to safeguard the Gloucester – Cheltenham Green Belt from inappropriate development that would compromise the objectives of the designation.

Waste related development within the Green Belt will only be permitted where specified criteria can be met and 'very special circumstances' are demonstrated. The planning permission may be granted in 'very special circumstances' that outweigh any potential harm to the Green Belt.

The matters which may indicate that very special circumstances could exist in relation to waste related proposals might include the lack of suitable and available non - Green Belt sites. A proposal would need to indicate the need for the facility to be located where it is proposed such as proximity to the main waste arising, or a relationship to an existing waste management facility. The proposal would need to demonstrate that it does not conflict with the purposes of Green Belt designation and the positive contribution that can be made by the development to the use of land in the Green Belt.

The Gloucestershire WCS states that the continuing role of landfill is recognised but increasingly seen as a last resort. It states that management of waste is a critically important issue. To do this effectively the appropriate, sustainable waste management facilities are needed; finding the right sites is a key. There is a need to provide a recovery capacity for residual waste and allow for their recovery value and energy from the waste such as creating heat and power instead of just burying it. This may be through appropriate supporting infrastructure, such as bulking and transfer, which could be done in the existing facilities, rather than in the new one, that could be expanded or where sufficient capacity gap exists.

3.3. Is proposed development inappropriate in the Green Belt? Demonstration of 'very special circumstances'

a) It is our view that the proposal is not inappropriate development in the Green Belt. This is for the following reasons:

- There is no change of use (it is not a new development),

The Wingmoor Farm Integrated Waste Management Facility is an established existing waste management site and the 'very special circumstances' need for its location in the Green Belt has been already proven and accepted by the LPA.

When the planning consent was granted in 2012, allowing a time extension to the operation of the waste management facility (including the MRF) and its integrated infrastructures, it was established to be wholly appropriate for the existing operations at Wingmoor Farm to continue having regard to key planning policy principles for sustainable waste management and the Green Belt.

The local planning authority has therefore consistently considered that the grant of planning permission for the use of land at the application site for waste management uses is acceptable in the Green Belt, subject to the maintenance of high environmental standards and ensuring that the site is well restored.

The residual waste bulking and transfer operation is not causing a change of use of the land and is accepted to be of a similar nature to other operations occurring at the MRF.

- It is using an existing waste management building (which is a temporary use and this application doesn't vary this),

The proposed bulking and transfer of Councils' household waste is to be a temporary operation at Wingmoor Farm East MRF, only for duration of the waste contract. The proposal is entirely contained within the MRF building (takes alternatively small space within the building) and does not alter the building in any form or shape, either it effects any other elements of the built environment surrounding the building.

- There is no intensification of use (traffic) and no visual change,

The residual waste bulking and transfer operation expand the overall operation at the MRF site, in terms of waste throughput and vehicular movement, in comparison to that taking place prior to the residual waste bulking and transfer, however it does not exceeds the permitted limits, already assessed and deemed acceptable for the MRF site.

Previous arrangements for the Councils' residual waste disposal were that all vehicles travelled to the nearby to Wingmoor Farm East landfill site via Stoke Road/Stoke Orchard Road and therefore the vehicles would have been passing the MRF site, which is closer than the previous destination point, to travel further west. Those traffic movements previously associated with the Councils' residual waste were therefore existing and already included in the traffic count around Bishops Cleeve.

On simple analysis of current and previous Council's household waste management arrangements it has been concluded that the residual waste traffic around Bishops Cleeve/Stoke Road has increased by 2 one-way movements daily, which is considered an insignificant minor increase.

The residual waste tipping takes place within the MRF in the dedicated waste bay that is kept to one side of the building far from the recyclable waste which provides a good buffer zone between the two waste streams with any potential for contamination kept to a minimum.

- There is no harm to the Green Belt or impact on openness.

The MRF and the surrounding built environment are of a temporary nature and subject to future landfilling with non-hazardous waste. When the landfill cell is complete the land will be restored in line with the approved restoration scheme. In addition, some restoration actions close to the MRF are taking place this year. This relates to the tree planting on the strip of land immediately to the west of the MRF site entrance.

The proposed operation subject to this planning application does not impact on the site restoration scheme or extend the date it has to be completed by. A large area of land at Wingmoor Farm has been already restored and is in agricultural use. The remaining areas are upcoming restoration as phased in the approved scheme (the entire waste use at Wingmoor Farm East will be finalised and site restored by mid-2030).

b) If GCC considers that the use to be inappropriate we set out below the 'very special circumstances'.

It is understood that one of the main reasons for GCC awarding the contract to Grundon is the lack of suitable facilities nearby that the Council could use around Bishops Cleeve for bulking and transfer of locally collected household waste in order to deliver them to EfW facility. The Wingmoor Farm East MRF enables such operation that if not undertaken would be possibly impacting on the residual waste recovery target expected to be achieved in Gloucestershire. The MRF site helps to bring the residual waste up the waste hierarchy due to the waste being used as a fuel to generate energy at the Javelin Park EfW facility.

It is understood that Gloucestershire Waste Authority considered the new arrangement to be most prudent and efficient. Multiple RCV journeys to the distant EfW are replaced by one HGV bulker journey significantly reducing carbon emissions from road transport. The economic benefits via more efficient use of collection vehicles and crews should be also taken into consideration.

The use of the existing temporary waste management building does not change the visual appearance of the area nor impact on the aims of the Green Belt or its openness. There is no intensification of use at the site as the tonnage handled and vehicle numbers are in line with the current permission.

The proposal is a temporary arrangement for the duration of the contract and does not extend the permitted duration of the MRF and the restoration of the area back to agriculture and woodland. In overall terms there are fewer HGVs on the local network compared to historic levels when the waste was landfilled.

A conclusion has been drawn that the location of the proposed operation within the MRF at Wingmoor Farm East provides a viable, sustainable and practicable solution to meet the local household waste need objectives.

4. Odour nuisance and environmental monitoring

The proposed operation introduces the residual municipal waste that are more prone to odour emission compared with other waste handled at the MRF. Although, it is not considered that this would have any direct impact upon the objectives of the Green Belt designation itself, however the amenity matters are important and particularly the potential odour implications in this instance should be further examined.

The large number of objections from the local residence in relation to the odour nuisance are noted. A number of mitigation measures have been in place since the residual waste operation has started. However, in direct response to the local complaints, that the site only recently has been made fully aware of, the following actions are taking place to tackle the odour issue:

- Grundon have stopped accepting odorous loads and are carrying out regular FID (Flame ionizing detector) tests around the facility.
- The monitoring of odour emissions around the yard at least twice per day in various areas, the main area being in front of the doors to the MRF.
- The odour neutralizer is being used during all operational hours.
- The residual waste bays are regularly emptied, cleaned and sanitized.
- The road sweeper is run through the area (an regularly checking the road immediately off site)
- The deposited waste are being regularly turnover to ensure the earlier delivered waste are taken off site first.
- The turnover time has been shortened and residual waste is transferred off site to Javelin Park EfW on same day or within the 24hours period from its delivery.
- No residual waste, however small or for however short period of time, are being kept outside the building awaiting transfer. Vehicles are also not left outside loaded overnight.
- Vermin control is contracted out with weekly visits for bait boxes and through the summer months.
- Grundon have fly spraying performed, where the building is filled with mist /fog twice a week.

It should be also noted that the Wingmoor Farm East is subject to number of wider environmental monitoring, which include: dust, gas, groundwater and surface water. The monitoring is ongoing and

has being carried out for many years. The monitoring point plan is included in Figure 4 (Wingmoor Farm East_Monitoring point locations) for reference.

As the MRF is located within the landfill boundary area, all the monitoring would be relevant to their activities. Some of the perimeter monitoring points are in close proximity to the MRF. The gas and water monitoring takes place on the boundary of the site and the dust monitors provide constant monitoring at a number of locations around the site. In close proximity to the MRF building there are gas (marked GM) and ground water (marked GW) monitoring points as well as a dust monitor that operates continuously sampling the air for PM10 and PM2.5 particulates. Weekly FID walks around the site permit boundary, to detect any gas emission to air at the site boundary, as also carried out.

5. Conclusion

This planning application made under the Section 73 of the Town and Country Planning Act 1990 (as amended) is considered appropriate planning submission in the context of the planning system.

On the careful consideration of the robust information in relation to site location within the Green Belt area it has been concluded that the proposed operation is not considered inappropriate development. However, if the LPA is of a different view it has been proven that a 'very special circumstances' exists and have been demonstrated in this instance. The proposed operation brings environmental benefits over the previous landfilling method at the neighbouring Wingmoor Farm landfill site and it is concluded that the Policy WCS13 (Green Belt) of the Gloucestershire Waste Core Strategy has been satisfied.

We trust that the information provided within this letter is satisfactory, addresses the objections raised and contributes to the positive recommendation of this planning proposal to the planning regulatory committee meeting.

Yours sincerely,



Monika Gogol
Planning & Development Manager

Figure 1: Wingmoor Farm East MRF weighbridge /12 months data (01.05.2020 – 30.04.2021)/Summary

		Inbound RCV&HGV movement (one way)	Inbound (total weight) tonnes	Outbound RCV&HGV movement (one way)	Outbound recovered (total weight) tonnes	Total RCV&HGV movement (one way)	Average RCV&HGV movement (one way)
		per month	per month	per month	per month	per month	per day
May-20	recycling	161	484.4	38	473.8	199	10
	residual	453	3029.3	125	2858.1	578	28
	total	614	3513.7	163	3331.9	777	38
Jun-20	recycling	222	552.8	26	379.0	248	10
	residual	476	3163.5	135	3141.2	611	25
	total	698	3716.3	161	3520.3	859	36
Jul-20	recycling	286	798.5	50	756.1	336	13
	residual	483	3209.4	141	3222.3	624	25
	total	769	4007.9	191	3978.4	960	38
Aug-20	recycling	277	804.0	57	703.6	334	15
	residual	414	2712.4	119	2661.5	533	24
	total	691	3516.3	176	3365.1	867	39
Sep-20	recycling	359	1031.2	73	956.6	432	18
	residual	454	3070.2	134	3037.6	588	25
	total	813	4101.4	207	3994.2	1020	43
Oct-20	recycling	349	1084.2	72	1063.0	421	17
	residual	460	3079.6	129	3008.2	589	24
	total	809	4163.9	201	4071.3	1010	41
Nov-20	recycling	302	852.4	68	927.2	370	16
	residual	432	2922.1	127	2938.2	559	24
	total	734	3774.5	195	3865.3	929	40
Dec-20	recycling	331	1180.7	68	987.6	399	17
	residual	457	3035.8	127	2908.6	584	25
	total	788	4216.5	195	3896.1	983	43
Jan-21	recycling	291	910.3	57	901.0	348	15
	residual	498	3211.3	141	3262.3	639	28
	total	789	4121.6	198	4163.3	987	44
Feb-21	recycling	280	761.0	60	907.3	340	15
	residual	411	2713.4	116	2714.3	527	24
	total	691	3474.3	176	3621.6	867	39
Mar-21	recycling	284	864.3	50	909.4	334	13
	residual	477	3170.3	134	3085.5	611	24
	total	761	4034.6	184	3994.9	945	38
Apr-21	recycling	286	826.9	44	736.5	330	14
	residual	460	3086.0	133	3083.0	593	26
	total	746	3912.9	177	3819.5	923	40

		Inbound	Outbound
Annual throughput (tonnes)	recycling	10,150.6	9,701.0
	residual	36,403.4	35,920.8
	total	46,554.0	45,621.8

Figure 2: Tewkesbury Borough Council residual waste direct deliveries to Javelin Park
(12 months data, 01.05.2020-30.04.2021)

Summary table

	Sum of Tonnes	Number of monthly deliveries	Number of daily deliveries (average)
May-20	544.0	72	4
Jun-20	633.4	91	4
Jul-20	511.4	71	3
Aug-20	506.2	71	3
Sep-20	636.9	90	4
Oct-20	474.4	69	3
Nov-20	589.3	87	4
Dec-20	568.9	87	4
Jan-21	510.4	70	3
Feb-21	510.1	85	4
Mar-21	669.8	97	4
Apr-21	539.2	86	4
Grand Total	6,693.9	976	

Note: Data provided by Gloucestershire Waste Management Unit

Figure 3: Residual waste traffic movement around Bishops Cleeve Stoke Road

Current arrangement (GCC's contract with Grundon; residual waste recovered in EfW)

	most residual waste from Cheltenham and Tewkesbury boroughs to MRF	residual waste from MRF to EfW	sum
Daily average RCV&HGV movement (one way)	20	6	26

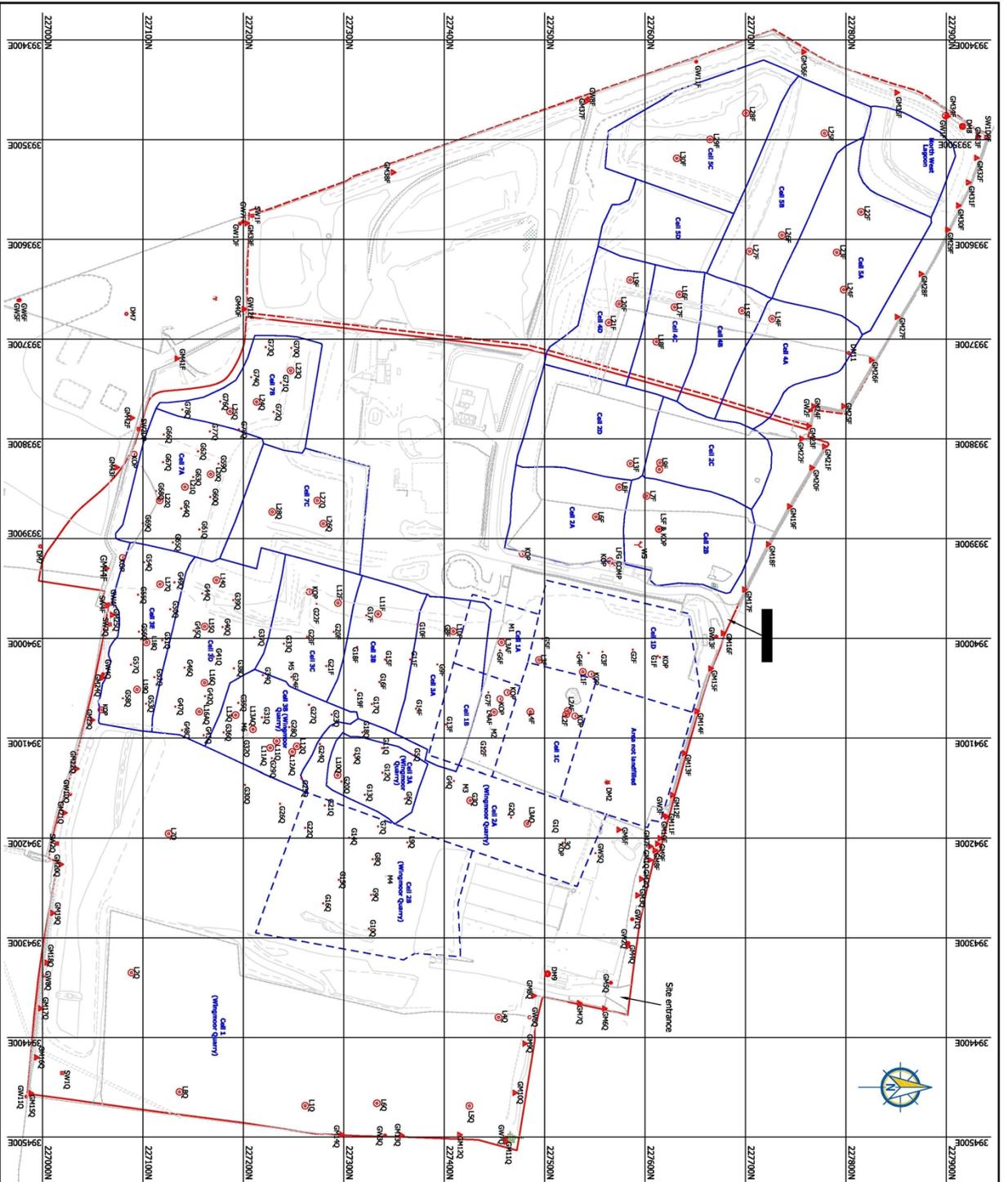
Previous arrangement (prior to contract with Grundon; residual waste disposed of at the landfill site)

	most residual waste from Cheltenham and Tewkesbury boroughs to landfill	those from Tewkesbury borough at present direct delivered to EfW	sum
Daily average RCV&HGV movement (one way)	20	4	24

Note: It was assumed the same number of RCV/HGV in place then and/or the same number would be in place if residual waste were still disposed at the landfill

Impact on Bishops Cleeve, Stoke Road (average daily, one-way)

Net gain/loss	2
---------------	---



LEGEND

- Site survey (Updated 22.11.2015)
- Leachate well
- Gas extraction well
- Duct monitoring point
- Ground water monitoring point
- Gas monitoring point
- Surface water monitoring
- LFG Compound and gas flare
- Gas manifold & knock-out pot
- Weather station
- Winipgor Farm Hazardous Landfill Installation boundary
- Winipgor Quarry Installation boundary
- Cell boundary
- Cell boundary (chronometric, not surveyed)



Graddon Waste Management Ltd
 Graddon Green, Breidden, Warrington, Cheshire, CW10 0PZ

Version	Revision and completion notes	Date
A	Finalised to client	21.03.2019

Client: Graddon Waste Management Ltd.
Project: Winipgor Farm, Breidden Close

Monitoring point locations and cell boundaries

GWP consultants

1st Floor, 100, Victoria Road, Warrington, Cheshire, CW10 0PZ
 Tel: 01925 836363
 Fax: 01925 836364
 Email: sales@gwp-consultants.com
 Website: www.gwp-consultants.com

Date: 20.03.2019
 From: HQ/DW
 Checked: AEC
 Scale: 1:2500000
 Drawing No: 1
 Version: A