

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 16 August 2022 commencing
at 10:00 am**

Present:

Chair
Vice Chair

Councillor R D East
Councillor G F Blackwell

and Councillors:

K Berliner, D J Harwood, M L Jordan, E J MacTiernan, J R Mason, J P Mills, J W Murphy
(Substitute for R A Bird), P W Ockelton, P E Smith, P D Surman, R J E Vines, M J Williams and
P N Workman

also present:

Councillor M G Sztymiak

PL.16 ANNOUNCEMENTS

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

PL.17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 17.1 Apologies for absence were received from Councillor R A Bird, M A Gore,
A S Reece, J K Smith and R J G Smith. Councillor J W Murphy would be a
substitute for the meeting.

PL.18 DECLARATIONS OF INTEREST

- 18.1 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.
18.2 There were no declarations made on this occasion.

PL.19 MINUTES

- 19.1 The Minutes of the meeting held on 19 July 2022, copies of which had been
circulated, were approved as a correct record and signed by the Chair.

PL.20 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

- 20.1 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.

21/01036/FUL - Innsworth House Farm, Innsworth Lane, Innsworth

- 20.2 This application was for demolition of existing buildings and erection of 17 affordable homes and associated infrastructure. The Planning Committee had visited the application site on Friday 12 August 2022.
- 20.3 The Planning Officer advised that the application related to Innsworth House Farm which comprised a detached former farmhouse with a series of disused agricultural buildings to the rear. The site lay within the Joint Core Strategy Innsworth and Twigworth strategic allocation (for housing, employment and associated uses). Whilst the site was within the strategic allocation, it was excluded from the outline planning permission as it was not available for development at that time. The site measured approximately 0.36 hectares in area, lay within Flood Zone 1 - with the lowest probability of flooding – and backed onto the Taylor Wimpey development site. This application sought full planning permission for a 100% affordable housing scheme to provide 17 one, two and three bed dwellings including six apartments. As the site was within the strategic allocation, the principle of residential development in this location was considered acceptable. In terms of design, the proposal would provide a mix of housing, including semi-detached and terraced dwellings, which would be viewed as a continuation of the existing Taylor Wimpey frontage onto Innsworth Lane. The development would use an existing access point to the eastern part of the site which would be upgraded to provide access to the rear. This would also serve a three storey block of flats which would broadly reflect the flatted development at the Taylor Wimpey site to the north. The proposal provided a pedestrian and cycle link from the central part of the site to an adjoining footpath which ran along the western boundary of the site. It was recognised that the land immediately adjacent to the application site did not benefit from reserved matters approval; however, it was feasible for this land to be brought forward with regard to the current proposal. The County Highways Officer had raised no objections to the development and Members were advised that the existing bus stop was proposed to be relocated eastwards of its current position and would be secured through a Highways 278 agreement. The drainage scheme had been revised since the application had been submitted and it was now proposed that the development would discharge to the adjoining Taylor Wimpey site and associated Sustainable Urban Drainage System (SuDS) infrastructure; the Lead Local Flood Authority had raised no objections to that arrangement. Members were informed that the ecological appraisal had showed that the buildings on site had potential to be used by roosting bats. The Council's Ecologist had raised no objections to the redevelopment of the site subject to a condition to secure confirmation that the applicant had obtained an appropriate Natural England bat licence prior to commencing works. Overall, it was considered that the application broadly complied with the Joint Core Strategy Strategic Allocation Policy A1 and there were no other harms identified which would outweigh the benefits of the proposal, therefore, the Officer recommendation was delegated permit subject to the completion of a Section 106 Agreement to secure contributions set out in the Committee report and a further condition to confirm an appropriate European Protected Species (EPS) licence had been obtained before commencing works.
- 20.4 The Chair invited the applicant's agent to address the Committee. The applicant's agent thanked Officers for bringing the application before Members with a positive

recommendation. He indicated that this was a straightforward application which would deliver 17 much-needed affordable homes for the borough and an agreement was already in place with a registered affordable housing provider to deliver the development. The applicant's agent advised he had worked closely with Officers to ensure the homes met a variety of needs – the development would provide wheelchair accessible, shared ownership and social rent homes and would contribute considerably towards the Council's assessed affordable housing need. As recognised within the Committee report, the site was within the Innsworth strategic allocation where the principle of development was deemed acceptable. Whilst no third party objections had been received in relation to the application, the applicant's agent noted that the Parish Council had raised concern in respect of the drainage. He understood the concern related to an overloaded storm water system to the south of the site at Rookery Road and he provided assurance that close working with the Lead Local Flood Authority had resulted in amendments to the scheme to avoid direct impacts on the storm system referenced by the Parish Council. The system for the proposed development would connect to the adjacent development and would run away from the problem area – this had been fully assessed with the adjacent developer to ensure there was enough capacity for the system which had been designed fully by qualified engineers and scrutinised by the Lead Local Flood Authority which raised no objection, subject to conditions. The applicant's agent felt it was important to be mindful that the site was already developed – it was not an undeveloped greenfield site, it was one where an impact already existed. This proposal had been thoroughly assessed by consultees, including County Highways which had raised no objection. Whilst delivering very significant affordable housing benefits for the area, the applicant had also agreed to financial education contribution that would support primary and secondary school enhancements. The development had been carefully considered and adjusted to meet design code and policy requirements; homes would meet relevant space standards and density would be consistent with the surrounding development. A direct link had been incorporated onto the adjoining footpath to the west to allow future residents to gain access to this network and the open space/adjoining uses that would provide beyond. The development gave a real opportunity to enhance the site through the removal of aged and dilapidated buildings, replacing them with much-needed affordable homes within a strategic allocation. The applicant's agent indicated it was 12 months to the day that this application was submitted and, with that and the Officer recommendation in mind, he hoped Members would feel able to support the scheme and allow the homes to be delivered.

- 20.5 The Chair indicated that the Officer recommendation was to delegate authority to the Development Manager to permit the application, subject to the completion of a Section 106 Agreement to secure contributions set out in the Committee report and a further condition to confirm an appropriate European Protected Species (EPS) licence had been obtained before commencing works, 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. The proposer of the motion expressed the view that it was right this site was developed; however, he disagreed with some of the elements of the Committee report and points put forward by the applicant's agent. He sought clarification on whether the ground levels would be raised and indicated that the Site Wide Master Plan for the rest of the A1 strategic allocation was 750mm above existing level and the height of the road linking back to the site had been evident on the Planning Committee Site Visit. The Parish Council had raised concern regarding the proposed drainage which would link into the adjacent Taylor Wimpey scheme and he asked for clarification as to whether there was an agreement in place to confirm that included rainwater run-off. It was his understanding that the A1 strategic site drainage would be at capacity once the housing had been built out. He suggested there was potential for a bat corridor for the wider strategic allocation and asked if that was something which could be considered. In terms of access, his

preference would be to direct the road to run alongside and behind this development rather than coming out onto Innsworth Lane, which was still a 40mph zone, and he questioned why the access road could not go onto the main spine road for the A1 strategic site. In response, the Planning Officer advised that the site plan for the scheme showed that ground levels would accord with the Taylor Wimpey development to the left. In terms of drainage, the applicant had confirmed there was an agreement with Taylor Wimpey to connect into its system and Taylor Wimpey had confirmed there was sufficient capacity to take drainage from this site. The representative from the Lead Local Flood Authority advised that the SuDS for the Land North of Innsworth Lane included greenfield run-off from this site so this was the right place for the drainage to go. With regard to the bats and access, whilst there may be other solutions, Members needed to consider the proposal before them. The County Highways representative explained that a Traffic Regulation Order would reduce the speed limit from 40mph to 30mph. He could only comment on the application as set out which proposed a new access at this location – there was already access for this site as it had been developed but a road safety audit had been completed in respect of the current application and had not flagged any issues so County Highways was content with the access in the location proposed.

- 20.6 A Member asked whether the shared ownership housing would be at market or affordable homes rate and the Planning Officer indicated that he did not have that information to hand; however, he clarified that six of the dwellings would be social rent and five would be shared ownership and the Section 106 Agreement would be drafted to meet the requirements of the Council's Housing Enabling Officer. Another Member made reference to Page No. 40, Paragraph 7.23 of the Committee report which stated that the application was supported by a Transport Statement which set out that the site was within a sustainable location with a high level of walking, cycling and public transport movements – something which she disputed. She indicated that, whilst walking and cycling may take place for pleasure, in her opinion there was no way that people were walking and cycling to facilities such as supermarkets and schools. In terms of design, she sought clarification as to whether green features would be incorporated, such as electric vehicle charging points, solar panels etc. The Planning Officer confirmed that electric vehicle charging points would need to be provided and he explained that, in terms of future applications, this was included as part of the building regulation changes so would no longer be required under planning condition. In terms of connectivity, there was a corridor through the site onto a footpath to the west and there would be improved linkages back onto the main road and along the corridor. The County Highways representative advised that a walkable neighbourhood was defined as anything up to two kilometres and the Transport Statement for the application listed all of the facilities within that distance of the site which included a school, supermarket and other facilities which expected future occupants would make use of, as such, County Highways was satisfied it was in a sustainable location.

- 20.7 Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to the completion of a Section 106 Agreement to secure contributions set out in the Committee report and a further condition to confirm an appropriate European Protected Species (EPS) licence had been obtained before commencing works, in accordance with the Officer recommendation.

21/01384/OUT - Land West of Duddage Business Park, Bockeridge Road, Twynning

- 20.8 This was an outline application for an extension to Duddage Manor Business Park

for commercial development including Class E (office and light industrial), B2 (general industrial) and B8 (storage) and new access and associated infrastructure (all matters reserved for future consideration). The Planning Committee had visited the application site on Friday 12 August 2022.

- 20.9 The Planning Officer advised that the application site was located to the southern side of Bockeridge Road and directly to the west of Duddage Business Park which was identified as a rural business centre. The site was also located approximately 380 metres west of the built-up area of Twyning which was a service village. The proposed site was approximately two hectares in area and the application was accompanied by an illustrative masterplan which showed how it could be laid out to provide 3,000 square metres of commercial floorspace, an access road from Bockeridge Road and associated infrastructure. Tewkesbury Borough Plan Policy EMP2 set out that extensions to rural business centres, as identified on the policies map, would be supported in principle provided they were of an appropriate scale and design having regard to the existing buildings and rural landscape. Whilst the principle of development was considered acceptable and it would accord with Policy EMP5, it was noted that the proposal would exceed the indicated 0.42 hectare extension in the plan and would encroach into the field parcel; however, this would be outweighed by the economic benefits of delivering additional employment land in proximity to a Service Village and in the absence of any other identified harms. Although the development would be served by a separate access to the existing business park, the County Highways Officer had assessed the proposal and raised no objection to the arrangements. The Council's Conservation Officer had also assessed the proposal and confirmed it would not impact the setting of nearby listed buildings due to existing intervening development. The County Archaeologist had been consulted but their observations were awaited. The Officer recommendation was delegated permit, subject to no adverse observations being received from the County Archaeologist, the completion of a Section 106 Agreement as set out the Committee Report and any other conditions/amendment to conditions as required.
- 20.10 The Chair invited a representative from Twyning Parish Council to address the Committee. The Parish Council representative indicated that Policy EMP2 of the Tewkesbury Borough Plan allowed a 0.42 hectare extension to Duddage Business Park but this application would increase the size of the development by 300% to two hectares. The Parish Council questioned whether this was a rural business extension or a strategic employment scheme given that it would involve 3,000 square metres of warehousing with a requirement for the parking of 109 cars. Central to all such rural extensions and found in most of the acceptable policy documents was that the extension should be appropriate in size and scale and sensitive to its surroundings; the Parish Council felt this application failed in that regard and was contrary to Paragraph 85 of the National Planning Policy Framework, Policies SD1 and SD5 of the Joint Core Strategy, Policy EMP2 of the Tewkesbury Borough Plan and Policy E1 of the Twyning Neighbourhood Development Plan. In all regards, the requirement for the development was that it should be 'small scale' - the Parish Council did not consider two 5.6 metre and four 4.1 metre warehouses to be small scale. Furthermore, the Parish Council did not feel that a two hectare development with such large warehouses could be described as sensitive to the landscape, as such, it was contrary to Policy LAN2. In addition, the proposal would fail to deliver a biodiversity net gain and was contrary to Tewkesbury Borough Plan Policy NAT1. An additional 109 cars and Heavy Goods Vehicles (HGVs) led the Parish Council to conclude that, based on the proper application of local and national policy, the site must be considered unsustainable on transport and social inclusion terms. The Parish Council representative indicated that the proposal was in breach of specific policies, including Policies SP2 and INF1 of the Joint Core Strategy, as well as the requirements set out in Chapter 9 of the National Planning Policy Framework, and failed to meet sustainability credentials required by Paragraph 83 of the National Planning Policy Framework. Given its

remote location, there were no opportunities to promote walking and cycling, contrary to Paragraph 104 c) of the National Planning Policy Framework and there was no bus service. In assessing highway safety, the Parish Council was of the view that all of factors presented should be considered with regard to cumulative impact.

- 20.11 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that, following the Parish Council representation, he intended to limit his comments to two other aspects of the proposal. With regard to the environment, he felt that increasing the workforce by an estimated 100 people and their cars, together with a significant increase in HGV movements would have an adverse impact on the environment contrary to Paragraph 104 d) of the National Planning Policy Framework. Those limitations hardly generated a genuine choice of transport required by Paragraph 105 of the National Planning Policy Framework and would simply increase the carbon footprint with a significant rise in the number of vehicles accessing the village. The local resident indicated that the fact this was a rural location did not absolve responsibility of decision-makers to assess the impact on the environment. In relation to flooding, the local resident trusted that Members had read the Lead Local Flood Authority's submission on the application and he expressed the view that it said everything there was to know about the viability of the site in terms of its water management strategy – in his view, it was lacking any sensible plan and could not explain where the surface and foul water could legally go. The local resident agreed completely with the conclusion of the Lead Local Flood Authority that the application lacked the fundamental basis for a workable solution to water management. One example was the proposed use of a Klargest BioDisc to process sewage; the proposed solution of dumping the water in the 'pond' was contrary to generally binding rules. He felt the problem with outline applications was that matters of detail were often missing and, in this case, the solutions identified did not conform to the Lead Local Flood Authority requirements. Members had been provided with pictorial evidence of overland flooding on Brockeridge Road, giving witness to a fast-moving stream running into the village and entering the foul sewer with dramatic effect at the network weak points. Adding to this overland flow would inevitably make an already bad situation a lot worse. As a consequence, the applicant had not demonstrated that surface and foul water could be satisfactorily handled and the likelihood was that it would inevitably lead to flooding elsewhere. As such, it was contrary to Paragraph 167 of the National Planning Policy Framework, Policy INF2 of the Joint Core Strategy, Policy ENV2 of the Tewkesbury Borough Plan and Policy GD7 of the Twyning Neighbourhood Development Plan. The local resident asked the Committee to support these conclusions and refuse the application.
- 20.12 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the application had been advanced following the allocation of the majority of the site within the Tewkesbury Borough Plan as a rural business centre extension to the Duddage Business Park under Policy EMP2. The site was located on the edge of the Twyning service village and within close proximity of the M5/M50 interchange where this site, together with the nearby Brockeridge Business Centre, had the potential to provide a strategically important business location that was excellently served by the motorway network. The extensive Borough Plan evidence base, together the unconstrained nature of the area, had identified this was the right location to help meet the aspirational employment land needs of the Joint Core Strategy and its allocation was fully supported by the Borough Plan Inspector. The application was submitted in outline form but included detailed illustrative information including a Site Masterplan and a Design and Access Statement; these set out a series of design parameters that would guide future reserved matters applications. As concluded by Officers, the information showed the development would reflect the character, scale, height and layout of the existing business park, together with high quality new landscaping. As set out by Officers, the development

would not give rise to any material landscape or visual impact and the site was unaffected by any landscape or environmental designations. In terms of transport matters, County Highways was satisfied that the site access arrangements were acceptable. The location of the site access complied with highway safety and visibility standards with the detail of the junction to be secured through future reserved matters applications as was always the case. Generous car parking was also included within the application site but more could be provided in the reserved matters applications if necessary. County Highways had requested the provision of a footpath along the Brockeridge Road to link the site to wider services and facilities within the village and the applicant had demonstrated there was sufficient space along Brockeridge Road, within public ownership, to secure that. As such, County Highways had confirmed that matter could be adequately controlled by condition. The applicant's agent pointed out that additional information in relation to drainage had been provided since the original Lead Local Flood Authority response. Some reference had been made by locals to the fact the site was a bit larger than the plan allocation but the applicant's agent advised that was largely to ensure that the development included substantial areas of landscape planting, SuDS attenuation and biodiversity, all of which could not be secured on the smaller site. As such, this ensured the best development possible which ought to be the priority and had been recognised by Officers. The applicant's agent believed Officers had got the recommendation right and he urged Members to support delegated permission which would go a long way to meeting the expectations of employment land allocations in the Joint Core Strategy and Borough Plan.

- 20.13 The Chair invited a local Ward Member for the application to address the Committee. The local Ward Member indicated that the recently adopted Tewkesbury Borough Plan included a 0.42 hectare extension of the site yet this application was almost five times that size at over two hectares which was in conflict with the plan. Furthermore, this was pitched as an extension of the existing business park but the indicative plan showed it had a separate access, only a few metres away from the existing entrance, and was not connected to the existing site at all. In his view, this was not joined-up planning or design, it was something that was not envisaged by the Tewkesbury Borough Plan and looked stupid, poorly designed and confusing. If Tewkesbury Borough Council was a plan-led authority then it should stick to the lower expansion size and a single access that served the whole business park as one joined-up entity. As such, he urged Members to refuse the application.
- 20.14 The Chair indicated that the Officer recommendation was to delegate authority to the Development Manager to permit the application, subject to no adverse observations being received from the County Archaeologist, the completion of a Section 106 Agreement as set out the Committee Report and any other conditions/amendment to conditions as required, and he sought a motion from the floor. It was proposed and seconded that the application be refused on the basis that it did not accord with the recently adopted Tewkesbury Borough Plan which was very specific about what was appropriate for this location. The proposer of the motion had no issue with reasonable development but he was of the view that Tewkesbury Borough Council needed to be a plan-led authority and should not be pushed around by developers. He felt it would be very poor planning to create an additional entrance so close the entrance to the existing business park, particularly with HGVs utilising the site. In his opinion, Twynning had been under attack due to its service village status and needed to be protected. The seconder of the motion pointed out that the size, scale and access had been agreed by the Inspector when considering the Tewkesbury Borough Plan and he felt Members would be crazy to go against that less than four months after adoption. Having been on the Planning Committee Site Visit, it seemed there was no definite boundary which made no sense to him. If this proposal was in accordance with the Borough Plan with a single access which extended to the new development, the Committee would have

no choice but to permit the application; however, that was not the case and he urged Members to refuse it on that basis. A Member recognised that the main reason for refusal appeared to be that the proposal did not accord with the Tewkesbury Borough Plan; however, the Officer recommendation was delegated permit so he asked for an explanation as to why Officers felt that was appropriate. In response, the Development Manager clarified that, when assessing applications, Officers were required to take everything into account and make a recommendation based on the planning balance – the planning balance in this case had led to a recommendation of delegated permit but that did not dilute the policies of the Tewkesbury Borough Plan.

- 20.15 During the debate which ensued, a Member expressed the view that the application should be permitted as, in his view, the economic benefits outweighed any concerns. He considered it was a fantastic location for businesses given the proximity to the M50 motorway, as demonstrated by the existing business park, and he felt that the authority should be supportive of business. Whilst this was a larger proposal than the allocation in the Tewkesbury Borough Plan, he felt that may have resulted in a more confined site whereas this gave greater scope to create something more workable with additional benefits for the business community. Another Member indicated that concern had previously been raised as to whether the sewage and infrastructure in Twyning could cope with new development and she felt it was important to be certain the facilities were sufficient prior to planning permission being granted which would put additional strain onto an already creaking system. A Member indicated he could not support the motion to refuse the application. He had attended the Planning Committee Site Visit and could see no problem with an additional access – this may even be preferable in his view. Tewkesbury Borough was growing at an alarming rate and he felt there was a need to provide employment opportunities within the areas where people lived so they could work closer to their homes and not have to travel to Cheltenham or Gloucester. He felt the site was in a preferred location, given its road linkages to the M5/M50 motorways, and was well-designed.
- 20.16 A Member pointed out that it had taken a number of years for the Tewkesbury Borough Plan to be developed and adopted and, whilst she understood the Development Manager's comments about the planning balance, she was keen to know why Officers had come to their decision in terms of the planning balance in this instance. The Legal Adviser explained that Policy EMP2 of the Tewkesbury Borough Plan needed to be read as a whole. It stated that *"New development proposals at Rural Business Centres, including redevelopment, intensification and extensions, will be supported providing that they are of an appropriate scale and design having regard to the character of existing buildings on the site and the rural landscape of the area. Proposals for the proportionate, small-scale expansion of Rural Business Centres may be considered where they satisfy the criteria at Policy EMP5"* and went on to refer to sites allocated as rural business centres which included 13.7 hectares of new allocation – Duddage Manor Business Park was one of the allocations listed for extension but, taking the policy as a whole, it was not restricted to the figure stated within the plan. The Member felt that "small-scale" could be interpreted in different ways – in her view, the proposal before the Committee was not small-scale and she did not agree with the Officer recommendation. The Planning Officer pointed out that Paragraph 81 of the National Planning Policy Framework placed significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development, and Paragraph 85 stated that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent, or beyond, existing settlements and in locations not well-served by public transport - there was a drive within the National Planning Policy Framework to promote economic development and rural areas were considered appropriate locations in the planning

balance for employment use. There was a judgement to be made in relation to the current application which proposed a 3,000 square metre extension which was larger than the indicative area within the Tewkesbury Borough Plan but had additional infrastructure such as green spaces and landscaping. The plans with the application put forward two types of buildings with large buildings to reflect the business park to the right and smaller start up units on the other part of the site which would aid the transition into the open countryside. The application was in outline at this point so the detailed design proposals were not available but it was conceivable that an appropriate design would be brought forward which would fit in with the rural landscape. In the planning balance, the benefits of the scheme were considered to outweigh the harm of the exceeding extension figure included in the Tewkesbury Borough Plan.

- 20.17 A Member asked why a separate access was proposed given that it was supposed to be an extension to the existing business park and the Planning Officer advised there was no requirement in the policy which stated that an additional extension should be accessed through the existing access and no harm had been identified in relation to having two accesses in place. It was noted that the existing access was in separate ownership but that was not a consideration for the Committee.
- 20.18 The proposer of the motion to refuse the application stressed he was not anti-business or anti-growth and he would be supportive of a small and robust increase to the existing business park; what did not make sense, in his view, was that the site proposed exceeded the size of the extension outlined within the Tewkesbury Borough Plan so he believed the application should be refused. The Tewkesbury Borough Plan had been drawn up on the basis of what was considered appropriate and he questioned what the point was in having this plan if proposals outside of those parameters were permitted. The seconder of the motion reiterated the significant amount of time that had been spent by Members, and the Inspector, in bringing the Tewkesbury Borough Plan forward for adoption and he felt its policies needed to be supported. The proposer of the motion clarified that he was proposing that the application be refused on the grounds of its size and scale and the access. The Legal Adviser explained that refusal on the basis of the access could not be substantiated based on the advice that had been given and there was no policy requirement to use the existing access. The seconder of the motion raised concern that the policy map within the Tewkesbury Borough Plan clearly showed a single existing access and the Legal Adviser clarified that plan was simply outlining the location of the rural centre – the plan contained no requirement in respect of access.
- 20.19 Upon being put to the vote, the motion to refuse the application fell. It was subsequently proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. A Member expressed the view that permitting the application would open the floodgates to developers and he could not support the motion. Another Member indicated that a planning application had recently been permitted for 100 houses on a site in Winchcombe which had been allocated in the Tewkesbury Borough Plan for up to 80 houses so, by that logic, the plan had already been thrown away. He also made reference to the fact that the authority would be opening itself up to costs being awarded against it on appeal if refusal reasons could not be substantiated. Upon being taken to the vote, it was

RESOLVED

That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to no adverse observations being received from the County Archaeologist, the completion of a Section 106 Agreement as set out the Committee Report and

any other conditions/amendment to conditions as required, in accordance with the Officer recommendation.

21/01282/OUT - Land Adjacent Greenacres, Hillend, Twyning

- 20.20 This was an outline application for the erection of five dwellings with access from Greenacres with all other matters reserved. The application had been deferred at the Planning Committee meeting on 19 July 2022 in order for appropriate action to be taken in respect of the claim that a badger sett was within the site and to allow for a full drainage report to be provided.
- 20.21 The Planning Officer advised that the raft of drainage information that had been submitted by the applicant was still being assessed. Furthermore, the applicant was instructing an ecologist to investigate the claim that there may be a new badger sett within the site and a report was awaited. As such, the Officer recommendation was to defer the application.
- 20.22 The Chair indicated that the Officer recommendation was to defer the application to allow Officers to assess the drainage information provided by the applicant and pending the outcome of the investigation as to whether there was a badger sett within the site 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 Officers to assess the drainage information provided by the applicant and pending the outcome of the investigation as to whether there was a badger sett within the site in accordance with the Officer recommendation.

22/00470/FUL - Astmans Farm, Lassington Lane, Highnam

- 20.23 This application was for demolition of existing porch and erection of a conservatory to the front elevation.
- 20.24 The Planning Officer advised that the application required a Committee determination as the applicant was a Tewkesbury Borough Councillor. The building was considered to be a non-designated heritage asset and within the setting of a listed building. As set out in the Officer's report, the proposal was of an appropriate size and design and was in keeping with the character and appearance of the property. The proposal was not considered to result in undue harm to the residential amenity of neighbouring occupants, or to have an unacceptable impact on the non-designated heritage asset or the setting of the listed buildings. As such, it was recommended that the application be permitted, subject to the conditions outlined within the Committee report.
- 20.25 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

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

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. 115-119. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and

Communities appeal decisions issued.

21.2

Accordingly, it was

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

The meeting closed at 11:04 am

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET**Date:** 16 August 2022

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.

Agenda Item No.	
5a	<p>21/01036/FUL</p> <p>Innsworth House Farm, Innsworth Lane, Innsworth</p> <p>Innsworth Parish Council has objected on the grounds that stormwater going into Rookery Rd drainage system will cause overload and flooding already exists at the lower point in Rookery Road.</p> <p>The applicant has responded advising that <i>“it would appear the parish have assessed the previous drainage strategy for the site which originally proposed to connect to the STW surface water sewer system to the south of the site... the drainage strategy has been revised since then and will now connect into the adjacent Taylor Wimpey development, which ultimately directs flows to the north with an eventual outfall to the Hatherley Brook. Therefore, the latest drainage proposal will not add to any existing flooding problems on Rookery Road to the south of the site”</i>.</p> <p>A copy of the details is attached to this report.</p> <p>The recommendation remains as set out the Committee report.</p>
5c	<p>21/01282/OUT</p> <p>Land Adjacent Greenacres, Hillend, Twyning</p> <p>The submitted drainage information is still being assessed by the Council's Drainage Officer.</p> <p>The applicant has instructed an Ecologist to investigate reports of a new badger sett at the site; the results of this are awaited.</p> <p>In view of the outstanding information, it is recommended that this application is DEFERRED.</p>

5a - 21/01036/FUL - Innsworth House Farm, Innsworth Lane, Innsworth

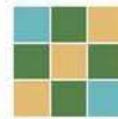
Innsworth House Farm, Innsworth

Lantar Developments Ltd

TN004 – Response to council drainage Officer

CTP-21-0335

20th July 2022



COTSWOLD
TRANSPORT
PLANNING

1 Introduction

- 1.1 Cotswold Transport Planning (CTP) provide expert Transport Planning, Highways, Infrastructure and Flood Risk consultancy services throughout the UK.
- 1.2 CTP were appointed by Lantar Developments Ltd to provide drainage consultancy in support of planning application 21/01036/FUL.
- 1.3 Gloucestershire County Council drainage officer (David Lesser) provided further objection comments and this Technical note (TN004) will address the Council comments.

2 Gloucestershire County Council comments – 20th July 2022 (David Lesser)

I can only remove my objection when a drainage proposal comes forward that shows surface water being discharged within the catchment it lands.

I need to see a drainage strategy that shows surface water being discharged through the Wimpey site and not elsewhere.

3 Consultants Response

- 3.1 The LLFA have confirmed the current standing objection relates to the surface water discharge across existing catchments and the requirement for an alternative strategy. They have also stated the Council will only accept the strategy if the discharge is specifically through the Taylor Wimpey (TW) land to the west of the subject site.
- 3.2 Although the LLFA have stated the adjacent TW drainage already has capacity for our development the TW drainage engineer has confirmed this is not the case and specific modelling would be required to confirm if the TW site can cater for the proposed 2 l/s discharge rate
- 3.3 TW confirmed capacity and point of connection on 20th July 2022 and this information has been forwarded to the Council planning officer.
- 3.4 Refer to **Appendix A** for revised drainage strategy, incorporating surface water connection to the TW site asset.

APPENDIX A



