

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 15 August 2023 commencing at 9:30
am**

Present:

Chair	Councillor P E Smith
Vice Chair	Councillor S Hands

and Councillors:

H J Bowman (Substitute for M Dimond-Brown), M A Gore, D J Harwood, M L Jordan,
J R Mason, G M Porter, R J G Smith, R J E Vines, P N Workman and I Yates

also present:

Councillor P D McLain

PL.22 ANNOUNCEMENTS

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

PL.23 APPOINTMENT OF VICE-CHAIR

- 23.1 It was proposed, seconded and
RESOLVED That Councillor S Hands be appointed as Vice-Chair for the
remainder of the Municipal Year.

PL.24 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 24.1 Apologies for absence were received from Councillors M Dimond-Brown and
G C Madle. Councillor Bowman would be a substitute for the meeting.

PL.25 DECLARATIONS OF INTEREST

- 25.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct
which was adopted by the Council on 24 January 2023 and took effect on 1
February 2023.

25.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
M A Gore	Item 6f – 22/01320/OUT – Parcel 5558, Road from Natton to Homedowns, Ashchurch.	Had met with local residents regarding the application but had not expressed an opinion.	Would speak and vote.
M A Gore	General declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
M L Jordan	Item 6a – 22/01140/FUL – Elms Farm, Main Road, Minsterworth.	Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.
M L Jordan	Item 6i – 23/00524/FUL – 50 Goodmoor Crescent, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
R J G Smith	Item 6i – 23/00524/FUL – 50 Goodmoor Crescent, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
R J E Vines	Item 6g – 23/00015/FUL – Chargrove Paddock, Main Road, Shurdington. Item 6h – 23/00522/FUL – Plemont, Shurdington Road, Shurdington.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

I Yates	Item 6i – 23/00524/FUL – 50 Goodmoor Crescent, Churchdown.	Is a Member of Churchdown Parish Council and had taken part in the discussion and voting when this application was considered by the Parish Council, prior to him becoming a Member of Tewkesbury Borough Council's Planning Committee.	Would not speak or vote and would leave the room for consideration of this item.
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25.3 There were no further declarations made on this occasion.

PL.26 MINUTES

26.1 The Minutes of the meeting held on 18 July 2023, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.27 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

27.1 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.

22/01104/FUL - Elms Farm, Main Road, Minsterworth

27.2 This application was for residential development of 37 dwellings (Class C3); vehicular and pedestrian access; landscaping; drainage attenuation; and other associated works.

27.3 The Senior Planning Officer drew attention to the Additional Representations Sheet, attached at Appendix 1, which referenced an objection from a member of the public on the basis that the roadside plots were still too close to the main road, where noise would be an issue, and that too many dwellings would cause traffic issues; and a letter from an Associate Trustee from the Harvey Centre, which had been circulated separately in full along with a copy of the response from the applicant's agent. The crux of the representation was that the Harvey Centre was a community centre which operated on the adjoining site and, in the mind of the Trustees, the narrow access between the building and the boundary of the application site would preclude the expansion of the Centre, which planned to develop a nursery – with the lease agreement due to be signed later this week – and a community shop, and their view was that the development would prevent widening the access. The representation put forward three possible options for Members to consider in their determination of the application: including a stipulation in any planning decision issued for an improved access point to the Harvey Centre to be agreed with the Centre and the developer; to defer the application in order to explore options to safeguard future use of the Centre and to incorporate improved access for the Centre; and to consider any provision for lowering the speed limit on the A48. The

response from the applicant's agent indicated that they supported the expansion of the Centre and the general principle of the development of a nursery and community shop and had advised that a meeting had taken place at a late stage when the first set of plans had been produced so there had not been time to incorporate the requests from the Harvey Centre. The application site would not necessarily preclude the widening of the access, as Members would be able to see from the presentation slides, as it was public open space and not built development or a private garden. The applicant's agent had also mentioned there had been no objections from County Highways regarding the current speed limits.

- 27.4 Members were advised that the application site was bounded by existing development to the west and enclosed within the settlement boundary of Minsterworth to the east with the A48 to the north and Church Lane to the south. There were a number of Grade II listed buildings close to the site including Snowdrop Cottage and Street End Cottage to the southwest and Lower Moorcroft Farmhouse to the east. The left half of the site was grassland with the working part of the farm to the right containing a number of farm buildings. There were two accesses from the A48, one currently serving Elms Farmhouse and the other serving the northeast corner which was used for farm storage. The development now proposed 37 dwellings in total – reduced from 40 with Elms Farmhouse now also to be retained – with larger houses on the eastern side and 15 affordable dwellings spread throughout the site. The existing boundaries would be retained with the exception of the two accesses on the northern perimeter – the existing access to Elms Farmhouse was to be moved to create a spine road which wrapped around the application site. Very few trees were to be removed aside from a handful to the northwest which were generally poor quality. As the application site was within the existing settlement boundary, the development would comply with Policy RES2 of the Tewkesbury Borough Plan. In terms of landscape impacts, Officers considered that the development integrated within the pattern of development and boundaries. Overall landscape impacts and the disruption of views in the site were considered acceptable and were further mitigated by recommended conditions for landscaping, tree planting and boundary treatments. Housing density achieved an appropriate balance and the development was expected to achieve 55% biodiversity net gain. All built development and infrastructure would be at lowest risk of flooding, though public open space in the southeast corner encroached into the River Severn flood plain. A drainage solution had been agreed with the Lead Local Flood Authority and the Council's Land Drainage Engineer – as there was no mains drainage, a package treatment plant was proposed which would outfall to the nearest watercourse and, as an additional safeguard to preserve water quality, operation of the plant would be subject to an Environment Agency licence and Building Regulations approval. The applicant was keen to emphasise the development's ability to contribute to carbon emission reduction so, in terms of design and construction, air source heat pumps, vehicle charging points and bicycle storage would be provided for every dwelling. Although Officers could not currently insist on solar panels, the developer had committed to this; if they were installed, a condition would be included on any planning permission requiring those details to come forward for approval. There were no remaining technical consultee objections; however, in terms of community opinions, the Parish Council has raised concerns about housing density which Officers considered was appropriate. In terms of lighting, Members would be mindful that a balance must be struck between amenity and street safety and, in this instance, an indicative lighting plan had been prepared to meet Bat Conservation Trust Standards. Other community and neighbour concerns were set out at Pages No.37-38, Paragraph 5.1 of the Committee report, with significant concerns having been raised regarding the rural setting, loss of wildlife, drainage and highways. Officers considered these had been satisfactorily addressed in the Committee report or mitigated by conditions, as set out at the end of the Committee report. Finally, the Senior Planning Officer returned to the late representation from the Harvey Centre

and explained that Officers understood the intention was to widen the access which could involve part of the land in the current application site; however, their view was: that access to the community centre was unrelated to the current scheme which must be determined on its own merits; there had been no objections from County Highways regarding road layouts or speed limits; it would be unreasonable to impose a condition for unrelated development outside of the application site; this was a private matter between Harvey Centre and the applicant, or successors in title, with which the local planning authority was under no obligation to assist; and it would not be a justified ground to defer determination. On that basis, the Officer recommendation was to delegate authority to the Development Management Manager to permit the application, subject to conditions and the completion of a Section 106 Agreement.

27.5 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the proposal represented a high-quality scheme from a well-respected independent, regional housebuilder with a proven track record of delivery. The site was incorporated into the settlement boundary as part the new Tewkesbury Borough Plan meaning that the principle of residential development was considered acceptable. The scheme was capable of being delivered without delay and therefore made a welcome contribution to the borough's shortfall in housing land supply. The scheme would deliver 15 affordable homes – a policy compliant 40% – made available for social rent and shared ownership, in a village which had limited affordable housing. The houses were designed to a very high specification, incorporating solar panels and air-source heat pumps. There was no energy or carbon reduction policy target in the borough, nevertheless, this scheme represented a vast improvement over and above Building Regulation requirements. The submitted energy assessment showed the scheme's energy demand to be 89% less than the national benchmark and carbon emissions would be reduced by 94%. The scheme was framed by a generous natural and public open space, including new planting to reinvigorate the existing orchard and walking loops to connect to the A48, Church Lane and the adjacent play area. This represented 55% biodiversity net gain – significantly above the mandatory 10% requirement from November 2023. The scheme proposed to demolish various unsightly and deteriorating agricultural structures made of breezeblock and corrugated sheet metal. The scheme had been amended post-submission to ensure that a brick barn, identified by the Conservation Officer as having heritage value, was retained. This barn remained within the application boundary but would be transferred back into the ownership of Elms Farmhouse so the buildings could maintain their collective use. The location of the site in the centre of Minsterworth was no longer appropriate for the commercial keeping of livestock and various complaints had been made in recent years regarding odour and noise nuisances arising, which was an inevitable tension when housing was built adjacent to existing agricultural operations. The farm was not large enough to run sustainably without undertaking contracting work which brought with it significant agricultural vehicular movements to and from the site. The applicant's agent hoped Members would feel able to conclude that this planning application was universally policy compliant with no technical objections, supported in principle by the Parish Council, and endorse the Officer recommendation for a delegated permit.

27.6 The Chair indicated that the Officer recommendation was to delegate authority to the Development Management Manager to permit the application, subject to conditions and the completion of a Section 106 Agreement, and he sought a motion from the floor. A Member questioned how the water treatment plant would be impacted if the watercourse flooded and was advised that the drainage scheme had been reviewed by the Lead Local Flood Authority and the Council's Land Drainage Engineer who raised no concerns. The Senior Planning Officer indicated that, as far as he was aware, the system would continue to operate as the attenuation pond had a large capacity and a hyrdobrake system which allowed it to discharge into the

watercourse at the appropriate point. Clarification was provided that the attenuation pond was entirely outside of the flood zone. The representative from the Lead Local Flood Authority explained that the applicant had been asked to model a scenario where the River Severn flooded and prove it would still drain effectively without putting properties at risk; he confirmed that scenario had been modelled and checked in terms of surface water drainage. The Member asked if the water treatment plant would continue to work if it was under water and the representative from the Lead Local Flood Authority advised that the Lead Local Flood Authority did not assess foul drainage; surface water and foul sewage were separate on the site with the foul sewage going through the water treatment plant. The Senior Planning Officer clarified that the package treatment plant was outside of the flood zone and would be capable of operating. The outfall drainage to the watercourse would be subject to Building Regulations which would need to be approved before installation and operation. The Member drew attention to the Environmental Health Officer's comment that there would be potential harm to amenity in relation to noise from traffic on the A48, and other representations which referenced noise, and asked what mitigation would take place to alleviate that, particularly for residents closest to the road. In response, the Senior Planning Officer advised that the Environmental Health Officer had concerns about noise and had recommended a condition requiring a ventilation strategy; this had been omitted from the recommended conditions included in the Committee report but could be included to ensure the strategy came forward. The Member noted that recommended condition 12 required an acoustic assessment to be submitted prior to the operation of any heat pumps which she understood was related to address the noise generated by the ventilation solution but she was particularly referring to traffic noise which she did not believe was being mitigated based on the Committee report. The Senior Planning Officer advised that the condition requiring submission of a noise strategy would include both the means for ensuring ventilation and insulation from the road and a requirement for the strategy to be assessed by the Environmental Health Officer.

- 27.7 Another Member shared the concerns raised regarding the treatment plant and was not convinced the proposals would result in a satisfactory outcome. She had taken on board what the Senior Planning Officer had said in relation to the development of the Harvey Centre but she was of the opinion that this proposal would impact upon its expansion. Policy RES5 of the Tewkesbury Borough Plan stated that proposals for new housing development should provide an acceptable level of amenity for the future occupiers of the proposed dwelling(s) and cause no unacceptable harm to the amenity of existing dwellings. Whilst she recognised the Harvey Centre was not a dwelling, she felt this development would preclude it from expanding and would like to see a formal agreement with the developers to be able to extend the northwest corner so it could secure the required access. The Harvey Centre would be signing the lease for the nursery on Friday and had firm plans to run a café and shop and, alongside this development of 37 houses, it would be a valuable asset. The residents of Minsterworth were happy with the design and understanding of the development on the whole but the potential preclusion of expansion of the Centre was a remaining issue and she asked if it was possible for the application to be deferred in order to establish a firm plan for the northwest corner of the site. In response, the Development Management Manager advised that, as set out in the Additional Representations Sheet and explained by the Senior Planning Officer, this issue had been raised relatively late in the day; however, the Harvey Centre's response had been summarised on the Additional Representations Sheet and circulated in full. Officers had previously visited the site and taken on board both the Harvey Centre's representation and the response from the applicant regarding existing use rights of the site and the highway access being set well-back. On that basis, there was nothing which suggested the proposed development would preclude the suggested enhancements to the Centre coming forward on the site and he urged Members to determine the proposal on its own merits based on the

application before them today. Whilst it was within Members' gift, he strongly advised against a deferral.

- 27.8 A Member drew attention to Page No. 44, Paragraph 8.44 of the Committee report which set out that Policy SD9 of the adopted Joint Core Strategy stated that the biodiversity and geological resource of the Joint Core Strategy area would be protected and enhanced in order to establish and reinforce ecological networks that were resilient to current and future pressures, and that the adopted Tewkesbury Borough Plan Policy NAT1 set out that proposals would be required to deliver a biodiversity net gain across local and landscape scales including designing wildlife into development proposals, and he asked whether it was possible to negotiate with the developer to fit swift bricks within the walls of the new dwellings should Members be minded to delegate authority to permit the application. In response, the Senior Planning Officer advised that recommended conditions 4 and 5 required submission of a Construction and Ecological Management Plan and a Landscape and Ecological Management Plan and he could endeavour to secure additional swift nesting provision as part of that. Another Member noted that the dwellings would have bicycle storage and she asked if there was any provision for cycling on the A48. In response the County Highways representative advised that the A48 had a speed limit of 50mph and there were presently no designated cycling facilities along that route.
- 27.9 It was proposed and seconded that the application be deferred in order to obtain full information in relation to the drainage strategy for the site. The proposer of the motion indicated that the Parish Council felt that the sewage treatment plant capacity was insufficient and there was no mains foul drainage in Minsterworth. The information received regarding the water treatment plant was inadequate and she was not happy to determine the application without full information. A Member indicated that he would like a Planning Committee Site Visit as part of the deferral and the proposer and seconder of the motion confirmed they were happy that be included. The seconder of the proposal asked whether investigation into the northwest corner could also be included in the deferral to come up with a complete design for the development. In terms of the design, the Development Management Manager advised that the relevant technical consultees had been consulted on the proposal and the design was as presented to Members today – nothing had been suggested in terms of an alternative design proposal. The Legal Adviser explained that the representation from the Harvey Centre had been circulated and, whilst the concerns raised were recognised, unfortunately, these were based on aspirations of the Centre and were not materially relevant to determination of this application. There was no requirement to mitigate this impact as a result of this proposal. The Harvey Centre could consider applying for part of the Section 106 community contributions secured from the development to assist with the future development of the Harvey Centre. It was worth noting that the Harvey Centre was on a former school site with capacity for the traffic generated by the school, which was likely to be less than that generated by the Centre, and the access was suitable for that level of traffic. She had every sympathy with the Centre but the Committee was not able to force the developer to make any provisions for the Harvey Centre in this case. The seconder of the motion indicated that she knew the school very well and there had been no specific access for it, which had caused significant traffic issues – in her opinion, traffic had not been adequately catered for at that time and she continued to believe that traffic would become a real problem over the years. She indicated that the response from the applicant's agent stated that the layout and design of the scheme did not necessarily preclude the ability to form a vehicular access into the Harvey Centre site in the future across the shared boundary; she felt this demonstrated that this development was inextricably linked to the Harvey Centre and she would like to see that statement written into an agreement. The Legal Adviser understood the Member's point of view and advised that, if the application was deferred, Officers could potentially ask the developer if they would

be willing to agree to that but it was not legally possible to impose a requirement of that nature. The seconder of the motion sought clarification regarding the application of Policy RES5, as she felt this development would cause unacceptable harm to the amenity of the Harvey Centre, and the Development Management Manager advised that amenity in pure terms was not technically impacted. There had been positive comments from the Harvey Centre and the applicant in terms of community use of the adjacent site and that would not be precluded in terms of the existing access. It was unreasonable to include a formal agreement regarding future community use as part of the current proposal and that was the very clear advice being given by himself and the Legal Adviser.

27.10 Upon being taken to the vote, it was

RESOLVED That the application be **DEFERRED** in order to obtain full information in relation to the drainage strategy for the site and for a Planning Committee Site Visit.

22/01374/FUL - Land at Linton Court Farm, Highnam

27.11 This application was for development of an energy reserve facility and ancillary infrastructure. The Planning Committee had visited the application site on Friday 11 August 2023.

27.12 The Senior Planning Officer drew attention to the Additional Representations Sheet, attached at Appendix 1, which related to a question raised by a Member on the Planning Committee Site Visit. The Environmental Health Officer had provided a late representation giving an update to clarify the position regarding noise. This stated that the submitted noise assessment was robust and represented the worst-case scenario so the actual noise impact should be less than the predictions. In addition, a condition was recommended to require a post-completion test to ensure noise levels were in line with predictions so that additional noise mitigation measures could be employed if necessary. Modelling predictions concluded that sound levels would not exceed the measured background sound level in the area, both during the day and night, and background noise from road traffic along the A48 would still be the dominant sound climate in the area. The application was for a Battery Energy Storage Site (BESS) of 99.99MW and Members had asked what that would look like in reality so he had included a slide within the presentation to show a 50MW site for illustrative purposes. He advised that 100MW was roughly equivalent to supplying energy to 300,000 houses for approximately two hours. Data from government research showed that 11 applications for sites of 90-99.9MW had been approved in England with a further nine to be determined. This was a large scheme but was by no means unique and there were larger ones. The BESS would connect to the Port Ham substation 1.5km to the east and the connection would be facilitated by the District Network Operator, which was the National Grid in this case, and that was separate from this scheme. There were six dwellings at Linton Court Farm which were on assured shorthold tenancies as well as residential properties at Crosshands and Popes Pool Cottages. With regard to site selection, the area was well-known for flooding and the existing field to the east of the application site was in Flood Zones 2 and 3; it had been very difficult to find a position for the site outside of a flood zone but the batteries themselves would be outside of the flood zone. The site was Grade 1 agricultural land and Natural England had been consulted on the application and raised no objection to its loss. Primary access would be at the far end of the track, adjoining the A40, with a railway line running to the south of the site. There was a risk of a small section of the track flooding, therefore, a second and third access had been negotiated – even without that, there was no technical objection to using the primary access. Linton Court Farm itself was at risk of flooding and could potentially restrict emergency vehicles accessing the site but the risk of all accesses being flooded simultaneously

was extremely low and, in any event, would not necessarily prevent emergency service access. With regard to layout, there would be a linear arrangement of batteries, comprising 22 on the estate side, which would be 130m by 90m with each container being 2.9m high. The compound would be enclosed by a 2.4m security fence and within a 2m landscape bund with a stock proof fence outside of that. In terms of noise impacts, this was an issue raised by Members during the Planning Committee Site Visit the previous week and the Senior Planning Officer drew attention to the inclusion of a 3.5m acoustic fence on the northern boundary in order to minimise noise disruption to neighbouring residents. He reiterated that the baseline situation comprised traffic noise from the A48. Network Rail had been consulted on the application and expressed concern that a glint and glare assessment had not been undertaken; however, Officers' recommendation was that was unnecessary in this instance. The compound at the top corner of the site would comprise the electrics and maintenance building and the building for the District Network Operator. The containers would be built on gravel extending around 1m above ground level. There was a drainage outfall from the south which would drain into the watercourse and assurance was provided that all built development would be within Flood Zone 1 and, whilst the access may flood on occasion, the batteries themselves were extremely unlikely to flood. Although the landscaping was still illustrative at this stage, a bund was to be created to the east and its slopes would be planted with Oak, Birch, Rowan and Maple which, in time, would develop into an effective screen with Linton Court Farm buildings behind it. In the Officers' view, the acoustic fence would not cause unacceptable visual harm given the context and, in any case, that was part of the modelling for the noise reduction scheme. In conclusion, it was acknowledged that this was a large BESS scheme though it was by no means unique. The development would bring some impact to the landscape, though this was mitigated by significant landscaping and ecological improvement measures. In terms of flooding and fire risk, Officers considered the risk of both occurring at the same time to be extremely low and, in any event, a condition was recommended whereby batteries could not be installed until a system for dealing with such a scenario for flooding and fire was approved in conjunction with the Environment Agency and Fire Service. To the extent that harm had been identified, that needed to be balanced with the overall objectives of the Council and the Government to address the effects of climate change. Energy storage was an important measure contributing to the delivery of renewable energy sources and the climate emergency was considered to outweigh the identified harm and any future risks. On that basis the Officer recommendation was to permit the application.

- 27.13 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that BESS were potentially a severe industrial hazard in the event of fire, as highlighted in the major fire that happened in Liverpool in September 2020. The hazard was not only from fire and explosions, but also from fumes and toxic run-off from firefighting which required vast quantities of water to cool over many hours. He questioned whether any thought had been given to the run-off produced if a fire should happen and how to stop the river being polluted. Some of the hazardous toxics released due to fire included Hydrogen Fluoride, Hydrogen Chloride and Carbon Monoxide as well as flammable gases including Hydrogen, Methane and Ethylene. The release of these toxic gases posed a significant threat to the health of people living and working nearby. Hydrogen Fluoride and Hydrogen Chloride were aggressive respiratory irritants and plumes of those gases may drift into the surrounding communities resulting in damage to human health. The proposed layout of the site, with areas in Flood Zones 2 and 3, was unacceptable due to flooding risk. The submitted flood risk report even admitted that part of the site fell into areas of medium or low-high for various flood risk sources. Lithium-ion batteries reacted violently when exposed to water and was a leading cause of fires. Furthermore, the proposed access road to the site fell into Flood Zone 3 in places, with larger parts into Flood Zone 2, so he questioned how a fire/explosion at the site would be handled if the access road was

impassable due to flooding. Additionally, the A40 between his home, the site in question and The Dog at Over flooded. This flood water was not from the river but from the neighbouring land and would impede fire rescue teams from accessing the site. In 2020 the main A40 had been closed in February and December for a minimum of 12 hours; Highways England was looking at this issue and he was waiting for an update and a full report. The noise produced by the proposed development would be a disturbance to his animals and the horses in the neighbouring land, as well as the owls and other wildlife that lived around them - the battery farm would have an effect on those animals. The A40 was the main road to and from Gloucester towards the Forest of Dean and Ross on Wye and building this battery farm would increase the volume of traffic especially during the construction period. He hoped Members would be able to take this into consideration and urged them not to grant the application.

27.14 The Chair invited the applicant's agent to address the Committee. The applicant's agent explained that, in order to meet the Government's carbon reduction targets under the Climate Change Act, the energy balance was becoming increasingly reliant on renewable energy sources such as wind and solar which could be intermittent and unpredictable. This, coupled with the phasing-out of fossil fuel power stations meant there was a growing need for new power solutions that could respond quickly to local spikes in demand and ensure a secure supply of energy for the local network. With record levels of renewable sources generating power - roughly 40% in 2022 - wind and solar generators were increasingly being required to turn off when the demand for the power was not required at the time it was being generated. Battery storage could help to make the most of this green energy, using it to manage the peaks and troughs in demand and operate as efficiently as possible. The proposed system would have the capacity to supply energy to somewhere in the region of 300,000 homes for up to two hours at a time during periods of peak demand. Facilities must be located close to an existing Grid Supply Point (GSP) with both import and export capacity. The Port Ham GSP was one of the last remaining National Grid GSP's with the required import/export capacity available when the applicant had secured its connection agreement and there were now no remaining National Grid GSP points offering this capacity. In order to minimise transmission losses and be economically viable, sites typically needed to be located within a kilometre of their connection. The only non-developed land within a kilometre of the Port Ham GSP fell within the designated flood plain. The site at Linton Court Farm lay approximately 1.5km away and offered the only land in the area considered suitable for the proposed development. The site had been selected due to its proximity to the substation, a willing landowner, limited ecological value and compatible adjacent land uses. It was also well screened by existing topography and vegetation and had a low probability of flood risk. Battery technology was a clean energy system and did not create emissions to air. Detailed assessments had been undertaken to support the application and in all cases had confirmed that the proposals would not result in any unacceptable impacts. This development would help to prevent local power interruptions and would therefore contribute to the local economy by means of electricity security whilst achieving a biodiversity net gain of over 24%. It would also support increased renewable energy generation, contributing towards 'net zero' and reducing energy wastage. As close as practical to the existing substation, capable of being substantially screened by existing and enhanced landscaping and able to achieve noise levels that did not exceed background at the closest houses, the land at Linton Farm provided a suitable site for this facility. Tewkesbury Borough Council had declared a Climate Emergency and was aiming for carbon neutrality by 2030 and the applicant's agent hoped that Members could follow the Officer recommendation and support this development which clearly aligned with those aims.

27.15 The Chair invited a local Ward Councillor for the area to address the Committee. The Ward Councillor indicated that Members would have seen the flooding

challenges affecting the site and he had been asked by residents and the Parish Council to draw attention to the key issues around safety, noise, flooding and fire risk. The Senior Planning Officer had touched on loss of prime agricultural land, as set out particularly in Pages No. 69-70, Paragraphs 8.20-8.27 of the Committee report. The impact of noise had been partly addressed in the Additional Representations Sheet and he was sure Members would wish to explore that further in their discussion, including the effectiveness of a proposed acoustic fence and the noise reduction scheme as well as the risk of pollution as outlined at Page No. 77, Paragraph 8.98 of the Committee report. If the Committee was minded to follow the Officer recommendation, he asked that Members review the proposed conditions carefully and consider whether there was a need to strengthen the requirements, including ongoing monitoring on a range of concerns. In his opinion, the core points of concern were as described at Page No. 67, Paragraph 8.1 of the report, specifically the area "beyond the bund". As highlighted by the Parish Council and the local resident in their address to the Committee, Members would be well aware of the concerns regarding hazard and fire risk from batteries and, being conscious of time constraints, he intended to focus on other areas. He requested that Members explore the connection to the battery site – particularly the receptor route during an emergency as well as for general maintenance. As set out in the report, the Committee would be well aware of the risk in abnormal and emergency situations; those risks from flooding were far from unusual and the proposed site often became an island. Being described as 'entirely outside' the flood zone did not reflect that it was on the edge of Flood Zone 2 and connections through primary, secondary and tertiary accesses would be underwater. Should the Committee wish to refuse the application, there were a range of grounds for refusal as identified in the report; if Members were minded to approve he asked that they review the conditions very carefully and consider if there was merit in strengthening proposed conditions 7, 8 and 9 and whether the risk scenarios as modelled adequately met concerns or if there was a need for further safeguards, ongoing monitoring and review.

- 27.16 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. With regard to the suitability of the site and the connection, a Member understood that each unit should be within one kilometre of the substation; this would be 1.5km away but it appeared this was the only site available. She asked for clarification of the impact of the additional 500m, for instance, would there be less input, and how that balanced with other risks. The Senior Planning Officer confirmed that ideally the units would be as close as possible to the substation and the recommended distance was around 1km but it was not possible to achieve that on this site due to significant constraints including flooding. His understanding was that it would reduce the effectivity of the connection and result in some transitional loss of energy but it was for the applicant to decide if this was a viable option and it should not have been put forward if it was not a viable option taking account of that loss. Another Member noted that a number of representations mentioned noise concerns and she asked for clarification as to what would cause noise and the type, for instance, would it be a constant hum. The Environmental Health Officer advised that it would be a constant noise; however, it had been assessed by an external noise consultant against the British Standards for industrial noise and background noise levels, and modelled based on the equipment which would be on site, and had been found to be acceptable. In this case the potential harm would be caused by units exceeding the predicted noise levels but a condition had been recommended to ensure testing was undertaken post-completion to ensure levels were in line with predictions and to employ additional mitigation should that not be the case. The Member asked if there was an expectation that noise levels would increase as the units aged and, given that the noise levels would not be above those caused by the A48, she questioned why a 3.5m acoustic fence was necessary. In response, the Environmental Health Officer advised that the acoustic fence would have been taken into account in the

modelling so there would be no increase in background noise level due to that barrier being in place. There was always a possibility that noise would increase with age but with good maintenance it was not expected to be a significant problem and the Environmental Protection Act legislation could be used to deal with any issues which did arise. A Member recognised that traffic noise was annoying; however, even the busiest road would have a quiet period and a lower intensity of noise, if constant, could be far more disturbing than intermittent noise – even though it may be less than the highway noise in the area, he asked if the constant nature had been taken into account in the modelling. In response, the Environmental Health Officer explained that part of the British Standards calculations involved measuring day and night periods so the extra noise levels, particularly at nighttime, would have been taken into account. There was an expectation that people would be inside their properties at night so this added further protection. A Member noted there would be 72 batteries here and the noise would be caused by cooling fans so she asked what would be done on a hot day without exceeding the noise limit. In her view the proposed facility was far too big for the area. The Environmental Health Officer advised that many industrial units were required to have fans for cooling and that was a custom practice; whilst there would be slight fluctuations on hotter days to achieve a constant temperature, the assessment would have been based on a worst-case scenario so she was comfortable that impact would be negligible.

- 27.17 A Member noted concerns regarding risk of pollution and she asked for clarification as to whether that would be from a fire on the site or if there was also a risk from pollutants running off the units during rainfall. The Senior Planning Officer confirmed the risk of pollution would be from the Fire Service having to attend and cool down the units which could result in contaminate leaking into the surrounding watercourses which was why it was necessary to understand exactly how that would be dealt with before the batteries were installed. Aside from this there was a negligible risk as the batteries would be entirely outside of the flood zone and built on approximately 1m of gravel. The Member raised concern there may be pollution of the land given that the base would be permeable, and the Senior Planning Officer advised that it would be clean water permeating through so there would ordinarily be no way of picking up contaminates. Another Member asked what type of land other sites of this nature were being built on elsewhere in the country, for instance, were they close to the flood plain or residential properties. The Senior Planning Officer advised that his limited research on other sites coming forward indicated a broad range; in reality, substations tended to be close to residential areas for efficient transfer of energy and the effect of that was that BESS needed to be fairly close by. Notwithstanding this, it was site dependent in terms of the constraints which existed for each site and how they could be overcome. A Member indicated that her main concern was for nearby residents and she asked if Officers had looked at research on the physical and/or mental health impact of living near BESS sites. The Senior Planning Officer indicated that he was not aware of any impacts; however, the technology was reasonably new and still evolving so he was unsure what data was available – there was research about living close to overhead pylons which could be an issue when they had been running for a long time but he did not believe this facility would result in anything over and above the remaining issues around the national energy grid and how it was delivered. The Development Management Manager advised that the main impact related to noise and that had been assessed and found to be appropriate subject to conditions as set out in the Committee report. In response to a query as to whether all cables would be underground, the Senior Planning Officer confirmed that it would be an underground connection to the substation. With regard to the tree planting along the bund line, a Member sought clarification that the top of the bund would be planted with trees in front of it and asked the likely height. The Senior Planning Officer advised that a cross-section had been provided to illustrate mitigation over time and the maximum height of the trees, once mature, was marked on the plan; this would be significantly

higher than the bund and above the level of the containers.

- 27.18 A Member noted that National Highways had no objection to the proposal subject to conditions but the facility would be very close to a trunk road and he imagined there would be a risk of safe operation in the event of a fire due to the smoke produced. The Senior Planning Officer indicated that any development near a main road carried the risk of a fire taking place; in this case the risk of fire was low and would be manageable based on the proposed conditions. The Development Management Manager pointed out that a fire detection system was also proposed, the details of which would be provided before installation of the battery units, so there was appropriate management of risk. In response to a query as to why an Environmental Impact Assessment had not been requested, Members were advised that the environmental impact and effects of the proposed development did not require an Environmental Impact Assessment; that was not to say those effects had not been fully assessed as part of the application and he confirmed it had been assessed against the screening requirements in the regulation and the screening opinion stated that an Environmental Impact Assessment was not necessary to deal with the environmental impacts arising from the proposal.
- 27.19 In the absence of any further questions, the Chair again sought a motion from the floor. As no motions were forthcoming, he proposed that the application be permitted in accordance with the Officer recommendation. The motion did not receive a seconder. It was subsequently proposed that the application be refused on the grounds of health and safety as the fire risk had not been dealt with adequately. The Legal Adviser understood these concerns but explained that Officers had assessed the proposal in great detail, taking into consideration the potential impacts, and had imposed a condition which would ensure that details of a system for fire detection and suppression must be approved by the Council, Gloucestershire Fire and Rescue Service and the Environment Agency prior to the installation of the battery units. As such, a refusal reason on that basis would be insufficient to uphold at an appeal and she suggested Members debate some of the other issues relating to the site in order to come forward with a proposal. A Member indicated that he was not against this type of facility being built and recognised it was required for the future but he considered the site was inappropriate due to the proximity to residential properties and the harm that would be caused to the landscape. He also had concerns regarding noise and the loss of Grade 1 agricultural land which was needed for farming. Another Member pointed out there was very little Grade 1 agricultural land in Tewkesbury Borough and once lost it could not be replaced. He was not against the facility but agreed that the location needed to be right; the applicant's agent had stated this was the only available site in this area but there was more than one substation in the borough with land which may be of less agricultural value. There would undoubtedly be more applications of this nature and he expressed the view that the Council should have a policy in place to ensure that BESS facilities were not built on Grade 1 or 2 agricultural land – that land was needed to grow food which was only becoming more important due to the climate change and cost of living crises. The Development Management Manager advised that the Committee report clearly assessed all the relevant issues. In terms of noise, there had been various queries from Members, which were all understood, and a submission from the Environmental Health Officer. Noise and mitigation had been looked at very carefully and he cautioned against any reference to noise if Members were minded to refuse the application. He recognised the concern regarding loss of agricultural land and drew attention to Page No. 70, Paragraph 8.22 of the Committee report which set out that Policy SD14 of the adopted Joint Core Strategy stated that new development must take into account the quality and versatility of any agricultural land affected by proposals, recognising that the best

agricultural land was a finite reserve; however, the Senior Planning Officer had pointed to the lack of objections from technical consultees in this regard. In terms of landscape, the site had been carefully assessed and appropriate mitigation was proposed appropriate to the scale of development. As had been discussed, there were other facilities of this nature across the country but it was difficult to assess the proposal against them due to the variety of locations which all had their own individual impacts which needed to be assessed by the local planning authority – whilst Officers had sought to do this via the comprehensive Committee report, Members had also benefited from a site visit. The Landscape and Visual Impact Assessment submitted was required to set out the overall effect on the landscape character and, as set out at Page No. 71, Paragraph 8.40 of the Committee report, this had concluded that the overall effect on the landscape character would be negligible. Taking all this into account, he felt it would be difficult to justify a refusal on the basis of the areas that had been put forward.

27.20 A Member indicated that her research had identified that a similar site had been proposed in the Forest of Dean which had been refused by the Council but had subsequently been allowed on appeal with the Inspector stating that the benefits of the BESS would outweigh the impact on the landscape and residents were within 120m of that site. Another Member was aware of another similar application in Brockworth but pointed out that would feed into an overhead line as there was no substation and she questioned why this could not be done on other sites as there may be more suitable locations if the requirement to be within a certain distance from the substation was removed. In response, the Senior Planning Officer advised that the facility worked by taking energy from the grid at the time of least demand and delivering it back to the grid at times of peak demand. BESS were essential requirements of renewable energy production as they provided the necessary means to store energy and put it back on the grid when needed. The connection from this site to the substation was two way which was slightly different to a solar farm which was just delivering one way. The Member confirmed that the proposal in Brockworth was for a BESS rather than a solar farm and she understood it would be connected to the overhead line; if that was the case, there may be alternative locations for this facility that would be better than the one currently being proposed. The Development Management Manager drew attention to Page No. 69, Paragraph 8.17 of the Committee report which set out the key criteria in terms of site selection according to the submitted planning statement and included BESS facilities being located close to a large existing substation that had capacity both to import and export energy, and he reminded Members that the proposal must be assessed on its own merits.

27.21 The proposer of the motion to refuse the application indicated that, on the basis of the Officer advice, he wished to withdraw his original proposal for refusal and propose that the application be permitted in accordance with the Officer recommendation. These type of facilities were clearly necessary and, whilst it was not what Members would like in terms of location, it appeared this was the only way the facility could be built. He continued to have reservations about fire and security but, on reflection, the risks were outweighed by the benefits. Another Member indicated that she felt very conflicted due to the list of potential objections including landscape harm, impact on neighbouring amenity in terms of noise, possible contamination, flood risk and loss of agricultural land but these had all been discussed either in the report or during the debate today. She felt it was necessary to balance these concerns with the benefits of the facility and, although she did not feel it was the best site, it may be that there was no better site available within the borough. A Member questioned whether there would be any benefit in deferring the application for more information and another Member expressed the view that, whilst he too felt conflicted, there would be nothing to be gained from a deferral and he seconded the proposal to permit the application.

27.22 Upon being put to the vote, it was

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

22/01367/PIP - Field North of Brook Lane, Ash Lane, Down Hatherley

27.23 This was a permission in principle application for residential development of two dwellings.

27.24 The Senior Planning Officer advised that, as set out in the Committee report, consideration of applications seeking 'permission in principle' were limited to matters of location, amount, and use. In terms of location and use, Officers gave very significant weight to the site being within the boundary of Joint Core Strategy strategic allocation where there was a requirement of over 2,000 homes. Members would see from the presentation slide that nearly 1,000 homes had been approved within the area of the strategic allocation and immediately north and south of the application site. No objections had been received from County Highways in terms of access. With regard to amount, Officers considered there was potential for two dwellings, as illustrated, though it would be for the applicant to demonstrate at the technical matters stage that two dwellings could be successfully accommodated in accordance with policy and site constraints – in principle, residential use of the site was considered to be acceptable. Officers acknowledged there were considerable local concerns regarding drainage and foul water disposal arrangements in the area and discussion had taken place with drainage and flooding consultees, including Severn Trent Water, which had led to a suggestion that development could be approved subject to a condition that it would not be able to take place until such time as the public sewer had been upgraded; however, permission in principle approvals could not be conditioned. In any event, drainage details would be a technical matter left for later consideration. Whilst it was noted there were concerns in respect of surface water drainage and possible associated flood risk, such matters were not a detail for consideration at this time and fell within the scope of any subsequent technical details consent application. In the event a technical details consent application was submitted, the Council would have the ability to refuse planning permission if a satisfactory solution to drainage and other matters could not be secured. Further controls could be imposed at the technical details consent stage by way of conditions; other technical matters to be addressed at that stage would include - though were not limited to - design, highway safety, amenity and ecology and appropriate assessments and mitigation would be required at that stage. Given the application was limited in scope at this stage, Officers considered it complied with planning policies as set out in the Committee report and recommended permission in principle be granted.

27.25 The Chair invited the applicant's agent to address the Committee. The applicant's agent reiterated that the application sought permission in principle for two dwellings. Members would be aware that these types of applications dealt with the principle of development from a locational and land use perspective only, and technical details were reserved for later applications. Whilst the site may currently appear to be within open surroundings, the site formed part of the Joint Core Strategy strategic allocation for Twigworth. The main development of circa. 725 dwellings within the allocation had planning consent and it was material to note that another application of 74 dwellings also had consent within the allocation site and was currently being built out. This site would, therefore, be very much part of the urban area of Gloucester going forward. The principle of housing here was clearly acceptable, subject to the properties respecting the character and layout of the wider strategic allocation. Ultimately, this new dwelling would be set amongst the North Gloucester urban extension and fully complied with planning policy in principle. The applicant's agent noted that the Parish Council had raised some concerns and, whilst he

sympathised with their views, their comments were not substantive matters that could lead to the refusal of the application, particularly in the context of the permissions for housing granted in the immediate vicinity, which were much more substantial than this. The Parish Council's suggestion that the site was contrary to the adopted Neighbourhood Development Plan was, as pointed out within the Committee report, simply not the case – the site formed part of the Twigworth strategic allocation and there were no Neighbourhood Development Plan policies that precluded this type of development, therefore, the principle of housing here was clearly acceptable. The key consideration for this application was whether the new dwellings would fit in to the wider layout of the housing scheme without compromising the comprehensive delivery of the masterplan and the illustrative design fully met the design expectations of the Joint Core Strategy. The relationship with neighbouring plots would not result in amenity issues and County Highways confirmed there were no objections to the site access arrangements and that this was considered to be a sustainable location for housing. He was aware of the local concern over drainage but, as Officers had correctly identified, this was not a matter that could lead to a refusal of permission in principle in this case. Ultimately, there was a drainage solution for the site and that would need to be established and secured through the future technical details consent application; this was consistent with the advice and the outcomes in relation to all other applications that had been approved along Ash Lane and Brook Lane in the recent past. The applicant's agent concurred that the application accorded with the development plan overall and hoped Members would feel able to support it.

- 27.26 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 indicated that he was very uncomfortable with permitting the application due to the concerns regarding drainage and sewage; he noted the informative at Page No. 95 of the Committee report which stated that, should the application progress to technical approval, Severn Trent had requested the submission of drainage proposals for comment at the earliest opportunity – he felt that was very sensible and was surprised the application was still before Members for determination in the absence of those proposals. The Legal Adviser explained that the permission in principle process did not allow consideration of issues such as drainage at this stage; if it was considered acceptable based on location, amount and use, the applicant would need to come back with a technical details consent application which would include the necessary information to allow assessment of whether the drainage situation could be addressed - if it could not, the application could be refused at that stage. She appreciated Severn Trent had made a submission in relation to the permission in principle application, nevertheless, it could not be addressed until the technical details consent stage. The Member thanked the Legal Adviser for the explanation and indicated that he was aware of the limited scope within which permission in principle applications could be assessed; however, he continued to be uncomfortable with it.

- 27.27 Upon being put to the vote, it was

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

22/01316/PIP - Land at Ash Lane, Down Hatherley

- 27.28 This was a permission in principle application for residential development of up to six dwellings.
- 27.29 The Senior Planning Officer advised that the application related to a parcel of land in Ash Lane which was an unadopted private road but had the feel of an adopted road and was lined on both sides by existing housing. The application was for a

permission in principle, as provided for in the Town and Country Planning (Permission in Principle) Order 2017 and followed a recent successful application for permission in principle for up to four dwellings as part of the current application site and a previous full planning permission for two dwellings granted in April 2021 for the western part of the site. Since the extant permission in principle for up to four dwellings had been granted there had been several changes which supported the current proposal for up to six dwellings on the site: the site area had been increased with additional land along the length of its northern boundary, facilitating an increase in the amount of development that could be accommodated on the site; and the immediate site context had changed with new housing developments to the north of the site, located to the rear of frontage housing on Ash Lane, being granted permission. The construction of two of these dwellings abutting the northern boundary of the application site had been completed which changed the relationship of the site with the existing built form of the area. In terms of the principle of development, the site had been removed from the designated Green Belt as part of the boundary review during the adoption of the Joint Core Strategy and now formed part of the wider 'safeguarded land' to be retained for strategic purposes. Criterion 7 (iv) of Policy SD5 of the Joint Core Strategy set out that safeguarded areas were not allocated for development at the present time and planning permission for the permanent development of safeguarded land, except for uses that would not be deemed inappropriate within the Green Belt, would only be granted if a future review of the Joint Core Strategy deemed the release of the land necessary and appropriate and proposed development - that review was currently underway. The National Planning Policy Framework allowed for limited infilling within the Green Belt and the planning history of the site indicated that the principle of development was already established on the site. The Neighbourhood Development Plan did not define a development boundary in Down Hatherley and that plan indicated there would be no allocations for housing in the Parish. Having regard to the planning history of the site and the nature of the proposal as essentially 'infilling' in an already built-up frontage to the unadopted Ash Lane, the principle of a residential development at this site was considered acceptable and already established in terms of the National Planning Policy Framework and development policy, in particular, Policy SD10 of the Joint Core Strategy Criteria 4ii. The Tewkesbury Borough Plan did not include Down Hatherley within the settlement hierarchy; however, Policy RES4 set out that, to support the vitality of rural communities and the continued availability of services and facilities in the rural areas, very small-scale residential development would be acceptable in principle, within and adjacent to the built-up area of other rural settlements, subject to the development complying with a number of criteria. For these reasons it was considered that the proposal would relate reasonably well to existing buildings and would be proportionate to the size and function of the settlement. It was noted that concerns had been raised by Severn Trent Water, Down Hatherley Parish Council and the Council's Land Drainage Engineer with regard to drainage and flood risk, as set out at Paragraphs 8.18-8.26 of the Committee report. Within the scope of the permission in principle stage there was no objection to development of the site for residential purposes in terms of location and land use, access or amount of development. Nevertheless, the recommendation to permit the proposal would include an informative that set out the requirements for drainage to be considered for any subsequent technical approval.

- 27.30 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that this application also sought permission in principle, this time for six dwellings; however, as set out in the Committee report, it was important to note that permission already existed on this site for a total of four dwellings across the land. As such, for all intents and purposes, this application was for two additional dwellings on a site that already had consent to be developed. The Committee would be aware that several planning applications for new housing had been granted along this stretch of Ash Lane in recent times, including on the site immediately next door. This application was advanced on the same basis as the

extant consent for housing on this site and the neighbouring approval, and under an identical policy context. It was also in very close proximity to the Twigworth Urban Extension. As set out in the Committee report, this development represented 'infilling' in the context of JCS Policy SD10 and Tewkesbury Borough Plan Policy RES4. The land in question had been removed from the Green Belt through the Joint Core Strategy and, whilst it was still classed as 'safeguarded land' that did not prevent development in principle. Officers had correctly identified that the planning balance fell firmly in favour of the grant of permission, particularly in light of the fact that the site already had an extant permission. It had been established through previous assessments that the principle of housing was acceptable, subject to the properties respecting the character and layout of the wider area which was a matter for technical details consent. The Parish Council had suggested that the site was contrary to the adopted Neighbourhood Development Plan but the applicant's agent indicated that was not the case as there were no Neighbourhood Development Plan policies precluding development of this land, as had been confirmed by Officers. The key consideration was therefore the scale and layout of the development and whether it would fit in to the area. The illustrative layout showed a form of development that integrated nicely into the wider settlement pattern and fully met the design expectations of the Joint Core Strategy. The relationship with neighbouring plots would not result in amenity issues and County Highways had confirmed there was no objection to the site access arrangements and that it was a sustainable location for housing. As with the previous Agenda Item, the applicant's agent was aware of the local concern over drainage, but as Officers had correctly identified, that was not a matter that could lead to a refusal of permission in principle in this case. He concurred that the application accorded with the development plan overall, and hoped Members would feel able to support the application.

27.31 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 that Ash Lane had the appearance of an adopted road but was not one and she confirmed it was privately maintained, as such, she sought assurance that arrangements could be put in place for access for these properties at the appropriate point. The Senior Planning Officer confirmed that would be the case. A Member indicated that he did not wish to repeat the comments he had made in respect of the previous Agenda Item but they also applied in this case.

27.32 Upon being put to the vote, it was

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

22/01318/PIP - Land at Greenacre and Mount View, Ash Lane, Down Hatherley

27.33 This was a permission in principle application for the erection of up to six dwellings.

27.34 The Senior Planning Officer advised that this was similar to the previous application and was for up to six dwellings on 'backland' development between two existing dwellings on Ash Lane. Access to the site was shown on the illustrative layout between the two existing dwellings and he confirmed there were no highway concerns and the site was a sufficient size to accommodate up to six dwellings. A smaller part of the site had been granted permission in principle for two infill dwellings in 2021 and technical details consent had been granted in 2022. The policy position was the same as the previous Agenda Item and the issues regarding drainage and flood risk which had been raised applied again in this case. Third party concerns had been raised relating to the illustrative layout of the site; however, along with detailed drainage matters these would have to be addressed at the technical details consent stage. He drew attention to the Additional Representations Sheet, attached at Appendix 1, which indicated that Page No.113,

Paragraph 5.2 of the Committee report needed to be updated to reflect that 10 letters of support for the application had been received. It also set out that the applicant's agent had indicated that the comment by Severn Trent regarding a pumping station being close to the site was erroneous and the Senior Planning Officer confirmed that, whilst it was not as near as Severn Trent had thought, it was in the vicinity of Ash Lane and the advice from Severn Trent regarding proximity to the pumping station was still applicable.

- 27.35 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that, as had been heard from Officers, Down Hatherley was a sustainable location for new housing in principle and had seen new small scale development in recent years. This site already had full planning permission, granted in 2022, to build two larger properties and the scheme before Members today would make a more efficient use of the land. Drawings had been provided to demonstrate six dwellings, which are envisaged to be bungalows, could easily be accommodated on the plot. Tewkesbury Borough Plan Policy RES4 set out that, to support the vitality of rural communities and the continued availability of services and facilities in the rural areas, very small-scale residential development such as this would be acceptable in principle. The proposed dwellings would be in character with the wider village which included development along Ash Lane set back from the main frontage. As such, the development was in accordance with the development plan and there was no policy conflict. Neighbouring residents and the Parish Council had commented on drainage due to occasional issues with the sewers in the vicinity when stormwater had entered the system; this issue was being dealt with on a wider basis by Severn Trent which had raised no objection to this application. Further details on foul and surface water drainage were being worked on and would be provided as part of the technical details consent. The Committee report confirmed that: the site was not Green Belt; the proposal would constitute infilling in Down Hatherley; Severn Trent had no objection; the Council's Land Drainage Engineer had no objection; Gloucestershire County Highways had no objection; and the Environmental Health Officer had no objection. National and local planning policy recognised that small scale housing development was vital to sustain villages such as Down Hatherley and the applicant's agent therefore asked that permission in principle be granted in line with the Officer recommendation and the decision on the previous two Agenda Items.
- 27.36 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 drew attention to Page No. 118, Paragraph 8.18 of the Committee report which set out that Severn Trent had indicated on 12 May 2023 that it had received and assessed the modelling report which showed a high risk of flooding, therefore it was unable to accept any new flows until upgrades had been delivered and he asked if there were any timescales for when the upgrades would be in place. In response the Senior Planning Officer advised that discussions with Severn Trent continued to take place. It had been recognised by Severn Trent that there were problems in the area but the upgrades were not within the current capital programme so there was no confirmed budget for that work. Another Member noted that County Highways had raised no objection to the application and she questioned how a vehicle would be able to turn into the site given that it was a single lane road, and how emergency vehicles in particular would access the site. In response, the County Highways representative explained that comments were limited to 'objection' or 'no objection' so that was a matter to be discussed at the technical details consent stage. A Member assumed that, given Severn Trent could not connect to the existing sewerage system, there would need to be an underground storage tank or something similar and he asked whether County Highways was confident that a tanker could access the site. The County Highways representative indicated that he was not able to comment on Severn Trent's statement. The Senior Planning Officer

advised that, whilst he appreciated Members' concerns, a septic tank solution was not the only potential solution - there were other possible options such as a package sewage treatment plant but, at this stage, it was not known what would be feasible. Members were required to determine the application based on whether the site was suitable for the number of dwellings put forward by the applicant in terms of location, amount and access and it would be necessary to wait for the technical details consent to come forward to see what the applicant was proposing and that would be the time to have a discussion as to whether it was acceptable and appropriate. The Development Management Manager provided assurance that the technical details consent stage would be subject to consultation so there would be a further opportunity for comments at that point. A Member queried what the density would be and the Senior Planning Officer indicated that he did not have that information. Another Member noted that Joint Core Strategy Policy SD10 discussed infilling outside of the Green Belt and, whilst he was aware there was no hard and fast definition, in his view, this development did not constitute infilling on the basis it was an expansion to the rear as opposed to between dwellings.

27.37 Upon being put to the vote, it was

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

22/01320/OUT - Parcel 5558, Road from Natton to Homedowns, Ashchurch

27.38 This was an outline application for residential development of up to 120 dwellings, associated works including infrastructure, open space and landscaping; vehicular access from Fiddington Lane. The Planning Committee had visited the application site on Friday 11 August 2023.

27.39 The Senior Planning Officer advised that an email had been received that morning from Network Rail reiterating concerns regarding the proposal. As Members were aware, this application was being brought to the Planning Committee further to the appeal against non-determination of the application to the Secretary of State. The Council must therefore advise the Secretary of State of its views on the proposal, which was the purpose of this Agenda item. The application had been submitted in duplicate and that application would be brought to the Planning Committee next month. The appeal site was situated to the east of Fiddington Lane and comprised an area of some 6.96 hectares, comprising approximately 6.02 ha of land situated to the east of Fiddington Lane with a small inverted 'L' shape to the west which was the proposed site for a sewage pumping station. The remaining parts of the site area were proposed for a new cycleway to the north and pedestrian footway running to the immediate west of Fiddington Lane from the new roundabout to the junction with the main part of the site. Access was the sole non-reserved matter and was proposed from Fiddington Lane, just to the south of the existing crossroads. An illustrative master plan showing a potential disposition of the proposed dwellings together with a parameter plan had been submitted to demonstrate how the site could be developed and the application was accompanied by an Environmental Impact Assessment. The application site lay to the east of the Land at Fiddington, Ashchurch site, which had already been allowed at appeal, where a residential development of up to 850 dwellings was being constructed, along with a primary school, local centre, supporting infrastructure, utilities, ancillary facilities, open space, landscaping, play areas and recreational facilities. To the north of this was the consented retail outlet centre and garden centre, also part implemented. Approximately 600m to the west of the site was a further approval at appeal site for residential development of up to 460 dwellings which had been granted planning consent in March 2022 and was also under construction. The application site comprised agricultural land and was broadly rectangular in shape, with associated boundary hedgerows, scattered scrub and seasonally wet ditches. Adjacent to the

eastern boundary was the Bristol to Birmingham main railway line running parallel with the length of the eastern boundary. The southern boundary was adjacent to an unnamed lane with Homedowns Business Park abutting the lane on its southern side - that site had recently been granted consent for significant redevelopment for employment use. At the south-east corner, the site abutted the unnamed lane and an unmanned level crossing of the railway line which provided access to pedestrians, cyclists and some landowners. The western boundary was defined by a hedgerow and the northern boundary was adjacent to an unnamed lane with residential properties abutting part of the boundary. The site was almost entirely located in Flood Zone 1 which was considered at the lowest risk for flooding by the Environment Agency. The north-eastern corner of the site was recorded as being within Flood Zone 2 and 3. An assessment of the main material considerations could be found at Pages No. 124-152 of the Committee report where a number of key harms and benefits had been identified.

- 27.40 Turning to the principle of development in this location, Tewkesbury was identified as a top tiered settlement in the Joint Core Strategy settlement hierarchy and was recognised in Joint Core Strategy Policy SP2 as a location where dwellings would be provided to meet the identified housing needs of Tewkesbury Borough in line with its role as a market town. The application site formed part of the wider Tewkesbury Town area and was broadly consistent with the strategy set out in Policy SP2 to meet the housing and/or employment needs of the borough. Nonetheless, the site was not allocated for housing in the Joint Core Strategy and must be considered against Joint Core Strategy Policy SD10. Proposals for unallocated sites would only be permitted in certain circumstances, none of which applied in this case. The application therefore conflicted with Policy SD10 and the spatial strategy comprising Policy SP2 and SD10 read together with Policy RES3 of the Tewkesbury Borough Plan as the proposed development had not been allocated through the development plan for residential development. It was therefore necessary to consider whether there were any material considerations which indicated that a decision should be made other than in accordance with the development plan. The site lay within the Tewkesbury Garden Town area which advocated a comprehensive, planned development strategy for future housing, employment and infrastructure needs. The published Garden Town Concept Plan identified the appeal site as part of a strategic location for future business development. At the current time, the concept plan did not have any status as a planning document and the inclusion of the application site within it did not prejudice or prejudge the normal operation of the planning system. Nevertheless, the Garden Town status and Government support for growth, in the context of a comprehensive planned development strategy, was a material consideration. There would be some harm to the landscape by reason of encroachment into undeveloped agricultural land beyond the settlement boundary; however, this was localised and minor considering the presence of built development to three sides of the site. There was potential to further minimise harm through sensitive design, layout and landscaping at reserved matters stage, as such, it was not considered that the harm would be significant. After considerable discussion with the applicants, neither National Highways nor County Highways had raised objections to the proposal, subject to recommended conditions and the completion of a planning obligation. As the site was within 10m of the railway, Network Rail was a statutory consultee and had raised an objection to the proposal on the basis of a significant uplift on usage by pedestrians of the Homedowns level crossing situated at the southeastern corner of the site. Discussions on this matter were ongoing between the applicant and Network Rail. All parties agreed there would be an impact; however, there was disagreement over the level of impact and what might be the appropriate mitigation to comply with the regulations relating to Section 106 obligations. The applicant had indicated that 'policy compliant' affordable housing and a range of other community facilities and infrastructure would be provided, including formal and informal open space and recreational facilities, together with financial obligations for the provision

of library and waste services. It had been established through the application that limited harms would also arise in respect of the loss of Grade 3 agricultural land; however, subject to imposition of appropriate planning conditions and obligations, the development would not give rise to unacceptable impacts in relation to flood risk and drainage, accessibility and local highway safety, noise, vibration, contaminated land, heritage, and minerals and waste. Officers had considered the proposals in terms of the planning balance, as set out at Pages No. 151-152 of the Committee report, and Paragraph 9.15 of the report stated that Officers considered that the proposal represented sustainable development and that the material considerations in this application indicated that they outweighed the weight to be given to the relevant policies of the development plan. In view of the matters set out in the Committee report, and in the context of the current appeal, Members were requested to consider a recommendation of minded to approve, subject to the resolution of the necessary mitigation, via a Section 106 Agreement obligation, occasioned by the increased use of the adjoining railway line crossing and provision of a Section 106 Agreement dealing with affordable housing, library provision, household waste facilities, provision and management of open space and play facilities, travel plan implementation and monitoring and associated Highway Authority requirements.

- 27.41 The Chair invited the representative from Ashchurch Rural Parish Council to address the Committee. The Parish Council representative indicated that the application was not in accordance with current policies of the Joint Core Strategy, Tewkesbury Borough Plan or the Ashchurch Rural Neighbourhood Development Plan. Tewkesbury Borough Council considered it could demonstrate a five year housing land supply so this application should be refused. The Parish Council questioned how much of a benefit 120 dwellings would be in terms of meeting local housing needs given there were already 1,650 dwellings being built within a mile radius of this site. A short build timeframe had been offered but the developers acknowledged the build on current sites was slow due to market forces and a national shortage of construction workers raising the question of whether 120 houses would delay the current construction sites which, unlike this one, came with school, shops and community centre which were all relied upon to make a development sustainable. The Parish Council could see no economic benefit in bringing forward this site. In terms of suggested biodiversity gain, rather than ruining the ecology on a new greenfield site, surely it would be better to complete works on a site which had already been damaged and let it start to recover. There was a thriving equestrian community which were losing their ability to access the network of bridleways which represented a loss of amenity at a cost to the rural economy. The objection by Network Rail on safety grounds was yet to be resolved and the noise mitigation required could be oppressive. It was well acknowledged locally, and confirmed by transport consultants, that there was traffic chaos, not only on the A46 but also from the rat-run which it created in this and the neighbouring borough. The expansion of this site would lead to further speculative development and loss of amenity and quiet lanes, landscape harm, additional traffic, threat to road safety, harm from construction, flood risk, urbanisation, loss of identity and negative impact on the local rural economy which collectively caused great harm for existing communities. Members may recall terms such as 'piecemeal', 'opportunist' development from the recent Garden Town review; this site did not bring any infrastructure of community benefits and any benefits it did provide were outweighed by the considerable harm. Therefore, Ashchurch Rural Parish Council respectfully requested that Members be minded to refuse the application.
- 27.42 The Chair invited a local resident, speaking in objection to the application, to address the Committee. The local resident expressed the view that the site's proximity to a very busy railway line must surely raise several questions, one being its suitability due to environmental and safety issues. A proportion of the houses would inevitably have gardens abutting the railway line, with all of the associated

safety and environmental issues literally ending up on their doorstep. It stood to reason that these houses would fall into the “affordable” category, hence the subtle imposition of social engineering so that the ones who could not afford the best end were being discriminated against. He questioned why the less fortunate in society should be expected to accept lower environmental and safety protocol standards than the rest and felt it was noteworthy that the Prime Minister had recently warned that we must not end up “concreting over the countryside” and that greater emphasis should be given to developing inner cities and towns. There were currently four small communities along Fiddington Lane with some 60 dwellings, housing around 140 residents, and 1,310 dwellings being built, all from piecemeal developments so he suggested it was time to take a break until plan-led development could be brought forward. These were real and pertinent questions surrounding the granting of planning on this piece of land but there were broader issues to consider as well, one being County Highways and the implications concerning the use of the roads and associated traffic volumes generated by another 120 dwellings, both in Fiddington Lane - currently regarded as a quiet lane - and on the A46 itself, yet many single dwelling planning applications had been refused due to objections from County Highways because of too many cars. The lanes were used by many vulnerable road users, walkers, runners and cyclists, families enjoying the countryside for leisure or commuters who were taking advantage of a quiet, less polluted route and that should be encouraged not hindered. There was also a wealth of off-road public rights of way in the area, including the Gloucestershire Way, and bridleways used by the many horseriders from the 20 livery stables and two equestrian centres which accessed Fiddington Lane. If traffic continued to rise it would become increasingly dangerous to connect to the off-road routes, inevitably resulting in the loss of much needed rural businesses and jobs and for the stables in Natton this development would, to all intents and purpose, make them totally superfluous; this surely presented another blow to the quality of the environment and to long suffering locals who were witnessing the steady demise of their rural existence. The local resident questioned whether this pocket of land which was squeezed between the railway line and Fiddington Lane really needed development and how necessary it was in terms of adding to the housing stock generally.

- 27.43 The Chair indicated that the Officer recommendation was minded to approve and he sought a motion from the floor. A Member noted that the sewage plant site was to be located in the dog leg to the west of the site and the Senior Planning Officer had stated there were a number of residential properties in that area; however, she wanted to clarify that was correct as she understood that planning permission had been approved for six homes next to the site and there would also be development on the site from Fiddington 1. In response, the Development Management Team Manager (Northwest) confirmed that what was proposed was correct; whilst six dwellings had been approved, albeit she could not recall the exact location, there would not necessarily be a conflict with those dwellings in terms of infrastructure. Fiddington 1 was being built out and this was shown on the plan. The Member raised concern that very little was included in the Committee report regarding the sewage plant and she asked how big the buildings would be and what levels of noise and odour would be generated as a result. The Senior Planning Officer advised that this was an outline application with all matters reserved; if the duplicate application was approved in due course there would be a number of reserved matters which needed to be dealt with at that stage. The Member noted that a local centre was planned as part of Fiddington 1 with routes for pedestrians and cycle links from this proposed site and to access the primary school and local centre and she asked what type of shops were proposed and whether they included a supermarket. The Development Management Team Manager (Northwest) confirmed that the square footage of commercial floorspace would include shopping floorspace for everyday goods. With regard to the crossing over the railway, the Member wanted to make the point that the pedestrian gate was not locked and did

not prevent pedestrians from crossing. In response, the Development Management Manager clarified that the vehicular gate was locked and there was a latch on the pedestrian gate which could be lifted when seeking to cross from one side of the railway to the other. Another Member drew attention to Page No. 140, Paragraph 8.35 of the Committee report and asked for clarification on what was meant by Network Rail being granted Rule 6 Party status and was advised that a Rule 6 Party was an interested person that was required to submit a statement of case at appeal. The Member asked when the appeal would be heard and was advised it was scheduled for late October/early November.

- 27.44 It was proposed and seconded that the Council be minded to refuse the application on the basis that the Council could demonstrate a five year housing land supply and the site was not allocated for residential development in any plan; there would be a negative impact on the health and wellbeing of residents due to the impact of noise from trains; it posed a real risk to life due to the increased use of the railway crossing; and it would not protect the intrinsic value of the countryside or integrate well with the existing community and therefore was contrary to Joint Core Strategy Policies SP2, SD10, INF1, SD4 and SD14; Tewkesbury Borough Plan Policies RES3 and ENV1, Ashchurch Rural Neighbourhood Development Plan Policies V1 and T1 and National Planning Policy Framework sections 8 and 12. The proposer of the motion indicated that those who attended the site visit on Friday would be aware that the application site was on a previously undeveloped parcel of land along Fiddington Lane. Developers would have them believe that, due to the new Fiddington 1 and developments which were across the road from this proposed site, this proposal for 120 homes would integrate well; however, she did not believe that to be the case. Natton and Homedowns were existing communities, defined as small hamlets within the Ashchurch Rural Neighbourhood Development Plan. Natton was on record as far back as 1087 and was believed to be one of the first settlements in the Parish, currently accommodating up to nine residential properties and five businesses. The whole area was a combination of small hamlets which had a thriving equestrian community and associated businesses. Fiddington Lane provided access to local bridleways and public rights of way and any increase in traffic on this quiet country lane would make access to those local bridleways extremely dangerous. Members would also have noted the railway line running the length of the side of the development and, to the top end of the site, the Gloucestershire Way which was a well-known walking route. Fiddington Lane gave a strong boundary between urbanisation of the Fiddington 1 and 2 sites and the rural setting of Natton and Homedowns and, in her opinion, the proposed site would represent unnecessary encroachment into an area with traditional rural character; the Council's own Landscape Adviser had stated that development of the site represented an intrusion into the countryside and she was in agreement. On the site visit Members had seen the railway crossing immediately adjacent to the proposed development at the bottom end and they were aware that Network Rail had strong objections to this development on the grounds of public safety. She pointed out the danger of unmanned unautomated crossings demonstrated by CCTV, published by Network Rail the previous day via various social media platforms and the ITV News, showing members of the public using unmanned crossings to take selfies and letting their children play between the gates as well as school children using the crossing as a playground. Members had seen the lane that went up to the crossing and the road that joined the other side; that road linked around the back of Natton and rejoined Fiddington Lane at the top end of the proposed site making it an ideal circular route for the new residents of the proposed housing to walk their dogs, run and cycle and for those wishing to use the Gloucestershire Way. Network Rail was very concerned that use of the crossing would be intensified by the building of these dwellings and she felt this fundamental objection could not be ignored due to the risk to public safety which was contrary to Joint Core Strategy Policy INF1. This was a major trainline on the national network and the impact of noise from the trains for homes that would be close to the railway

track must be taken into consideration. The noise assessment noted there would need to be substantial mitigation measures to ensure an acceptable noise environment – a combination of earth bunds and acoustic fences. In her view, the Environmental Health Officer had set out some very real concerns over this issue, stating that the mitigation measures required could be detrimental and have an oppressive impact on habitable rooms and outdoor space and she questioned whether that was acceptable given that it would be contrary to Joint Core Strategy Policies SD4 and SD14. As she had referenced earlier, existing residents also had some major concerns about the new sewage plant that was proposed within the application, specifically in close proximity to existing dwellings, and she believed the siting of the plant would be contrary to Tewkesbury Borough Plan Policy ENV1. She was also concerned that the developer was actively promoting this site within their proposals as a quick build out and questioned whether that meant the site would be delivered before Fiddington 1 and 2 came online i.e. before the schools were built and other infrastructure provided. If so, it could mean that the new residents of these 120 homes would not have access to schools, playing pitches or cycle routes and there would be no facilities with the proposed development. She considered that this development would not integrate well into the local community, was an intrusion into a rural settlement, would mean a huge loss of amenity for existing residents and would impact the safe use of Fiddington Lane for the existing residents and the equestrian community it served. The site was proposed on a piece of land that had not been allocated for housing development within the Joint Core Strategy nor the Tewkesbury Borough Plan. Page 135, Paragraph 8.10 of the Committee report confirmed that the Council could currently demonstrate a 6.68 year housing land supply which meant that the tilted balance was not engaged and the adopted strategic policies within the Joint Core Strategy were still considered to carry full weight. As such, Policy SP2 and SD10 were engaged and stated that housing development on sites not allocated within the Joint Core Strategy would only be permitted where it was previously developed land or met certain criteria, none of which applied to this particular application. Tewkesbury Borough Plan Policy RES3 also stated that, where applications were proposed outside of defined settlement boundaries, the principle of new residential development would only be considered acceptable where the application met certain exceptions - again, none of these exceptions applied to the proposed development. Policy RES4, a policy for small rural settlements such as Natton and Homedowns, restricted housing development to no more than 5% growth based on the number of existing dwellings in the settlement, which she believed was nine so far; the application far exceeded that amount with 1,650 homes being built in the immediate area. In respect of Ashchurch Rural Neighbourhood Development Plan, this site did not protect the intrinsic value of the countryside, did not integrate well with the existing communities of Natton and Homedowns and therefore was contrary to Policies V1 and T1. Taking all of this into account, she felt that, on balance, the harms outweighed the benefits, and Members should resolve minded to refuse on that basis.

- 27.45 The Development Management Team Manager (Northwest) advised that, in terms of the general character of the area, the application had been robustly reviewed with an urban landscape and visual impact assessment submitted. The Landscape Officer had assessed the proposal and found that, whilst there would clearly be some landscape harm as it was a greenfield site, given the construction and development in close proximity, this would only be minor in nature so that issue would be more difficult to defend at appeal. In terms of Network Rail's objection, this had been set out in the Committee report as a potential harm as it was currently unresolved and was subject to discussion between Network Rail and the applicant, as such, that would be an appropriate reason for refusal due to the risk to public safety. A lot of work had been done in relation to noise impact of the development on new occupiers of the site and the Environmental Health Officer had considered additional information submitted by the appellant, along with that communicated during the course of the application, and a potential form of mitigation had been

proposed in the form of a bund and an acoustic fence which could be secured via condition, with the details to be provided as part of the reserved matters application. Whilst the parameter plan had identified the potential developable area of the site, there was still work to do at the reserved matters stage including the requirement for a noise assessment to establish that noise would be within British Standards, both internally within the dwellings and externally in amenity spaces. As such, mitigation may mean the development was reduced from what could be seen in the plan currently – the application was for up to 120 dwellings but that did not mean that would be implemented if the assessment at the reserved matters stage indicated that was not the case. Officers were confident that the conditions proposed could adequately control the noise impact on residents going forward so that would be more difficult to defend. In terms of the sewage plant and its impact on future residents of this site and the one next door, those details would be discussed and examined at the reserved matters stage and if that gave rise to other issues such as noise or odour, a recommendation could be made at that stage. Looking at integration into the existing community and the impact on local residents and the equestrian community, a lot centred around the impact on use of the lanes and the value placed on that by the community which Officers fully appreciated. In terms of highway safety issues, County Highways had raised no objection and there were potentially measures, such as Traffic Regulation Orders, that could be put in place via County Highways to reduce the speed on Fiddington Lane which the appellant had indicated they would be willing to discuss; this was a separate matter which could not be required through a Section 106 Agreement but it was necessary to consider whether a reason for refusal could be defended on that basis. In terms of the five year housing supply, whilst the site was not included for development in the approved development plan and was contrary to the adopted development plan, it was considered to be a sustainable location for development and that was supported by the Inspector who had considered the Fiddington North and South applications so that had been taken into account as a material consideration when making the recommendation. The Development Management Manager clarified this was a proposal that had been carefully assessed; it was not supported by policy but had been analysed on the balance of benefits and harms. It would bring benefits in terms of meeting housing need and adjoining an existing and significant area of ongoing development. Various technical consultee responses had alluded to localised harms, for example, loss of agricultural land and reference to absence of self-build dwellings. Officers shared the concerns in relation to the harm identified by Network Rail unless that could be appropriately mitigated and he recommended that as an issue which needed a resolution going into the appeal process. Based on Officer advice, the Legal Officer recommended that, should Members be minded to refuse the application, it should be on the basis of the concern raised by Network Rail; she pointed out that was not to say the Inspector could not consider other matters put forward and they would be required to take into account the views of local residents. The Development Management Manager pointed out that there were a range of conditions that could be included to address the technical issues that had been raised in the discussion so far including those regarding drainage.

- 27.46 A Member indicated that the Committee was required to make a judgement on the application and the proposer of the motion had come up with a variety of reasons for being minded to refuse. In his view, it must be better to present more refusal reasons at appeal as it could be lost in the event there was a single reason which was not upheld. In response, the Development Management Manager explained that Officers had provided feedback on the reasons put forward and their advice was to focus on legitimate and reasonable concerns based on technical planning assessment. The Legal Adviser pointed out that if reasons were not supported with proper evidence and technical advice, the Inspector may suggest the local planning authority had acted unreasonably in objecting which could lead to an application for costs and was why Officers were advising that Members put their efforts into identifying the issues that could be properly justified and which could be sufficiently

argued in the appeal process.

27.47 The seconder of the motion expressed the view that the Network Rail objection was the most robust refusal reason but she noted that they were working with the appellant to find a solution and she questioned whether it was possible that this may be found in advance of the appeal and what would happen in that event. In response, the Development Management Team Manager (Northwest) confirmed there could be a resolution prior to the appeal being heard and that would go forward as evidence for the Inspector to consider; in all probability they would still wish to examine all of the evidence as they would be the authority making the decision. The Inspector needed to be satisfied that the potential reason for refusal had been overcome and, in considering all of the consultation responses, could raise other issues for the parties to respond to. The Development Management Manager reiterated that the Officer recommendation was minded to approve, subject to the resolution of the necessary mitigation occasioned by the increased use of the adjoining railway line crossing and provision of a Section 106 Agreement to secure contributions for affordable housing etc. but there were also recommended conditions to secure relevant details of infrastructure and technical details at the reserved matters stage. The proposer of the motion indicated that she was in regular contact with residents and knew the impact that Fiddington 1 and 2 was having on them. This proposal was trying to shoehorn in 120 houses which were not needed as it stood and there would be significant loss of amenity to existing residents of Natton in terms of the equestrian facilities along Fiddington Lane which would be even more unsafe. The access was right on Natton junction and, even if an agreement was reached regarding use of the railway crossing, she would continue to have concerns about the amenity of residents due to noise which could have a negative impact on mental health. In her view she had given sound reasons for refusal and believed the objections would be supported by residents; there was no need for this development and the benefits did not outweigh the harm so she stood by her motion and hoped she would receive the support of the Committee. The Development Management Manager clarified that the only point Officers were comfortable with was in relation to the health and safety issue raised by Network Rail. The range of benefits of the proposal were set out in the Committee report and he referenced the provision of market and affordable housing, that it was adjacent to existing and ongoing development in a sustainable location with a range of services and there was proposed mitigation for the environmental health and general health concerns raised. His strong advice was to focus on what Officers considered to be reasonable concerns as raised by Network Rail.

27.48 Upon being put to the vote, it was

RESOLVED That the Council be **MINDED TO REFUSE** the application on the basis that the Council could demonstrate a five year housing land supply and the site was not allocated for residential development in any plan; there would be a negative impact on the health and wellbeing of residents due to the impact of noise from trains; it posed a real risk to life due to the increased use of the railway crossing; and it would not protect the intrinsic value of the countryside or integrate well with the existing community and therefore was contrary to Joint Core Strategy Policies SP2, SD10, INF1, SD4 and SD14; Tewkesbury Borough Plan Policies RES3 and ENV1, Ashchurch Rural Neighbourhood Development Plan Policies V1 and T1 and National Planning Policy Framework sections 8 and 12.

23/00015/FUL - Chargrove Paddock, Main Road, Shurdington

- 27.49 This was a resubmission of planning application 22/00269/FUL for the construction of a single dwelling and associated infrastructure. The Planning Committee had visited the application site on Friday 11 August 2023.
- 27.50 The Planning Officer advised this was a full application for the erection of a single storey four to five bed dwelling. The application site comprised a grassed area located to the east of a residential bungalow. The site contained a number of derelict and overgrown timber structures on its north-east and south-east boundary. There was established vegetation on the boundaries of the application site and trees which were protected by a Tree Preservation Order on the north, west and east boundaries. The site was bounded by Shurdington Road to the southeast and there was an existing access from the northeast corner of the site onto the A46. The site did not fall within a recognised settlement boundary as defined in the Tewkesbury Borough Plan and was within designated Green Belt land. The new dwelling was single storey and positioned to face Shurdington Road, which was similar to the arrangement of the existing properties. The dwelling would be constructed from timber cladding, natural stone and render with a flat roof. The Officer recommendation was to refuse the application for the reasons as stated within the Committee report.
- 27.51 The Chair invited the applicant to address the Committee. The applicant explained that the original planning application was submitted in February 2022, but it was not validated until July 2022. That application was withdrawn to ensure all other matters such as design, Green Belt, drainage, ecology and energy efficiency were addressed. She advised that they had carefully considered the plans over a long time, particularly because the site was located in Green Belt and, whilst they were disappointed that the application was before the Committee today with a recommendation for refusal, Members would note that the reasons for refusal related to perceived impacts on the Green Belt and the perceived non-compliance with spatial plan policies - there were no technical reasons for refusal. Members would have seen from the site visit that the site lay amongst a collection of houses within Chargrove and was visually screened by those buildings and the mature trees along the garden boundary. The site did not protrude into the countryside and was wholly contained. Their brief to the architect had been to purposefully design a single storey, low profile building to ensure that it was visually unobtrusive. They had sought planning advice and a barrister's opinion on the relevant Green Belt matters and had been advised that the proposal may be considered acceptable because it was located on previously developed land, included the removal of existing buildings and had a low visual impact, and, due to the contained nature of the site, it did not have a negative impact on the openness of the Green Belt. The applicant's agent had circulated the legal advice they had received prior to the Committee so Members would have seen its conclusions that the assessment set out in the planning statement was reasonable and logical; she noted that the Council had not provided them with any contradictory legal advice. Officers had confirmed that the site was classed as previously developed land and it was claimed within the Committee report that the site was undeveloped which was clearly confusing and contradictory to the accepted status of the site. They understood that Tewkesbury Borough Plan Policy RES4 allowed new housing in small scale settlements, such as Chargrove, in order to support the vitality of rural communities and, where the rural communities were located in the Green Belt, that new housing was acceptable providing they complied with the Green Belt exceptions highlighted in the National Planning Policy Framework. For the reasons mentioned, they felt this

proposal complied with these policy requirements and hoped Members could agree.

- 27.52 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted as it would not cause additional harm to the openness of the Green Belt. The proposer of the motion felt the site visit had been beneficial in putting the proposed development in the context of nearby buildings and the village landscape. Whilst he could not deny the site was not within Shurdington, the dwellings next to and behind it looked to Shurdington for the village's services including a church and a public house with a supermarket also in the vicinity. The plot of land was between a care home and a block of offices with a row of houses behind so this would constitute infilling in his opinion. The two existing structures were dilapidated and unappealing and the proposal would be a smaller footprint so he felt it would be an improvement to the area rather than a detriment.
- 27.53 A Member supported this view and whilst there was an argument in the Committee report that the site was not part of Shurdington village, it had always been part of it in his eyes and in historic censuses was defined as being in Chargrove. The Development Management Team Manager (Northwest) advised that Officers agreed that the proposal amounted to infilling, it was not considered that it was located within a village. As such, in terms of applying the relevant Green Belt policies, as Chargrove was not a defined settlement and was outside of a built-up area, it was considered that the application site was previously developed land, therefore, the policy requirement was whether the development would have a greater impact on the openness of the Green Belt than the existing development. Officers were of the view that, whilst there were structures on the site and the new dwelling would have a smaller footprint, they were dispersed around the edges of the site so, due to the siting of the new dwelling, the impact on the openness of the Green Belt would be greater. The Development Management Manager advised that these were not just the views of Officers but those of the Inspector who had determined the previous refusal and considered the site was not within a village location, and the Parish Council which had objected to the application on the basis that the site was located in the Green Belt and outside of Shurdington village development boundary. A Member queried whether there was a legal definition of openness and indicated that she did not feel the site contributed to the openness of the Green Belt so would be better used for something else in her view. In response, the Legal Adviser explained that it was not set out in statute or policy but case law had established it was the absence of built development on land; in practice it was a case of looking at visual impact, mass and the surrounding landscape. The seconder to the motion to permit the application expressed the view that the previous refusal was for three two storey dwellings which was not comparable in terms of what was being proposed here. The Development Management Manager reiterated the advice of One Legal that the impact on openness was the built development itself; that impact had been assessed against policy and remained a concern in principle given the characteristics and the location as set out in the Committee report. The proposer of the motion felt that removal of the existing sheds would contribute to the openness of the Green Belt and, in his view, the proposal would be a betterment of the site with the removal of the old sheds. A Member sought clarification that the existing sheds were to be removed and the Planning Officer confirmed that was the case as far as she was aware.
- 27.54 Upon being put to the vote, it was
- RESOLVED** That the application be **PERMITTED** as it would not cause additional harm to the openness of the Green Belt, subject to the inclusion of appropriate conditions delegated to Officers.

23/00522/FUL - Plemont, Shurdington Road, Shurdington

- 27.55 This application was for the erection of a single storey side/rear extension. The Planning Committee had visited the application site on Friday 11 August 2023.
- 27.56 The Planning Assistant advised that the application required a Committee determination at the request of Councillor Porter to assess the impact upon the Green Belt. The proposal was single storey, allowing for enlarged living space which would maintain the character and appearance of the existing dwelling given the proposed dimensions and finished external materials. Due to the positioning of the host dwelling and its relationship with neighbouring properties, limited harm to neighbouring residential amenity would arise as a result of the proposal. The application site was located within the Green Belt, therefore greater restrictions applied and Paragraph 147 of the National Planning Policy Framework stated that inappropriate development was, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the National Planning Policy Framework stated that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless the development consisted of the extension or alteration of a building if it did not result in disproportionate additions over and above the size of the original building. The existing dwelling was not original, having previously been extended with a front roof dormer and a single storey rear extension, both with planning consent. The internal floor area had already been increased by at least 50%, any further additions would therefore be considered as disproportionate which would represent inappropriate development within the Green Belt which was harmful to the Green Belt by definition; however, the applicant had forwarded two indicative drawings which could be achieved via permitted development through the submission of a larger home extension application as set out within the General Permitted Development Order 2015. The larger home extension scheme was not a planning application, but an assessment of the criteria listed within the General Permitted Development Order where Green Belt was not a consideration. The two indicative drawings represented extensions which had a greater footprint than the current proposal and a real prospect of being carried out, representing fallback positions which amounted to very special circumstances. As such, whilst it was noted that the current proposal was inappropriate development in Green Belt terms, the very special circumstances advanced by the applicant were sufficient to justify the development within the Green Belt, therefore, the Officer recommendation was to permit the application as set out in the Committee report.
- 27.57 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the proposal was for householder extensions to a dwelling known as Plemont in the village of Shurdington, consisting of a single storey side/rear extension. As Members would have acknowledged on the site visit last week, the property has only benefitted from a modest single storey rear extension since it was originally constructed. The proposed extension would be entirely located to the side of the property, infilling a gap between the dwelling and boundary. There were no neighbours on the northern side of the property so there would be no impact on neighbouring amenity. Members would also have noted that the majority of the properties along this row of dwellings set back from Shurdington Road had been extended to varying degrees over the years. All of these neighbouring properties lay within the Green Belt and the two immediate properties to the south of the site had been extended in floor area by over 200% and 100% respectively over the years. It was in that context that the proposed extension to Plemont has been designed. As confirmed by Officers, it was also highly material to note there was a credible fallback position available to the applicant relating to significant side and rear extensions that could be constructed under permitted

development, without the need for planning permission. Specific design options had been provided within the submission which demonstrated the alternatives available to the occupier; not only would these permitted development extensions result in a substantially greater additional floorspace to that proposed under this application, they would also form a less cohesive design and would be detrimental to the character of the property and resulting Green Belt impact. Rather, the proposed extension would be vastly superior in design and have a much lesser impact. In his view, this fallback position would amount to clear very special circumstances in favour of the development and he was pleased to note this opinion was shared by Officers; there were plenty of other examples in the borough where this approach had been taken. There were no outstanding objections from technical statutory consultees in relation to the proposals and no wider policy conflict. In conclusion, the proposed extensions had been appropriately designed to respect the character of the host dwelling and the scale of the extensions would accord with other recent nearby examples, including the nearest neighbours. As a result, the openness of the Green Belt would be preserved. Notwithstanding this, a clear fallback position for less desirable permitted development extensions existed in this instance, which was a further material consideration in favour of this application. Ultimately, the proposals accorded with the development plan and he asked Members to support the application in line with the Officer recommendation.

- 27.58 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 and, upon being put to the vote, it was

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

23/00524/FUL - 50 Goodmoor Crescent, Churchdown

- 27.59 This application was for erection of a two storey front extension, single storey front extension, single storey side extension, single storey rear extension and loft conversion with rear facing dormer roof.
- 27.60 The Planning Assistant advised that the application required a Committee determination due to an objection from the Parish Council on the grounds of overdevelopment and the proposal being out of character with the area. The proposal related to a two-storey semi-detached dwelling, located on a corner plot. The two-storey extension would infill the front section of the dwelling, having little harm upon its character. The single storey front extension would extend across most of the width of the front elevation, featuring a lean-to roof design. Both front extensions would feature facing brickwork to match the existing and parking provision for at least two cars would remain to the front of the property. The side extension would wrap around to the rear extension, joining to a pitched roof and the extensions would be finished with white coloured render and set back from the front elevation. The side extension would be set away from the boundary shared with No. 48 and feature low eaves and a lean-to roof sloping away from the boundary. Attention was drawn to the Additional Representations Sheet, attached at Appendix 1, which referred to a revised site plan which reduced the length of the garage slightly. The rear roof dormer would be level with the ridge but set back considerably from the eaves. The dormer could be viewed from Goodmoor Crescent, but those views would be limited to the southern cheek of the dormer and other private residential views would be provided from properties on Martindale Road to the rear. The dormer would provide elevated views to the rear of properties on Martindale Road; however, first floor views were already provided, and a larger rear roof dormer could be achieved without the need of planning consent through permitted development rights, where potentially increased design and amenity harm

could arise. The site was large enough to accommodate the proposal whilst allowing for off road parking provision and acceptable levels of amenity space for the occupiers of the site. Furthermore, the proposal would be of an appropriate size and design in keeping with the character and appearance of the property whilst representing limited harm to the residential amenity enjoyed by neighbouring occupants. As such, the proposal would not amount to overdevelopment and it was therefore recommended that the application be permitted in accordance with the Officer recommendation.

- 27.61 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 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.28 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

- 28.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Page No. 220. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

- 28.2 A Member asked whether the appeal in relation to 22/01230/OUT – Parcel 5558, Road from Natton to Homedowns, Ashchurch, would be held at the Council Offices or online and requested an invitation to attend. In response, the Development Management Team Manager advised that it was currently due to take place in person but if there was a request to stream from the Inspector that would normally be accommodated.

- 28.3 It was

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

The meeting closed at 2:40 pm

Appendix 1

Date: 15 August 2023

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.	
6a	<p>22/01104/FUL</p> <p>Elms Farm, Main Road, Minsterworth</p> <p><i>Member of Public:</i></p> <p>Roadside plots still too close to the main road where noise would still be an issue.</p> <p>Too many dwellings will cause traffic problems.</p> <p><i>Harvey Community Centre:</i></p> <p>Not opposed to development and welcome new homes and families.</p> <p>The Centre has ambitious plans to extend community services.</p> <p>Current access has poor visibility and width.</p> <p>Proposed housing will limit options to improve access.</p> <p>Concerns raised about design and layout and suggest amendment to land outside the curtilage of any proposed building to be utilised to improve access to centre.</p> <p>Three options suggested - an improved access point to the Harvey Centre as part of the planning consent; defer to allow safeguarding future use or incorporation of access to the Centre; lowering of speed limit.</p> <p><i>Applicant's Response to above:</i></p> <p>Supports the aims and objectives of the Harvey Centre to reinvigorate into a multi-purpose community facility.</p> <p>Co-existence of both proposed uses would be mutually beneficial and glad that the Centre supports the principle of residential development.</p> <p>Whilst a trustee of the Harvey Centre discussed some matters in May, the application was well advanced for any significant changes and submitted for 7 months at this point.</p> <p>There was a site meeting with representatives of the Harvey Centre at the point of submission in October 2022, principally to discuss boundary treatments between the two sites and no mention was regarding access across the boundary.</p> <p>The Highways consultant has reviewed the current Harvey Centre access onto the A48 and notes:</p> <ul style="list-style-type: none"> - that the proposed community use of the site has a far lesser trip generation than the extant planning use of the site for a school;

	<ul style="list-style-type: none"> - the proposed vehicular access arrangements onto the A48 do not preclude or impinge on the current Harvey Centre access from the A48 being used for a community facility; and - the layout and design of our scheme does not preclude the ability to form a vehicular access into the Harvey Centre site in the future across the shared boundary.
6b	<p>22/01374/FUL</p> <p>Land At Linton Court Farm, Highnam</p> <p>An updated consultation response has been received from the Environmental Health Officer who considers that the submitted noise assessment is robust and represents a worst case, and the actual noise impact should be less than the predictions.</p> <p>In addition, a post completion noise testing condition has been recommended to ensure that noise levels are in line with the predictions and, if not, additional noise mitigation could be employed if necessary. Noise from road traffic would still be dominate the sound climate in the area.</p>
6e	<p>22/01318/PIP</p> <p>Land At Greenacre And Mount View, Ash Lane, Down Hatherley</p> <p>An update to Paragraph 5.2 of the Committee report is required to confirm that 10 communications of support for the application were also received, as summarised below:</p> <ul style="list-style-type: none"> - The development would provide homes with generous sized gardens and good parking. - The development would provide homes for local people. - Endorse the application which is similar to other developments in the area. - Provides local builders with opportunities to construct dwellings on smaller sites. - Adequate access can be provided. - Good quality homes beneficial for the area. <p>In addition, the applicant's agent notes the comment by Severn Trent that there is a pumping station close to the site is erroneous. Nevertheless, Officers note the general requirement from Severn Trent to keep access clear to any pumping station is relevant. The agent has also submitted, at the client's request, images showing that the hedge opposite the site has become overgrown encroaching on the road, a matter referred to in communications from third parties objecting to the proposal.</p>
6f	<p>22/01320/OUT</p> <p>Parcel 5558, Road From Natton To Homedowns, Ashchurch</p> <p>HIGHWAY MATTERS</p> <p>Please note that there is an error in the Committee report at Paragraphs 8.32 and 8.78. The requirement for a Traffic Regulation Order to restrict parking on Fiddington Lane would not be the subject of a S106 legal agreement as this would be dealt with via a separate process under the Road Traffic Regulation Act 1984 (as amended).</p>

To address local concerns regarding traffic speeds on Fiddington Lane, the applicant has also recently confirmed in writing that they would be willing to consider funding a Traffic Regulation Order to this effect.

NETWORK RAIL

A further communication has been received from Network Rail clarifying the status of the railway crossing described at Paragraph 2.3 of the Committee report, which is summarised as follows.

Network Rail confirm that the level crossing provides access for pedestrians (not cyclists) and access for the vehicles of authorised users and does not specifically provide access to the 'Gloucestershire Way'. It states the level crossing forms part of the public rights of way network despite not being shown on the Definitive Map and Statement held by the County Council as a public right of way. Historically, papers dating back to 1836 indicate the level crossing formed part of a public road, but in 1967 (under the British Railways Act) the status was downgraded to its current status described above.

However, it should be noted (at Paragraphs 2.3 and 8.34 of the Committee report) that the Public Rights of Way Officer at Gloucestershire County Council has confirmed to Officers that the Gloucestershire Way immediately either side of the level crossing does not form part of the public rights of way network as defined on the Definitive Map. For clarity, the Definitive Map is the legal record of public rights of way in England and Wales.

HERITAGE ADVICE - Ridge and Furrow

As a result of a Member enquiry at the site visit regarding the occurrence of ridge and furrow earthworks present within the red line area of the site, the County Archaeologist and Heritage leader at Gloucestershire County Council has provided the following update:

They confirm they have examined the site and surrounding area on successive google earth images and DEFRA 1m Lidar composite data. They have some experience of the subject, having managed a review of the most significant ridge and furrow nationally for Historic England ten years ago. That project included 43 townships previously identified as having the best preserved ridge and furrow in central England (including some in Gloucestershire). They would generally advise preservation of ridge and furrow, wherever possible, which has been identified as being of national importance.

Although Ashchurch Rural civil parish does not include any of the townships identified as of national importance, it was included in an English Heritage National Mapping Programme Project (NMP) in 2007. That project recorded archaeological and historical features visible on all aerial photographs in national and Cambridge University collections, including the mapping of all ridge and furrow present. The photographs generally date from the 1940s onwards. The mapping produced indicated the directions of furrows, and also the extent of plots and any intervening headlands. It also indicates whether the ridge and furrow was extant or had been removed on the most recent photographs available in 2007. The vast majority of agricultural land in all directions (and for some distance from the site) was covered in ridge and furrow in the 1940s, with the main exception being the already existing army vehicle depot at Ashchurch. A visual estimate suggests that 50% of the ridge and furrow locally had been removed by the time that the last photograph available in 2007 was taken. Comparison of the 2007 mapping and very recent lidar imagery suggests that a further 50% the ridge and furrow extant in 2007 has been removed by modern agricultural activity.

	<p>The significance of ridge and furrow is generally assessed by the level of preservation and completeness of the field system. Their initial rapid assessment of the ridge and furrow present in the red line is that it is fairly well preserved but clearly the field system represented has mostly been removed. A combination of lidar and NMP mapping indicates that the individual blocks of ridge and furrow in this area are mostly very small and mostly in accordance with parliamentary enclosure field boundaries. Whilst some fields nearby have (or had) ridge and furrow suggestive of preserved medieval ridge and furrow, that within the area to be developed is remarkably short and straight and may well be the result of 19th century ploughing post-dating the enclosures.</p> <p>Finally, whilst this area of earthworks would be removed by development, it is equally vulnerable to modern farming, which has resulted in a loss of ridge and furrow many times greater than that lost to development.</p> <p>The County Archaeologist's advice concludes that it would be difficult to argue for any more than low local significance of the ridge and furrow present in the red line area. A decision to refuse on the basis of its preservation may be difficult to support at appeal.</p> <p>THIRD PARTY COMMUNICATIONS</p> <p>A third party communication from a local resident objects to houses at the application site, alleging the dwellings are unnecessary and loss of green field.</p>
6g	<p>23/00015/FUL</p> <p>Chargrove Paddock, Main Road, Shurdington</p> <p>The applicant has sought legal advice on the Council's assessment of the Green Belt.</p> <p>Officers generally agree with the application of the policies within the legal advice from the applicant, and the correct approach to the application of policy to this site is reflected in the Committee report.</p> <p>Officers do not agree with the planning judgement element regarding the impact of the proposals on the openness of the Green Belt.</p> <p>The legal advice provided by the applicant fails to address the specific issues of concern in this case, such as the question of whether the site falls within a village for the purposes of the application of policy. There is also no sufficiently reasoned or justified case regarding the impacts of the proposals on the openness of the Green Belt</p>
6i	<p>23/00524/FUL</p> <p>50 Goodmoor Crescent, Churchdown</p> <p>A revised site plan has been received reference 23-012-F-SP01 Rev A. This revised drawing details the front section of the existing garage is to be demolished to allow space for the proposed side and rear extensions. The remainder of the proposal on this plan remains unaltered. This plan was received on 02.08.2023, after the Committee report was finalised and is to be included as a late representation to supersede 23-012-F-SP01 (Proposed Site Plan).</p> <p>The recommendation remains the same subject to the revision of Condition 2 which reads as follows:</p>

2. The development hereby permitted shall be carried out in accordance with the following documents:

- Drawing numbers 23-012-E-SLP01 (Site Location Plan), 23-012-P-GF01 (Proposed Ground Floor Plan), 23-012-P-FF-01 (Proposed First Floor Plan) and 23-012-P-SF01 (Proposed Second Floor Plan) received by the Local Planning Authority on 02.06.2023.

- Drawing number 23-012-P-E01 Rev A (Proposed Elevations) received by the Local Planning Authority on 28.07.2023.

- Drawing number 23-012-F-SP01 Rev A (Proposed Site Plan) received by the Local Planning Authority on 02.08.2023.

Reason: To ensure that the development is carried out in accordance with the approved plans.