

15 April 2024

Committee	Planning
Date	Tuesday, 23 April 2024
Time of Meeting	9:30 am
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.

3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 24 January 2023 of the Tewkesbury Borough Council Code of Conduct, effective from 1 February 2023, as set out in Minute No. CL.72, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

	Item	Page(s)
4.	MINUTES	5 - 22
	To approve the Minutes of the meeting held on 19 March 2024.	
5.	DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL	
	(a) 24/00129/PIP - Land Off Bozard Lane, Tredington	23 - 38
	PROPOSAL: Permission in Principle application for the erection of between one and seven dwellings, including 40% affordable housing on site.	
	OFFICER RECOMMENDATION: Refuse.	
	(b) 23/00275/APP - Plots 3 and 4 Gloucester Business Park	39 - 80
	PROPOSAL: Reserved matters application in relation to Plots 3 and 4 for the erection of employment development of 16,481sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 development with ancillary offices, alongside discharge of pre-commencement conditions 8 and 11 to planning permission reference 11/01155/FUL.	
	OFFICER RECOMMENDATION: Delegated Approve.	
	(c) 23/00276/APP - Plot 5 Gloucester Business Park	81 - 106
	PROPOSAL: Reserved matters application in relation to Plot 5 for the erection of employment development of 6,773 sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 development with ancillary offices, alongside discharge of pre-commencement conditions 8 and 11 to planning permission reference 11/01155/FUL.	
	OFFICER RECOMMENDATION: Delegated Approve.	
	(d) 23/00441/FUL - Land to the West of Twigworth Court Farm, Tewkesbury Road, Twigworth	107 - 150
	PROPOSAL: Installation of ground mounted solar to export up to 16 MW (AC) electricity, comprising photovoltaic panels and associated infrastructure and works.	
	OFFICER RECOMMENDATION: Permit.	

Item	Page(s)
<p>(e) 23/01078/FUL - Land North of A417, Brockworth Road, Churchdown</p> <p>PROPOSAL: Construction and operation of an Energy Reserve comprising Battery Energy Storage System (BESS) together with associated infrastructure, access, landscaping and cabling, for a temporary period of 40 years (amended description).</p> <p>OFFICER RECOMMENDATION: Permit.</p>	151 - 188
<p>(f) 23/00673/FUL - Box Farm, Stockwell Lane, Woodmancote</p> <p>PROPOSAL: Technical Details Consent for the construction of one self-build dwelling following approval of Permission in Principle ref: 21/00144/PIP.</p> <p>OFFICER RECOMMENDATION: Permit.</p>	189 - 210
<p>6. CURRENT APPEALS AND APPEAL DECISIONS UPDATE</p> <p>To consider current planning and enforcement appeals and Department for Levelling Up, Housing and Communities appeal decisions.</p>	211 - 214

DATE OF NEXT MEETING
THURSDAY, 23 MAY 2024
COUNCILLORS CONSTITUTING COMMITTEE

Councillors: M Dimond-Brown, M A Gore, S Hands (Vice-Chair), D J Harwood, M L Jordan, G C Madle, J R Mason, G M Porter (Chair), P E Smith, R J G Smith, R J E Vines, P N Workman and I Yates

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 19 March 2024 commencing
at 9:30 am**

Present:

Chair	Councillor G M Porter
Vice Chair	Councillor S Hands

and Councillors:

M Dimond-Brown, M A Gore, D J Harwood, M L Jordan, G C Madle, J R Mason, P E Smith,
R J G Smith, R J E Vines, P N Workman and I Yates

PL.64 ELECTION OF CHAIR

64.1 It was proposed, seconded and

RESOLVED That Councillor G M Porter be elected as Chair for the remainder of the Municipal Year.

PL.65 ANNOUNCEMENTS

65.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

65.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

PL.66 DECLARATIONS OF INTEREST

66.1 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.

66.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R J E Vines	Item 6b – 23/00964/FUL – Land Adjacent Shurdington House Stables, Main Road, Shurdington	Is a Gloucestershire County Councillor.	Would speak and vote.

66.3 There were no further declarations made on this occasion.

PL.67 MINUTES

- 67.1 The Minutes of the meeting held on 20 February 2024, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.68 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

- 68.1 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.

23/00930/OUT - Part Parcel 4256, Homedowns, Tewkesbury

- 68.2 This was an outline application for residential development of up to 30 residential dwellings, associated works (including demolition), open space, infrastructure and landscaping with vehicular access from the A46(T).
- 68.3 The Principal Planning Officer advised that this was an outline application for up to 30 dwellings on a site off Fiddington Lane but with vehicular access provided through the adjacent larger development site to the south which would then lead west and north to the access through the wider development and reach the A46 near Dobbies Garden Centre. As well as the development site itself, the red line of the application included not only the access but an area to the east on the opposite side of Fiddington Lane for an attenuation pond and a strip of tree belt land to the north-east for a proposed pedestrian access towards the Cotswold Outlet development which was currently under construction. The development site was currently used for horse grazing and was relatively flat and surrounded by hedgerows for the most part. Immediately to the north was a small lane which led westwards to a Public Right of Way and some residential properties on the north side of the lane and further equestrian land which was also in the ownership of the applicant. To the east over the lane was a development site recently allowed at appeal for up to 120 dwellings which would share the attenuation pond for its drainage requirements. The applicant had provided an indicative plan which showed vehicular access to the south but also pedestrian/cycle access potential to the northern lane and a Local Area for Play (LAP). There was an objection from Network Rail in respect of the potential for increased use by pedestrians of the Homedown Level Crossing but, given the distance from the crossing, the greater proximity of the alternative Natton Lane underpass and the detailed discussions at the recent appeal inquiry for the 120 dwelling site opposite, it was considered that an objection could not be sustained on those grounds. Although the proposal was not policy compliant in terms of locational policies set out in the Joint Core Strategy and Tewkesbury Borough Plan, they received less weight in the planning balance given the lack of a five year housing land supply or any other material considerations which would, as a result of granting planning permission, cause adverse impacts and Officers considered the proposal was acceptable in principle, subject to conditions and a Section 106 Agreement – it was noted there had been positive discussions with the application regarding the majority, but not all, of the identified Section 106 obligations. Therefore, as set out in the Committee report, it was recommended that authority be delegated to the Associate Director: Planning to permit the application, subject to the conditions as set out in the Committee report, and any additional or amended conditions, and completion of the Section 106 Agreement. There was a proposed time limit for negotiations and if an agreement was not concluded within the 12 week period the Associate Director: Planning would be given delegated authority to refuse the application as set out in the Committee report.

- 68.4 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to delegate authority to the Associate Director: Planning to permit the application, subject to the conditions as set out in the Committee report, and any additional or amended conditions, and completion of the Section 106 Agreement, and he sought a motion from the floor. A Member asked how likely it was that the Section 106 Agreement would be completed within the 12 week time period and was advised that this would depend on negotiations with the applicant and getting agreement on the affordable housing conditions but Officers were optimistic it could be achieved from a legal perspective. In response to a query regarding the self-build and custom issue, Members were advised that the applicant had been asked to respond on this; the advice which had been given by the Inspector in relation to the appeal site across the road was that it was down to the local planning authority to ensure land was being allocated in order to meet requirements rather than developers having to provide it themselves and that was relevant in this instance.
- 68.5 The Member sought an explanation as to how the issue regarding the Public Right of Way footpath AAS8 was being resolved and whether the attenuation pond would need to be increased if it was to be shared with another development. In response, the Principal Planning Officer advised that the Lead Local Flood Authority had been consulted on the attenuation pond and raised no objection – it was a larger pond than was required for a 30 dwelling development so had built-in capacity for the site over the road as well. Another Member drew attention to Page No. 34, Paragraph 2.2. of the report and sought clarification as to the class of agricultural land. With regard to Page No. 41, Paragraph 8.17 of the report which talked about sustainable travel links, the Member asked what links were being assessed and the timeframe for delivery. In terms of affordable housing, the Member asked whether social housing had been considered. The Member noted there had been no detailed update in terms of the position regarding the Section 106 Agreement and indicated that he would like Officers to be increasingly robust with developers to ensure Section 106 obligations were maximised. As a procedural point, Officers tended to list the relevant Joint Core Strategy and Tewkesbury Borough Plan policies but did not refer to Neighbourhood Development Plan policies; he felt those were equally important and should be given the same attention. In response, the Principal Planning Officer advised that the agricultural land grading was unknown and, in terms of affordable housing, the Head of Service: Housing was happy with what was being provided but this was an outline application and the tenure would reflect the mix of development on site and the size of the dwellings. There would be 40% compliance in terms of the number of affordable dwellings on site which would be set out in the Section 106 Agreement. With regard to the Section 106, the majority of what was being asked for had been agreed but the applicant was disputing the Council's evidence in respect of some of the other issues relating to contributions to the leisure centre and swimming pool. She confirmed that the relevant policies from the Ashchurch Rural Neighbourhood Development Plan were set out within the Committee report but not referenced in the conclusion section. The County Highways representative advised there would be no vehicle traffic on the route of the Public Right of Way to the north of the site and there would be active travel links to the north. It had recently been decided to put a link to the north-east of the site to the 120 dwelling site opposite and there would be a link from the roundabout on Fiddington Lane. The main vehicular access was to the south of the site and had already been constructed with a footway and cycleway partially constructed to the south – this was proposed to be access only for emergency vehicles and buses. There were also links through the site to serve the development as well as a link through the appeal site and an active travel link to the north of the site which could potentially be extended further down to Claydon; the speed limit was currently 30mph at the roundabout at Fiddington Lane before increasing to 40mph and 50mph and it was proposed to reduce this to 30mph down to Claydon Lane. The Member indicated that it would have been beneficial for this information to be set

out in the Committee report in order for Members to understand it more fully and make an informed judgement. The County Highways representative advised there was a lot of development in the area and the various linkages were quite comprehensive so it may be beneficial to hold a separate session for the Committee to explain those at some point.

68.6 A Member drew attention to Page No. 36, Paragraph 4.15 of the report which related to the consultation response from Cleeve Ramblers which had raised concern that the Design and Access Statement was incorrect in stating there were no Public Rights of Way routing through the site. The Principal Planning Officer clarified that the Cleeve Ramblers were referring to the red line of the access road. The Public Right of Way crossed the access road and the lane at the top of the site ran in the direction of the M5 east to west and west to east across the road then turned north and went across that line. Public Right of Way 7 ran southwards where it crossed the road and the developer of that land would be putting in footpath diversions where required with at least one Order in place – this could be temporary whilst development was carried out or permanent but she did not have the details of the wider applications. In response to a query regarding safeguards for the retention of hedgerows along the east to west boundary, the Principal Planning Officer advised that proposed conditions 19, 20 and 21 required details of the landscaping to be submitted including a landscaping scheme for the whole site, full details regarding adequate measures to protect trees and hedgerows and for any trees and plants which were removed or became damaged or diseased to be replaced within five years of the completion of the development. In terms of sanctions, this would be an enforcement matter and was not something that could be considered in determination of this application.

68.7 It was proposed and seconded that authority be delegated to the Associate Director: Planning to permit the application in accordance with the Officer recommendation subject to a further condition to prevent construction traffic from using Fiddington Lane. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Associate Director: Planning to **PERMIT** the application subject to the conditions as set out in the Committee report, a further condition to prevent construction traffic from using Fiddington Lane, any additional or amended conditions and completion of the Section 106 Agreement.

23/00964/FUL - Land Adjacent Shurdington House Stables, Main Road, Shurdington

68.8 This application was for erection of five detached dwellings with associated infrastructure including detached single storey garages, landscaping and construction of two new accesses from Shurdington Road. The Planning Committee had visited the application site on Friday 15 March 2024.

68.9 The Senior Planning Officer advised that a further late representation, as set out at Appendix 1, had been received the previous night from County Highways recommending an additional three conditions to add to the planning permission. The applicant's agent had agreed to the conditions so these would be added to the planning permission should Members be minded to permit the application. The application site was located off Shurdington Road and was currently an undeveloped plot between Woodbine Cottage to the northeast and Shurdington House Stables and 1 Malvern View to the southwest. The site contained unmaintained grassland enclosed by mature hedgerows and trees. The site was located outside of the settlement boundary within the Cotswold National Landscape (formerly Area of Outstanding Natural Beauty) and within the Green Belt. The site formed a gap within the village of Shurdington with residential development either

side in an otherwise built-up frontage. The Public Right of Way to the north-east of the site would be unaffected by the proposed development. The site was located within Flood Zone 1 and there were no heritage or other planning designations affecting the site. The five three and four bedroom dwellings were two storey with dual pitched roofs and single storey with green, flat roofed elements; solar panels were proposed for each dwelling. Plots 2, 3 and 4 each had access to a garage and all plots had off-street parking for two vehicles and private rear gardens. The existing field access would be closed off and two new vehicular accesses would be created - one to serve Plots 1 and 2 and the second to serve the remaining plots. Despite the application site not being located within a defined settlement boundary, the proposal was considered to be infill within Shurdington as per part 4(ii) of Policy SD10 of the Joint Core Strategy. The site had a clear physical and functional relationship to the Service Village and was well related to the existing built-up frontage along the A46 such that the proposal was considered acceptable in principle. The proposal was considered to be limited infilling in a village and therefore complied with exception 154(e) of the National Planning Policy Framework 2023. The Cotswold National Landscape Board agreed with the applicant's Landscape and Visual Appraisal and, although the development would encroach into the National Landscape, it would be viewed in the context of the adjacent built development and the significant local influence of the A46. The site was well contained and the addition of five dwellings and associated landscape mitigation would ensure it would not have a harmful impact on the Cotswold National Landscape. There were no objections from statutory consultees, the proposal was considered to be in accordance with the development plan and there were no clear reasons for refusal in accordance with Paragraph 11d(i) and footnote 7 of the National Planning Policy Framework.

- 68.10 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that this was an application for the construction of five high-quality detached family dwellings included associated access, landscaping, garaging and parking. Following detailed discussion and negotiation with Officers, the layout and design of the proposals had been amended during the course of the application to fully address comments raised. It was acknowledged that previous applications for residential development had been submitted for this site, but it was important to note that these were circa 25 years ago within a vastly different national and local planning policy context. As Members would be aware, the current application must be considered on its own merits against the latest planning policy background. As a result, the application was advanced on the basis that these dwellings represented "limited infilling in a village" which was one of the defined exemptions allowing development in the Green Belt. The assessment on limited infilling had been well-established through planning law and local decisions, including appeal decisions, as set out within their submission and the Committee report. As outlined in the Committee report, the site represented infilling between properties to the northeast and the southwest and had been designed with a linear layout in order to replicate this otherwise built-up frontage. The site was located centrally within the village of Shurdington, in close walking distance to all amenities and services within the village, as well as having direct access to Gloucester and Cheltenham via the No. 10 bus service - this was a highly sustainable location for development. As Members would have seen on the site visit, the site had a shallow slope in topography from Shurdington Road in the west up to the rear of the site in the east. It should be noted the dwellings would be located centrally within the site where land levels were, on average, just 40cm higher than the highway edge. Notwithstanding this, and as depicted in the submitted streetscene, the dwellings would be constructed at a lower level more consistent with the highway edge both for access purposes and to ensure that the height of the dwellings would be consistent with the neighbouring built form. The Council would have control over these levels through an appropriately worded condition. It was acknowledged that the site was located within, but on the edge of, the Cotswolds National Landscape

and impact of the proposals on the landscape had been fully assessed from the outset and the submission was supported by a Landscape and Visual Appraisal which had been assessed by both the Cotswolds National Landscape Board and the Council's Landscape Officer, neither of which raised any objections to the development of the site. Conditions were recommended in relation to landscaping, lighting, ecological enhancement, construction management, access installation, foul and surface water drainage etc. all of which were acceptable to the applicant. In conclusion, the applicant's agent considered this to be a high quality addition to this area, which would meet all necessary policies. The proposals did not have any outstanding technical objections and it was recommended by Officers for approval. As a result, the applicant was now seeking the Committee's support in a positive determination of this application.

- 68.11 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member noted there was a mature stream to the northeast of the site and he sought clarification as to whether this was inside or outside of the site boundary - he would be keen to see this protected if it did form part of the application site. The Senior Planning Officer advised there was a spring to the top right of the site but there was no record of it going into the site; it was naturally occurring following the recent flooding over the last few months and, in any case, the site was within Flood Zone 1 and had been assessed by the Council's Drainage Officer who raised no objection subject to the inclusion of a suitably worded condition. The Member felt it had been clear on the Planning Committee site visit that it was a mature stream which was very active when they had been on site and he urged Officers to look more closely to ensure the applicant would not do anything to inhibit its flow, both for flood and ecology purposes. The Senior Planning Officer confirmed this would be picked up in proposed condition 5 which would be reviewed and signed off by the Drainage Officer. The Development Management Team Manager (East) advised there would also be a landscaping condition for the whole site which would incorporate that area.
- 68.12 In response to a query as to the context around what was considered to be limited infilling, the Senior Planning Officer advised that Paragraph 5.4 of the Tewkesbury Borough Plan stated that Shurdington was one of the borough's largest and most sustainable Service Villages. Paragraph 154 of the National Planning Policy Framework provided a number of exceptions to the construction of new buildings in the Green Belt which included limited infilling; there was no hard and fast definition but, in the context of the village of Shurdington, five dwellings was considered to be limited infilling.
- 68.13 It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. Whilst he recognised that each application should be considered on its own merits, a Member raised concern that an application had been refused at the last Planning Committee meeting despite abutting existing houses and having development on three sides of the site on the basis that could not be considered as infilling which seemed to be at odds with the advice being given in this instance. He noted that the previous application in 2002 had been refused largely due to the impact on the Green Belt and Area of Outstanding Natural Beauty and if this was permitted it would lead to the loss of an important open space. Whilst he acknowledged these points, the Chair reminded Members that this application was being determined in a different planning policy context with the tilted balance engaged. The Development Management Team Manager (East) clarified that the site was not designated as an important open space either in constraint or policy terms but was in relation to the characteristics of the road and the wider area.

68.14 Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation including the additional highways conditions as set out in the Additional Representations Sheet attached at Appendix 1.

22/01220/FUL - Land Off Old Gloucester Road and South Part Parcel 5800, Old Gloucester Road, Boddington

68.15 This application was for change of use of land to a private Gypsy/Traveller site.

68.16 The Development Management Team Manager (Northwest) advised that the application was a rectangular parcel of land to the southeast of the B4634 adjoining a larger field traditionally used for grazing which adjoined the M5 motorway to the east. The site was occupied by two large buildings associated with equestrian use and was located in the Green Belt and Flood Zone 1. The application sought planning permission for change of use to create a pitch for a single family of Romany Gypsies in order to site a mobile home, a touring caravan and to construct a day room. Whilst the application site was located within the open countryside and Green Belt, it was deemed to constitute appropriate development as defined in the National Planning Policy Framework in that it would entail the redevelopment of previously developed land and would not have a greater impact on the openness of the Green Belt than the existing development as the extent of development on site would be reduced. There was a significant shortfall of Gypsy, Traveller and Travelling Showpeople sites and pitches within the borough and the personal circumstances of this family must also be taken into consideration in the planning balance. Whilst there would be some landscape harm from the proposed development and associated domestication of the site, this would be localised and the harm would reduce over time as the proposed landscaping established. Matters in respect of drainage, contamination and noise could be adequately addressed by condition. Attention was drawn to the Additional Representations Sheet, attached at Appendix 1, which set out that two additional further representations had been received since the publication of the Committee report and it was proposed that an additional condition be included in relation to land contamination and, in view of the absence of an ecological assessment at this time, the Officer recommendation had been amended to delegate authority to the Associate Director: Planning to permit the application, subject to the receipt and consideration of an appropriate ecological assessment and any additional conditions arising.

68.17 The Chair invited a representative from Staverton Parish Council to address the Committee. The Parish Council representative indicated that Members would have received an email setting out the concerns of the Parish Council regarding this application and he trusted they had read and digested its contents. In summary, the Parish Council opposed this application on the grounds of inappropriate development in the Green Belt and questioned whether a Noise Impact Assessment been carried out as required by the Environmental Health consultant; whether the risk of contamination from old agricultural buildings had been assessed as suggested by the Environmental Health consultant; as this site was situated adjacent to the B4634 and 170 metres from the M5 Motorway, if tests had been carried out to test the air quality; whether foul water and surface water drainage issues had been investigated and evidenced; and, if a wildlife assessment had taken place for the protection of bats, newts and other wildlife and fauna. There were no amenities such as shops, schools, doctors etc. within two miles of this site, it was not on a bus route and County Highways recommended refusal as the proposal conflicts with several policies. The Parish Council was not convinced that very special circumstances could be demonstrated as the only

issue appeared to be the lack of suitable sites available – that could be addressed by ensuring new housing developments include plots for Gypsies and Travellers. This application was for a permanent home on a greenfield site and there appeared to be no intention of pursuing a nomadic lifestyle, furthermore, the area of land on which the application had been made was not identified for potential development in the Joint Core Strategy or the Strategic Local Plan consultation.

- 68.18 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that he wished to respond to a number of points made by the Parish Council. The key point was that the existing buildings would be replaced by structures which would not have a greater impact on the Green Belt. He also pointed out that the much larger Showpeople's site on the opposite side of the road was permitted on a greenfield site before allocation was made. There was a need for consistency in decision making and the condition suggested to address noise was similar to the approach taken on the Showpeople's site which had a similar noise environment. He indicated that the first request for ecological evidence he had seen since this application was submitted in November 2022 was yesterday; however, they would be happy to carry out the requested survey if Members were able to support the Officer recommendation. The applicant's agent indicated that he had been involved in the examination of the Tewkesbury Borough Plan and, despite allocations being made in the Green Belt, there was still a significant level of unmet need for Gypsies and Travellers. The Council had undertaken a considerable exercise in searching for suitable land and the reality was that land for this particular use was in very short supply. The most recent need figure was set out at Page No. 110, Paragraph 8.21 of the Committee report – 29 pitches needed to be found in the next two years which, in his experience, was a very tall order and this was a matter Members should give substantial weight. The Committee report set out the situation this family found themselves in - one that was very much different from the rest of the population; the family's current living situation did not provide the space needed and had become untenable. The Parish Council invited Members to believe they could simply be accommodated in social housing but this rather missed the point - it would be like asking a family who had spent their entire lives living in bricks and mortar to move into caravans. There was a legal obligation for public authorities to facilitate the traditional Gypsy way of life, an integral part of which was living in caravans. Furthermore, the Council was subject to the public sector equality duty and provision of a site for the family caravans would meet that duty. For all of these reasons, he respectfully invited Members to grant planning permission.
- 68.19 The Chair indicated that the Officer recommendation was to delegate authority to the Associate Director: Planning to permit the application, subject to an additional condition in respect of land contamination and the receipt and consideration of an appropriate ecological assessment and any additional conditions arising, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Associate Director: Planning to permit the application in accordance with the Officer recommendation. A Member indicated that he had a lot of sympathy with the applicant and recognised the personal circumstances of the family but he was not sure this was an appropriate site as any development in the Green Belt was, by definition, inappropriate and harmful. He drew attention to the Additional Representations Sheet and the objection from the Campaign for Protection of Rural England (CPRE) which outlined several issues in relation to this and he could not see any very special circumstances existed to outweigh the harm that would be caused. In response, the Development Management Team Manager (Northwest) advised that, whilst Green Belt policy defined the construction of new building in the Green Belt as inappropriate, there were exceptions such as limited infilling and redevelopment of previously developed land – Officers considered this to be the latter, therefore, it was not considered to be inappropriate development in that context. The Member sought clarification as

to what the previous development had been and was informed that equestrian use dated back over 30 years. There were several large buildings on the site which would be removed as part of the application and replaced by a smaller scale mobile unit and touring caravan and construction of a day room which was considered to have a lesser impact as a consequence. In addition, the Development Management Team Manager (Northwest) explained that the occupants of these type of sites tended to have slightly different needs which were weighed in the planning balance as a whole and, in this case, there were a number of factors in favour of development. In response to a query as to why Officers considered the land to be previously developed, the Development Management Team Manager (Northwest) advised that equestrian use was included in the definition of previously used land as confirmed by the previous appeal Inspector.

- 68.20 A Member noted that the plan at Page No. 103 of the Committee report showed two buildings which was not reflected in what was being displayed on the screen and was advised that particular plan was for illustrative purposes to show the site location in the wider context. The Development Management Team Manager (Northwest) explained there was no condition requiring removal of the existing buildings but it would be difficult for the application to be delivered without their removal; nevertheless, it was possible to add a condition to that effect. The proposer and seconder of the motion indicated they would be happy for that to be included and, upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Associate Director: Planning to **PERMIT** the application subject to additional conditions in respect of land contamination and removal of existing buildings on the site, and the receipt and consideration of an appropriate ecological assessment and any additional conditions arising.

23/01132/FUL - 12A Beverley Gardens , Woodmancote

- 68.21 This application was for a first floor extension and single storey rear and side extension.
- 68.22 The Senior Planning Officer advised that this was a householder application seeking extensions and alterations to an existing dwelling. The dwelling was constructed approximately six years ago and comprised a contemporary architectural form. The extensions would come in two main parts: firstly, a mono-pitched extension at ground floor level which would be finished in a buff coloured brick to match the Cotswold stone façade and, secondly, a first storey extension on top of the existing structure which would comprise an asymmetric contemporary design finished in timber cladding to the walls and metal sheeting to the roof to match the existing dwelling. The application required a Committee determination due to an objection from Woodmancote Parish Council; however, this has been systematically addressed within the Committee report and, notwithstanding this objection, the development as proposed fully accorded with the policies of the development plan including those pertaining to design, highways, amenity, landscape and conservation. As such, the recommendation was to permit the application subject to the conditions set out in the Committee report.
- 68.23 The Chair invited the representative from Woodmancote Parish Council to address the Committee. The Parish Council representative indicated that the Parish Council greatly valued the work of the Council's Planning team and was generally very happy with the in depth work Officers did in relation to applications in Woodmancote; however, in this instance, it could not support the evaluation set out in the Committee report and drew attention to two key issues. With regard to design and visual amenity, Policy 9 of the Woodmancote Neighbourhood Development Plan required development to respect the local character. A detailed character

assessment had been carried out as part of the Woodmancote Neighbourhood Development Plan and the design of the proposed development contained almost every negative feature and almost no positive features of that plan. Woodmancote Parish Council fundamentally disagreed with Page No. 127, Paragraph 8.5 of the Committee report and the fact that the first floor extension was in keeping with the existing dwelling was irrelevant in this particular set of circumstances because it was the surrounding development that represented the coherent character of the area. This proposal was not in keeping with any other property in Beverley Gardens and therefore conflicted with Policy RES10 of the Tewkesbury Borough Plan and Policy SD4 of the Joint Core Strategy. In relation to impact on the Cotswold National Landscape, this property already negatively impacted the setting of the Area of Outstanding Natural Beauty and the extension should be viewed alongside the Cotswold Area of Outstanding Natural Beauty Management Plan Strategic Guidelines where it was accepted that this location impacted the setting. A suburban style with glazed balconies represented an extremely unwelcome suburban intrusion and created glint and light pollution in the Area of Outstanding Natural Beauty. As such, it conflicted with Joint Core Strategy Policy SD7 and did not conserve or enhance the Area of Outstanding Natural Beauty.

- 68.24 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member questioned what role Woodmancote Neighbourhood Development Plan had played in consideration of this application and the Senior Planning Officer confirmed that it had been considered from the outset and the relevant policies were referenced within the Committee report. Another Member noted that the Parish Council's written objection referred to Policy RES5 of the Tewkesbury Borough Plan and asked why this did not apply to this application. The Senior Planning Officer explained that Policy RES5 related to applications for new housing development; Policy SD4 of the Joint Core Strategy, Policy RES10 of the Tewkesbury Borough Plan were the relevant policies in relation to extensions to a dwelling. A Member questioned why there was no reference to the Neighbourhood Development Plan policies and was informed that Policy 9 of the Woodmancote Neighbourhood Development Plan had the same requirements as Policy SD4 and RES10 which was referenced at Page No. 127 of the Committee report within the Design and Visual Amenity section.
- 68.25 A Member indicated that she had no issue with the ground floor extension but was concerned that the first floor extension would be visually more obtrusive. The Senior Planning Officer confirmed this had been assessed against the design policy and whilst there would be an additional element, when read against the backdrop of the existing contemporary element, Officers did not consider the impact to be detrimental. In response to a query as to whether the proposal could be carried out under permitted development rights, Members were advised that the single storey element would probably be able to be done under permitted development rights but she was unable to give a definitive answer regarding the first floor element without further investigation – it was possible that permitted development rights may have been removed as part of the 2015 planning permission.
- 68.26 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.69 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

69.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 137-138. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

69.2 A Member asked if there was any update regarding an action plan for Warren Fruit Farm given that the four appeals had been withdrawn and the Development Management Team Manager (East) undertook to obtain an update from the Enforcement Officer to circulate to Members following the meeting.

69.3 It was

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

The meeting closed at 11:08 am

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 19 March 2024

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	
6c	<p>22/01220/FUL</p> <p>Land Off Old Gloucester Road and South Part Parcel 5800, Old Gloucester Road, Boddington</p> <p>Staverton Parish Council has submitted a further representation which has been emailed directly to Members and is attached in full.</p> <p>The comments relate principally to:</p> <ul style="list-style-type: none"> - Noise air and soil pollution - Drainage - Accessibility - Wildlife <p>The Council's Environmental Health Officer has reviewed the additional representation and raises no objections in terms of air pollution, based on nearby monitoring data. The approach to noise is considered consistent with that at the nearby 'Showpersons' site and mitigation is covered by Condition 6.</p> <p>Given the former use of the site, the Officer has requested an additional condition in respect of land contamination as set out below –</p> <p>Condition 8:</p> <p>'Any contamination that is found during the course of construction or landscaping of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.'</p> <p>Reason: To ensure appropriate living conditions for future occupiers.'</p> <p>Drainage is discussed in Paragraphs 8.63 - 8.66 of the Committee report and details can be appropriately secured by Condition 7 in the report.</p> <p>Accessibility is discussed in Paragraphs 8.34 - 8.46 of the Committee report.</p> <p>The Council's Ecological Advisor has reviewed the details and recommended an ecological survey. This has not been submitted and would need to be prior to any grant of planning permission. The recommendation is revised as below:</p> <p>An Objection has been received from CPRE. The comments raised are</p>

summarised below:

- The site is undeveloped land lying within the Gloucester-Cheltenham Green Belt.
- The area is not allocated for development.
- Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- NPPF Paragraphs 154 and 155 to describe certain potential exceptions, but none of these relate to a gypsy and traveller site.
- Site is not GTTS allocation in the plan.
- Lies within open countryside
- Would conflict with JCS Policy SD6
- Strongly disagree with the site being considered previously developed land

While these observations are noted it is considered that the points raised have been addressed in the report.

Conclusion and Revised Recommendation:

In view of the absence of an ecological assessment at this time the recommendation should be revised to:

Delegated Permit subject to no adverse impacts, following the receipt and consideration of an appropriate ecological assessment and any additional conditions arising.

From Staverton Parish Council
To Tewkesbury Planning Committee

11th March 2024

Re: Planning Application 22/01220/FUL Gypsy site, Change of use.

Dear members of the Planning Committee, we are writing to you on behalf of the residents of Staverton Parish.

We understand that the above application is due to be determined at your meeting on 19th March. before determining this application, please be aware of our following concerns. We acknowledge the Councils responsibility to find suitable sites for gypsy and traveller families and support you in these endeavours.

1. We understand that there are special circumstances, presumably health, which affect this application, about which we, quite rightly, have no knowledge of. We would ask you to ensure that you are satisfied that these circumstances have been tested and ratified by the appropriate agencies. If the special circumstances are health related, is this site suitable in terms of Noise and Air quality issues?
2. **Noise Levels.** The Environmental Health consultant, in his/her email of 21/12/23 requires that the applicant will have to provide further information relating to noise levels as the site is 170 metres from the M5 and adjacent to the B4634. Also, that a mobile home is unlikely to give high levels of noise attenuation and that the impact of an acoustic fence is unknown without further information. It also states that prior to determination a Noise Impact assessment shall be undertaken. The NIA shall be submitted to and approved in writing by the planning authority. Has this been actioned and evidenced?
3. **Contamination Risk.** The Environmental Health consultant noticed that the intended play area is located over the former agricultural buildings, where there is a potential risk of contaminated land. Has this been checked and evidenced?
4. **Air Pollution.** Has this site been tested for air pollution on a still day, when the exhaust fumes from the B4634 and 6 lanes of motorway traffic are in the atmosphere?
5. **Drainage.** As at 5th December 23, the Flood planning officer states that no surface water drainage strategy plan had been received. As the plan is also to use a Package treatment plant for sewage, not connected to mains, therefore discharging into the field, has the applicant undertaken the Ground Percolation tests to BRE365 to ensure that ground conditions are suitable and drawn up detailed plans as requested?
6. **Wildlife.** Bearing in mind that this site has been left wild for many years, has any wildlife assessments been made in respect of Newts and other Amphibians, Bats, Voles, Birds of prey and other wildlife and Fauna taken place? Diminishing green spaces in Tewkesbury Borough are being eroded at an alarming rate and we feel it important to protect what we have left. We strongly recommend that such assessments should be made before a determination is made on this application.
7. **Amenities and Transport.** In terms of amenities such as Schools, Shops, Doctors, there are none within the parish, the nearest being in Churchdown, being over 2 miles away. As there are no bus routes on the B4634 and is a ½ mile walk to the nearest bus stop, it is likely that all journeys to and from the site would be by motor vehicle. Highways recommend Refusal indicating that the proposal conflicts with policy INF1 of the JCS 2011 to 2031, policies PD 0.1 and PD 0.4 of the local transport plan 4 and would conflict with the sustainable transport aims of the NPP Framework contained in paragraphs 110 and 112.

8. **Planning Policy for Gypsies and Travellers.** As mentioned above, we fully understand the need for the Council to provide suitable sites for Gypsy and Traveller families. We are not convinced that this application justifies Very Special Circumstances. We don't know what these very special circumstances are of course and we do sympathize with any family who has to cope with illness or disability of any description, but we would ask why is this family's special circumstances different to any other family who has a relative with special needs? The applicants of this proposal would have the same access to doctors, hospitals and social services as any member of the public. We conclude therefore, that the only Very Special Circumstance for this application is the shortfall of suitable sites in the borough. This should not mean TBC take the path of least resistance and permit any application on the basis of Very Special Circumstances. There is of course a simple solution to this lack of sites. When applications are made for large developments such as 10,000 houses in the new Garden town, 3000 at the Cyber Park, 4000 at Elmstone Hardwicke, add in a space for Gypsies and Travellers. As demonstrated by the application under discussion, gypsies don't mind living close to settled communities. We fully agree with the policy to ensure fairness for gypsies and travellers, but also agree with the part of the policy which states "while respecting the interests of the settled community". We ask you to take into consideration the wishes of the settled community.
9. **Nomadic Lifestyle.** We agree and support the fact that travellers have a right to their nomadic lifestyle and therefore areas need to be identified for them to use whilst travelling through, please refer to the point made above about utilising some space as a part of new developments. It seems in this situation this family are looking to settle and therefore poses the question to why this family are not being referred to the housing association to provide suitable accommodation which would give them the immediate access to the amenities they require and would save avoidable development on green belt land.
10. **Communication with planners.** We are disappointed with lack of meaningful communication with the planning officers. We were not informed by TBC in November 22 that this application was in progress and heard in March 23 through the local grapevine. We asked your planning department on numerous occasions from March 23 to keep the Parish Council updated on progress in order that we could react as necessary to any issues that cropped up. No progress reports were received.
11. **JCS and Strategic Local Plan.** The area of land on which this application has been made is not identified as potential for development on the JCS or Strategic Local Plan consultation.

Prior to making your decision, we would ask you to answer the questions raised, if this cannot be done before the planning meeting, may we respectfully suggest you postpone your determination to ensure that all aspects of this application have been considered.

Please take into consideration the points made above and the 23 objections raised by the settled community of Staverton and reconsider your inclination to permit.

Staverton Parish Council.



Cheltenham, Gloucester
and Tewkesbury District
Hamfield House
Ham Road
Charlton Kings
Cheltenham GL52 6NG

16 March 2024

██████████
Planning & Development Services,
Tewkesbury Borough Council
Gloucester Road, Tewkesbury GL20 5TT

Dear ██████████

Planning Application 22/01220/FUL
Change of use of land to private Gypsy/Traveller site.
Land off Old Gloucester Road and South Part Parcel 5800, Old Gloucester Road, Boddington,
Cheltenham, Gloucestershire

I apologise for this very late submission regarding the above planning application. I would be grateful if you would draw the contents of this letter to the urgent attention of the Borough Planning Committee.

CPRE objects to the application for the reasons set out below. In this connection we disagree with the designation of the land set out in your report to the 19th March Planning Committee meeting. It would have been helpful if the report could have been available on the Council website as a document associated with the application: as far as we can ascertain it is only publicly available starting on page 102 of the papers for the Committee meeting.

Planning Context

The site is undeveloped land lying within the Gloucester-Cheltenham Green Belt. The area is not allocated for development in either the Joint Core Strategy (JCS) or the Tewkesbury Borough Plan to 2031 (TBP).

Paragraphs 152-3 of the NPPF (2023) state:

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

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

It goes on in paragraphs 154 and 155 to describe certain potential exceptions, but none of these relate to a gypsy and traveller site. Note however the conditional exception at Para 154 d): *“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*

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Patricia Broadfoot CBE
Business Manager
Louise Chandler-

Planning Policy for Gypsy and Traveller Sites was published in August 2015. Paragraph 16 states: *“Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.”*

Paragraph 4 of the NPPF states: *“The Framework should be read in conjunction with the Government’s planning policy for traveller sites, and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.”*

The relevance of the Planning Policy for Traveller Sites was made clear by Mrs Justice Lieven in her High Court judgement [*Royal Borough of Kingston Upon Thames v Secretary of State for Levelling Up, Housing and Communities & Anor*](#) [2023] EWHC 2055 (Admin) in which she overturns a planning appeal which had allowed a gypsy and traveller site in a green belt elsewhere. Note also that she dismisses an argument that the policy as applied in this case was discriminatory against Gypsies and Travellers; she determined that residential development of any kind and by anyone was deemed inappropriate.

National policies are reflected in the JCS Policies SD5 (Green Belt), and SD13 (Gypsies and travellers). The TBP sets out the planned provision of gypsy and traveller sites at Policy GTTS1; this does not include the present site. In addition the development would be in breach of JCS Policy SD6(Landscape).

The status of the site

This is a greenfield site which, apart from being adjacent to the M5 motorway, lies in open countryside and is some considerable distance from other development. It is against this situation that the above policies need to be applied.

From a number of comments submitted concerning this application, there seems to be some dispute about whether or not the site has been used for equestrian purposes. However, whether or not this has been the case (either recently or in the past) we strongly disagree with the statement in your report (para 8.10) that “as it has been used for equestrian purposes and the existing buildings are associated stables, the site is considered to constitute previously developed land.” If this line of argument were valid, planning authorities would be obliged to approve the conversion of stable blocks to dwellings all over the country. In planning terms, the application site does not constitute previously developed land.

Conclusion

The application is clearly contrary to both national and local policies regarding development in the Green Belt, including those policies with respect to gypsy and traveller sites. And the site is not ‘previously developed land’.

Accordingly, CPRE urges Tewkesbury Borough Council to refuse this application.

Yours sincerely


Chairman, CPRE Cheltenham, Gloucester and Tewkesbury District

Additional Late Representation circulated at the meeting**Item 6b - 23/00964/FUL - Land Adjacent Shurdington House Stables, Main Road, Shurdington**

Following the Planning Committee Site visit on Friday 15 March, the County Highways Officer has recommended three additional conditions in relation to tactile paving, relocation of utilities apparatus and Street furniture and dropped kerbs. These conditions will be added to the decision notice should the Planning Committee recommend permission in line with the Planning Officer recommendation. The applicant has agreed to these additional conditions.

1. No part of the development shall be occupied until details of a 2m wide Footway adjacent the site and a dropped crossing facility with tactile paving from the site across Shurdington Road have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the Footway and dropped crossing have been provided in accordance with the approved details.

Reason: In the interests of highway safety.

2. No part of the development shall be occupied until details of the relocation of Utilities apparatus and Street furniture within the visibility splay (BT posts and lighting columns) have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the Utilities apparatus and Street furniture have been relocated to a point outside of the visibility splay in accordance with the approved details.

Reason: In the interests of highway safety.

3. No part of the development shall be occupied until all redundant dropped kerbs adjacent the site have been reinstated to full height kerbs.

Reason: In the interests of highway safety.

Planning Committee

Date	23 April 2024
Case Officer	Jonny Martin
Application No.	24/00129/PIP
Site Location	Land Off Bozard Land, Tredington
Proposal	Permission in Principle application for the erection of between one and seven dwellings, including 40% affordable housing on site.
Ward	Severn Vale North
Parish	Stoke Orchard and Tredington
Appendices	- Site Location Plan 001 - Concept Masterplan C_02
Reason for Referral to Committee	At the request of the Monitoring Officer
Recommendation	Refuse

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=REJZ8KQDKU200>

- 1.1 The application seeks Permission in Principle (PIP) for the erection of between 1no. and 7no. dwellings, including affordable housing.

2. Site Description

- 2.1 The application site is a rectangular field of approximately 2 hectares, situated to the rear of the churchyard of St John the Baptist Church. The site is also adjacent to Bozard Lane which leaves the village of Tredington to the north east. St John the Baptist Church is Grade 1 listed, and there are several Grade 2 listed headstones and monuments nearby, including a Scheduled 14th Century stone cross.
- 2.2 The application site is bounded by public footpaths, though development (indicative) as proposed would not obstruct their use.
- 2.3 Although at an ‘in-principle’ stage, a concept masterplan does accompany the application. This shows how the proposed dwellings would be clustered around a central access point and would provide a buffer between the proposed developable area and the adjacent Church Yard.
- 2.4 The site is shown on the Environment Agency Flood Map for Planning to be located within Flood Zone 1, an area at lowest risk of flooding. There are no other heritage or landscape designations affecting the site.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
22/00791/PIP	Planning in principle for the erection of between 1 and 9 dwellings.	REF	20.01.2023

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

Stoke Orchard and Tredington Parish Council – Objection based on the following:

- The reasons for refusal for 22/00791/PIP still stand;
- The development would cause harm to the villages linear structure;
- Impact on the views to the Grade 1 Listed Building;

Conservation Officer – Objection – The significance of the church lies in its age, historic fabric, features and community value. It is a country church serving a local settlement within a rural setting. The development of the adjacent land would enclose the church from its historic connection with the open countryside and dilute a strong aspect of its setting. Even if mitigation in terms of planting is offered it is likely that a sense of enclosure and separation

from the rural landscape would be perceivable and detrimental.

The full potential impact of the proposal would not be known until details of design and layout are applied for however, it is considered that the proposal in principle would cause a moderate degree of less than substantial harm to the significance and setting of the Grade I Listed church. As such the proposal would be contrary to national and local heritage policy. The application should be refused.

Historic England – Objection – Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205 and 206 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Ecologist – A Preliminary Ecological Appraisal (PEA) would be required at Technical Details stage and should demonstrate Biodiversity Net Gain.

Affordable Housing – A minimum Affordable Housing contribution of 40% would be required. For a scheme of 7 this would be 3 units on site. The preferred tenures would be 2 Social Rent and 1 Shared Ownership. Should there be no interest from Registered Social Landlords then the Council would accept three Discount Market Sale units as an alternative, to be sold at 75% of market value with that condition held in perpetuity.

Highways – No objection but concerns have been raised about the lack of a footway connection to the main village. Therefore the site suitability would depend on the provision of safe and suitable footway connection from the site to the bus stops which is unclear from the initial detail. I note the application is only in principle therefore would query if the technical details stage can consider this as a link between the site and the nearest bus stops.

National Highways - The development does not share a boundary with the SRN and any traffic impact should be negligible therefore, National Highways has no objections.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

5.1 The application has been publicised through the posting of a site notice for a period of 21 days and has also been publicised through the posting of neighbour notifications. A total of 20 objection letters have been received and a total of 6 letters of support have been received.

5.2 The objection comments are summarised as follows:

- Impact on highway safety;
- At odds with the linear village;
- Unsustainable location;
- Flooding impacts;

- Development outside the village boundary;
- Loss of historic ridge and furrow land;
- Damage to the landscape;
- Duty to protect ancient buildings;
- Lack of amenities and public transport links;
- The Tredington and Stoke Orchard Parochial Church Council has objected to the scheme.

5.3 The comments and concerns raised by the neighbours will be addressed throughout the officer report.

5.4 The support comments are summarised as follows:

- Contribute to local school capacity;
- The proposal would be very welcome and in stark contrast to the ever expanding industrial scale farms that dominate the village;
- Good location for family dwellings;
- Affordable housing will keep our villages alive and vibrant;
- Benefits to the school shop and public transport link.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- SP1 (The Need for New Development)
- SP2 (Distribution of New Development)
- SD3 (Sustainable Design and Construction)
- SD4 (Design Requirements)
- SD5 (Green Belt)
- SD6 (Landscape)
- SD7 (AONB)
- SD9 (Biodiversity)
- SD10 (Residential Development)
- SD11 (Housing mix and Standards)
- SD14 (Health and Environmental Quality)
- INF1 (Transport Network)
- INF2 (Flood Risk Management)
- INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- RES2 (Settlement Boundaries)
- RES3 (New Housing Outside Settlement Boundaries)
- RES5 (New Housing Development)
- RES13 (Housing Mix)
- GRB4 (Green Belt)
- DES1 (Housing Space Standards)
- LAN2 (Landscape Character)
- NAT1 (Biodiversity)
- ENV2 (Flood Risk and Water Management)
- TRAC9 (Parking Provision)

6.5 Neighbourhood Plan

- None.

7. Policy Context

- 7.1** This application is for a Permission in Principle (PIP), as provided for in the Town and Country Planning (Permission in Principle) Order 2017.
- 7.2** The PPG advises that this is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle from the technical detail. This consent route has two stages, the first stage establishes whether a site is suitable in principle, and the second stage, the technical details consent, is where the detailed development proposals are assessed.
- 7.3** The current application is the first stage of the process and seeks solely to establish whether the site is suitable in principle for the provision of between 1 and 7 dwellings.
- 7.4** The Government's guidance sets out that the scope of the first stage of permission in principle is limited to the location, land use and amount of development. The site layout, design, access, landscaping, drainage and any other relevant technical matters would be considered at the 'technical details' stage.

8. Evaluation

Five Year Housing Supply

- 8.1** The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites (or a four year supply if applicable). Where local authorities cannot demonstrate a five year supply of deliverable housing sites, paragraph 11 of the NPPF sets out that housing policies contained within development plans should not be considered up-to-date.
- 8.2** Further to the recent Trumans Farm, Gotherington Appeal decision (ref. 22/00650/FUL), and subsequently published Tewkesbury Borough Five Year Housing Land Supply Statement October 2023, the Council's position is that it cannot at this time demonstrate a five year supply of deliverable housing land. The published position is that the Council's five year supply of deliverable housing sites is 3.4 years supply of housing land. Officers consider this shortfall is significant. The Council's policies for the provision of housing are therefore out of date in accordance with footnote 8 of the NPPF.

8.3 Paragraph 11(d) of the NPPF therefore applies and states that where policies which are most important for determining the application are out of date, permission should be granted unless: i) the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole

Location - Principle of development

8.4 Policy SP1 (The Need for New Development) of the JCS states that provision will be made for 35,175 new homes, within existing urban areas through District Plans, existing commitments, urban extensions, and strategic allocations. Policy SP2 (Distribution of New Development) amongst other requirements, states that dwellings will be provided through existing commitments, development at Tewkesbury town, in line with its role as a market town, smaller scale development meeting local needs at Rural Service Centres and Service Villages. Tredington is in the remainder of the rural area, where Policy SD10 (Residential Development) will apply for proposals for new residential development.

8.5 Policy SD10 of the JCS states that new housing will be planned in order to deliver the scale and distribution of development set out in Policies SP1 and SP2. Para 4. of SD10 is relevant to this application where, since being in a rural area, housing development on other sites will only be permitted where:

- It is for affordable housing on a rural exception site in accordance with Policy SD12, or;
- It is infilling within the existing built up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within District plans, or;
- It is brought forward through Community Right to Build Orders, or;
- There are other specific exceptions / circumstances defined in district or neighbourhood.

8.6 In terms of JCS requirements, the proposed development does not meet any of the exception criteria of SD10 and is therefore contrary to the requirements of SP1 and SP2.

8.7 Policy RES1 (Housing Allocations) of the adopted TBP sets out allocated sites for residential (and mixed use) development. The application site is not allocated for residential development and is therefore contrary to Policy RES1.

8.8 Policy RES2 of the TBP states that within the defined settlement boundaries of the Tewkesbury Town Area, the Rural Service Centres, the Service Villages and the Urban Fringe Settlements (which are shown on the policies map) the principle of residential development is acceptable subject to the application of all other policies in the Local Plan.

8.9 Tredington does not have a settlement boundary therefore the development is contrary to the provisions of Policy RES2. Tredington does not fall within the settlement hierarchy of the adopted TBP and is neither a market town, rural service centre or service village. For the purposes of the TBP, Tredington is a rural settlement, where Policy RES3 (New Housing Outside Settlement Boundaries) and Policy RES4 (New Housing at other Rural settlements) are relevant.

- 8.10** The proposed indicative development does not fall within any of its exceptions and is therefore contrary to Policy RES3.
- 8.11** Policy RES4 states that only very small scale residential development will be acceptable in principle, within and adjacent to the built up area. There are further limitations, namely:
- a) *“it is of a scale that is proportionate to the size and function of the settlement and maintains or enhances sustainable patterns of development;*
 - b) *it does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the plan period; as a general indication no more than 5% growth will be allowed;*
 - c) *it complements the form of the settlement and is well related to existing buildings within the settlement;*
 - d) *the site of the proposed development is not of significant amenity value or makes a significant contribution to the character and setting of the settlement in its undeveloped state;*
 - e) *the proposal would not result in the coalescence of settlements*
 - f) *the site is not located in the Green Belt, unless the proposal would involve limited infilling in a village, limited affordable housing for local community needs (in accordance with Policy RES6) or any other exceptions explicitly stated within the National Planning Policy.”*
- 8.12** The development proposes between 1-7 dwellings. At the lower end of this range, (subject to other criteria which also apply) development may be considered small in scale. Relative to Tredington, 7 dwellings would not be considered small in scale.
- 8.13** The application site is located to the north of the linear built-up area of Tredington, where either 1 or 7 dwellings if permitted could be positioned. However, the site is separated from the core of the village by the church which provides a transition to the open countryside within which the application site is most closely related. Therefore, officers are of the opinion that the site is not located within and adjacent to the built up area of Tredington.
- 8.14** Several representations have been submitted which describe the linear pattern of existing development as a desirable character of Tredington. From Apple Tree Cottage at the south end of Tredington, to the existing development centred on St Johns Court (immediately north west of the Church), the settlement has a well-defined boundary where it borders agricultural land. The characteristic of this part of Tredington reinforces the linear pattern of development overall. Regardless of the scale of development, any additional housing outside of the existing pattern, would not complement the form of the settlement and would not relate to existing buildings within the settlement, contrary to limitation (c) of Policy RES4. Further, development of any scale would not enhance the sustainable pattern of development in Tredington, contrary to Policy RES4 limitation (a).
- 8.15** For the above reasons, the proposed development is also considered contrary to Policy SD4 (Design Requirements) of the adopted JCS where it seeks to respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form.

Location – Heritage Impact

- 8.16** Chapter 16 of the NPPF seeks to conserve the historic environment in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

- 8.17** Further, when determining planning applications this authority has a duty under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings, their features of special architectural or historic interest and their setting.
- 8.18** Paragraph 200 of the NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 8.19** Paragraph 205 of the NPPF explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Substantial harm to Grade 1 listed buildings should be wholly exceptional.
- 8.20** The Church of St John the Baptist is Grade I Listed and dates from the 12th Century and was partially rebuilt in the 13th century. Externally it features an early tympanum above the North Door and a fine and unusual timber framed bell tower rebuilt in 1883. The associated churchyard contains several Grade II listed headstones and monuments, including a Scheduled 14th Century cross. The church sits in a churchyard adjacent to the proposal site. The church currently overlooks open countryside to the East and there is the remains of a processional avenue leading south towards the proposal site lined with box and yew trees.
- 8.21** The significance of the church lies in its age, historic fabric, features and community value. It is a country church serving a local settlement within a rural setting. The development of the adjacent land would enclose the church from its historic connection with the open countryside and dilute a strong aspect of its setting. Even if mitigation in terms of planting is offered it is likely that a sense of enclosure and separation from the rural landscape would be perceivable and detrimental.
- 8.22** A Permission in Principle (PIP) application was refused by the Council under 22/00791/PIP at this site for one of the following reasons:

"The proposed development of between 1 and 9 dwellings would cause unacceptable and unjustified harm to the historic significance and setting of the Grade 1 listed Church of St John the Baptist, contrary to the NPPF, Policies SD4 and SD8 of the adopted Joint Core Strategy (2011-2031), and Policy HER2 of the adopted Tewkesbury Borough Plan (2011-2031). There are no other material considerations of sufficient weight in favour of development."

(Emphasis Added)

- 8.23** The new proposal has reduced the total number of dwellings from 9 to 7 at the maximum end of the PIP. Furthermore, the applicant has submitted a Historic Environment Assessment (HEA) prepared by Heritage Archaeology (February 2024). This report has been reviewed and assessed by the Council's Conservation Officer and by Historic England.
- 8.24** The Council's Conservation officer considers the proposal in principle to cause a moderate degree of less than substantial harm to the significance and setting of the Grade I Listed church. As such the proposal would be contrary to national and local heritage policy and should be refused.

- 8.25** Paragraph 205 states that in considering the impact of proposed development on significance, great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Church of St John the Baptist is Grade I, and as such is in the top 2% of listed buildings and is considered to be a heritage asset of the highest significance. Paragraph 206 goes on to say that clear and convincing justification is needed if there is loss or harm.
- 8.26** Historic England agrees with the conclusions of the HEA in that the principle of developing the site with residential dwellings would result in less than substantial harm to the heritage significance of the Grade I Church, and that a mitigated scheme is likely to result in at most at the lower end of that scale of effects. While considering the mitigation measures highlighted on the masterplan, and in the absence of detailed information, officers would conclude and concur with the submitted HEA, that the principle would result in a degree of harm, albeit less than substantial, under the definition of the NPPF.
- 8.27** Given both Historic England and the Conservation Officer consider the proposal will lead to a less than substantial harm, the proposal needs to be weighed against the public benefits as set out by paragraph 208 of the NPPF.

Public Benefits

- 8.28** Paragraph 208 of the NPPF 2023 states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

- 8.29** Based on the information submitted with this application, the applicant believes the proposal would provide the following public benefits:

1. The delivery of housing and contribution to the Councils shortage in relation to a 5 Year Housing Land Supply.
2. The provision of 40% affordable housing which would equate to 3 units if the development provided 7 units.
3. The provision of 10% Biodiversity Net Gain (BNG).

- 8.30** The Council have reviewed the public benefits put forward by the applicant and consider that they do not outweigh the less than substantial harm to the significance of the heritage asset. Taking each benefit in turn:

1. The application seeks permission in principle for the erection of between 1 – 7 dwellings. As such the applicant could proceed with 1 dwelling or the maximum of 7. Taking the maximum provision of 7 dwellings, the Council give this benefit limited weight as the provision of 7 dwellings would not provide a significant contribution towards the shortage of houses.
2. The provision of 40% affordable housing is a policy requirement. It is recognised that there is a Borough wide need for affordable housing and therefore the proposed development would contribute to this need.
3. The provision of 10% BNG is a requirement for all small sites from 2nd April 2024. However, this application is a PIP and no details have been provided regarding this element as it would be agreed via the technical details stage. As such, in the absence of any information, the Council cannot give this perceived benefit any weight as there is no guarantee that 10% BNG can be achieved on site.

8.31 While appreciating there are some public benefits to the scheme in relation to the provision of market and affordable housing, the Council do not consider these public benefits to outweigh the less than substantial harm to the significance of the heritage asset. As discussed above, the neighbouring property is a Grade 1 Listed Building and as such is in the top 2% of listed buildings and is considered to be a heritage asset of the highest significance.

Location – Conclusion

8.32 As set out above, the proposed development would result in the creation of housing outside of the existing pattern, would not complement the form of the settlement and would not relate to existing buildings within the settlement, contrary to limitation (c) of Policy RES4. Further, development of any scale would not enhance the sustainable pattern of development in Tredington, contrary to Policy RES4 limitation (a).

8.33 The proposed development of between 1 and 7 dwellings conflicts with the Council's settlement strategy and does not meet any of the Council's exceptions to the presumption against new housing development in rural areas. The proposed development is therefore contrary to the NPPF, Policies SP1, SP2 and SD10 of the adopted Joint Core Strategy (2011-2031), and Policies RES1, RES2, RES3 and RES4 of the adopted Tewkesbury Borough Plan (2011-2031).

8.34 In relation to Heritage, the proposal will lead to a less than substantial harm and the public benefits of the scheme do not outweigh the harm to the to the significance of the heritage asset.

8.35 The proposed development of between 1 and 7 dwellings would cause unacceptable and unjustified harm to the historic significance and setting of the Grade 1 listed Church of St John the Baptist, contrary to the NPPF, Policies SD4 and SD8 of the adopted Joint Core Strategy (2011-2031), and Policy HER2 of the adopted Tewkesbury Borough Plan (2011-2031). There are no other material considerations of sufficient weight in favour of development.

Land Use

8.36 The guidance sets out that housing led development is an accepted land use for the PIP application process.

8.37 While residential use is acceptable for the PIP process, the proposal is in conflict with JCS Policies SD4 and SD10 and Policies RES1, RES2, RES3 and RES5 of the adopted Tewkesbury Borough Plan.

Amount

8.38 JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

- 8.39** Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.
- 8.40** The application proposes between 1 and 7 dwellings to be accommodated on site. Notwithstanding the comments above and its conflict with the development plan, it is considered that the plot is of a sufficient size to accommodate between 1 and 7 dwellings.

Affordable Housing

- 8.41** Paragraph 8 of the NPPF states that the planning system needs to perform a number of roles, including a social role in supporting strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations.
- 8.42** Policy SD12 of the JCS and Policy RES12 of the TBLP requires 40% of the proposed houses to be secured as affordable housing given this site is within a rural area and could provide 6 or 7 units. Policy SD12 of the JCS requires affordable housing to be provided on site and to be seamlessly integrated and distributed throughout the development scheme.
- 8.43** The applicant is proposing to provide 40% AH for this application. The Council's Affordable Housing Officer has reviewed the proposal and a provision of 3 on site AH units would be required if 7 units were to be provided. The preferred tenures would be 2 Social Rent and 1 Shared Ownership. Should there be no interest from Registered Social Landlords then the Council would accept three Discount Market Sale units as an alternative, to be sold at 75% of market value with that condition held in perpetuity.
- 8.44** However, these details cannot be secured at the PIP stage given the PIP only grants a range of units, 1-7. Therefore, the affordable housing provision would be secured at the Technical Details stage if permission in principle was granted for this application.

9. Conclusion

- 9.1** Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70(2) of the Act provides that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.
- 9.2** The application site is not allocated for housing development and does not fall within a defined settlement boundary as required by Policy RES 2 of the TBP. Regardless of the scale of development, any additional housing outside of the existing pattern, would not complement the form of the settlement and would not relate to existing buildings within the settlement, contrary to limitation (c) of Policy RES4. Further, development of any scale would not enhance the sustainable pattern of development in Tredington, contrary to Policy RES4 limitation (a).
- 9.3** Furthermore, the Council cannot at this time demonstrate a five-year supply of deliverable housing sites, having a significant shortfall at 3.24 years of deliverable supply, the most important policies for determining the application are deemed to be out of date and less weight can be given to them. Paragraph 11(d) of the NPPF therefore applies.

- 9.4 Paragraph 11 of the NPPF, the presumption in favour of sustainable development indicates that permission should be granted unless policies for protecting areas or assets of particular importance in the NPPF provide a clear reason for refusing the development proposed, or any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- 9.5 Footnote 7 of the NPPF confirms that policies in the Framework that protect areas or assets of particular importance includes designated heritage assets.

Heritage Asset

- 9.6 The proposed development has been reviewed by Historic England and the Conservation Officer with both parties considering the proposal would lead to a less than substantial harm and as such the proposal needs to be weighed against the public benefits as set out by paragraph 208 of the NPPF.
- 9.7 While appreciating there are some public benefits to the scheme in relation to the provision of market and affordable housing, the Council do not consider these public benefits to outweigh the less than substantial harm to the significance of the heritage asset. As discussed above, the neighbouring property is a Grade 1 Listed Building and as such is in the top 2% of listed buildings and is considered to be a heritage asset of the highest significance.
- 9.8 In light of this, there is a clear reason to refuse the application in accordance with paragraph 11di and footnote 7 of the NPPF. The tilted balance is **therefore not engaged**.

Benefits

- 9.9 The public benefits of the proposal relate to, amongst others, the delivery of 1-7 dwelling houses, provision of affordable housing, new construction jobs, increased economically active population, and the associated social and economic benefits through construction and tree planting through the soft landscaping proposals.
- 9.10 Given that these benefits are directly related to the development, to make the proposal acceptable in planning terms, officers afford these benefits limited weight.

Harms

- 9.11 The proposed development of between 1 and 7 dwellings conflicts with the Council's settlement strategy and does not meet any of the Council's exceptions to the presumption against new housing development in rural areas. The proposed development is therefore contrary to the NPPF, Policies SP1, SP2 and SD10 of the adopted Joint Core Strategy (2011-2031), and Policies RES1, RES2, RES3 and RES4 of the adopted Tewkesbury Borough Plan (2011-2031).
- 9.12 The proposed development of between 1 and 7 dwellings would cause unacceptable and unjustified harm to the historic significance and setting of the Grade 1 listed Church of St John the Baptist, contrary to the NPPF, Policies SD4 and SD8 of the adopted Joint Core Strategy (2011-2031), and Policy HER2 of the adopted Tewkesbury Borough Plan (2011-2031). There are no other material considerations of sufficient weight in favour of development.

Neutral

- 9.13** This application is a PIP and therefore no other material planning considerations have been assessed bar the suitability of the site for the principle of 1-7 dwellings.

Overall Conclusion

- 9.14** As the Council cannot demonstrate a 5-year housing land supply as such the approach to decision making, the ‘tilted balance’ set out in paragraph 11 of the Framework would be engaged as a starting point. However, this is a case where the policies of the Framework relating to the setting of a designated heritage asset provide clear reasons for refusing the proposal. It would therefore follow that paragraph 11 of the Framework would not weigh in favour of the proposal.
- 9.15** Having regard to paragraph 11(d)(i) of the NPPF and having applied the policies in the NPPF that protect areas or assets of particular importance, there is a clear reason for refusing the development. The ‘tilted balance’ is not therefore engaged.
- 9.16** For the above reasons, the proposal would not accord with the development plan when considered as a whole and, having regard to all material considerations including the NPPF, there are clear reasons for refusing the development proposed, and as such it would not constitute sustainable development and is therefore recommended for refusal.

10. Recommendation

- 10.1** It is recommended that the application be **REFUSED**.

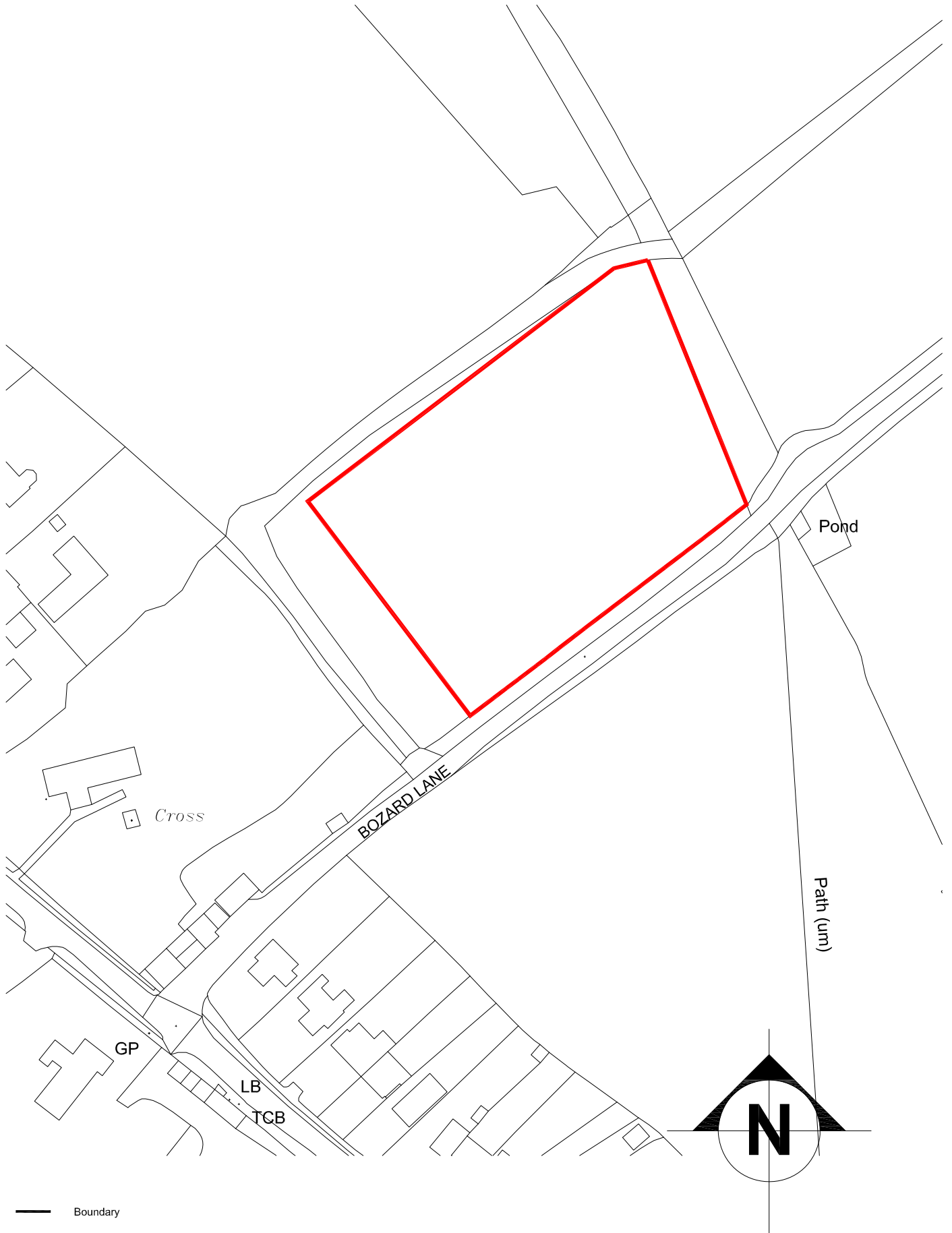
11. Reasons for Refusal

- 1** The proposed development of between 1 and 7 dwellings conflicts with the Council’s settlement strategy and does not meet any of the Council’s exceptions to the presumption against new housing development in rural areas. The proposed development is therefore contrary to the NPPF, Policies SP1, SP2 and SD10 of the adopted Joint Core Strategy (2011-2031), and Policies RES1, RES2, RES3 and RES4 of the adopted Tewkesbury Borough Plan (2011-2031).
- 2** The proposed development of between 1 and 7 dwellings would cause unacceptable and unjustified harm to the historic significance and setting of the Grade 1 listed Church of St John the Baptist, contrary to the NPPF, Policies SD4 and SD8 of the adopted Joint Core Strategy (2011-2031), and Policy HER2 of the adopted Tewkesbury Borough Plan (2011-2031). There are no other material considerations of sufficient weight in favour of development.

12. Informatives

- 1** In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council’s website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

- 2 For avoidance of doubt the submitted Concept Masterplan has been treated as being for illustrative purposes only



purpose of Issue: Legal

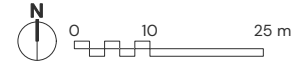
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	date Mar 22	drawn by	drawing no. CHL2007-CP-001
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Architecture



KEY:

-  RED LINE
-  EXISTING BUILT FORM
-  EXISTING PUBLIC RIGHT OF WAY
-  PROPOSED ACCESS
-  INDICATIVE BUILDING FRONTAGE
-  VIEW PROTECTED TO AND FROM CHURCH
-  BUFFER ZONE



LAND NORTH OF TREDINGTON - CONCEPT MASTERPLAN



Planning Committee

Date	23 April 2024
Case Officer	Erica Buchanon
Application No.	23/00275/APP
Site Location	Plots 3 & 4 Gloucester Business Park
Proposal	Reserved matters application in relation to Plots 3 and 4 for the erection of employment development of 16,481sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 development with ancillary offices, alongside discharge of pre-commencement conditions 8 and 11 to planning permission reference 11/01155/FUL.
Ward	Churchdown Brookfield With Hucclecote
Parish	Hucclecote
Appendices	<p>Amended Plans Received March 2024</p> <p>Post-committee Response letter from Applicant - 14th March 2024 PL003B – Site Location Plan PL 008B – Site Sections Sheet 1 PL 33A – Unit 3.1 Proposed Elevations & Sections PL 040C – Plot 4 Site Plan PL 045A – Unit 4.1 Elevations & Sections PL 046A – Unit 4.2 Elevations & Sections PL 140C – Landscaping 1 of 3 PL 141A – Landscaping 2 of 3 PL 142B – Landscaping 3 of 3 201A – Distances to adjoining properties 203A – Comparison building heights</p> <p>Original Plans 11537_PL_003A Plots 3 and 4 Site Location Plan 11537_PL_030A Plot 3 Site Plan 11537_PL_040B Plot 4 Site Plan 033 Unit 3 Elevations 045 Unit 4.1 Elevations 046 Unit 4.2 Elevations</p>
Reason for Referral to Committee	Deferred at February Planning Committee & Parish Council objection.
Recommendation	Delegated Approve

Site Location



COMMITTEE UPDATE (for 23 April 2024 meeting)

This application was deferred at the February 2024 committee meeting for a Planning Committee Site Visit to assess the size and scale of the proposal and the impact on residential amenity.

Since the February committee meeting the applicant has reviewed the proposal and revised the scheme as follows:

- Building 3.1: **Reduction in height by 2m** to 10.5m to the eaves / 12.5m to top of parapet / 13.5m to the ridge.
- Building 4.1: **Reduction in height by 1m** to 11.5m to the eaves / 13.5m to top of parapet / 14.5m to the ridge.
- Building 4.2: **Reduction in height by 1m** to 11.5m to the eaves / 13.5m to top of parapet / 14.87m to the ridge.
- It is also proposed to relocate the access to Building 4.2 further south from the signalised junction and add in a footpath to the south of Lobley's Drive

Consultation Responses

The Local Highways Authority were notified of the receipt of amended drawings. Their observations are awaited. **An update will be provided at committee.**

The council's drainage adviser – has requested further information to clarify the surface water flood risk of the site, water management and Suds details. **An update will be provided at committee.**

Third Party Comments/Observations

The occupiers of adjoining properties were notified of the receipt of amended plans. In response

four representation have been received and the comments are summarised below:

- Nos. 2-8 and 44,46,50,52,54,56 Martlet Way will lose all natural light
- Buildings would be significantly higher than the houses
- Would be overbearing
- Buildings remain a considerable size & out of character with the area
- Smaller buildings with bigger buffer would be more appropriate
- Parking is insufficient and workers would park in surrounding estate
- Noise from HGV's
- Noise from staff on 3am breaks, picnic benches would encourage congregation
- Pollution and disturbance
- Disturbance from existing sites
- Traffic backlog from HGV's that can't access yards
- Roads can't cope with more HGV's/congestion
- HGV damage to local roads
- Highway safety
- Impact on landscape and character of Coopers Edge
- Access onto Gambet Road insinuates it is part of the housing estate
- School and local busses stop on Gambet Road
- Impact on wildlife & newts
- Outline showed buffer and buildings set farther away

Conclusions

While officers considered that the original application as submitted would have resulted in an acceptable development, the applicant has nevertheless revised the scheme principally to reduce the overall heights of buildings in response to member and local concerns. It is considered that these amendments are appropriate and would result in an improvement to the proposed development.

The additional objections are noted however it is considered that given the design, siting and scale, the proposal would have an acceptable impact on the living conditions of the occupiers of adjoining dwellings and the proposal is considered to be acceptable in planning terms.

Recommendation

It is recommended that authority be **DELEGATED** to the Development Management Team Manager to **APPROVE** the application subject to no adverse observations from the Local Highway Authority and Drainage Officers, the Conditions set out below and any additional or amended Conditions following advice from consultees.

Amended Condition 1 – (to reflect the revised drawings) and conditions set out at the end of this report.

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

Drawing Number 11537_PL_003B Plots 3 and 4 Site Location Plan

Drawing Number 11537 PL030A Plot 3 Site Location Plan

Drawing number 11537 PL040B Plot 4 Site Plan

Drawing number 11537_PL_031 Unit 3 Ground Floor Plan

-Drawing Number 11537_PL_032 Unit 3.1 First Floor Plan

-Drawing Number 11537_PL_033 Unit 3.1 Elevations and Section

-Drawing Number 11537_PL_034 Unit 3.1 Roof Plan

-Drawing Number 11537_PL_041 Unit 4.1 Ground Floor Plan

-Drawing Number 11537_PL_042 Unit 4.1 First Floor Plan
-Drawing Number 11537_PL_043 Unit 4.2 Ground Floor Plan
Drawing Number 11537_PL_044 Unit 4.2 First Floor Plan
Drawing Number 11537_PL_045 Unit 4.1 Elevations and Section
Drawing Number 11537_PL_046 Unit 4.2 Elevations and Section
Drawing Number 11537_PL_047 Unit 4.1 Roof Plan
Drawing Number 11537_PL_048 Unit 4.2 Roof Plan
Drawing Number 11537_PL_130 Plot 3 Landscape GA sheet 1 of 2
Drawing Number 11537_PL_131 Plot 3 Landscape GA sheet 2 of 2
Drawing Number 11537_PL_140 Plot 4 Landscape GA sheet 1 of 3
Drawing Number 11537_PL_141 Plot 4 Landscape GA sheet 2 of 3
Drawing Number 11537_PL_142 Plot 4 Landscape GA sheet 3 of 3
Drawing Number 2663-P-12 Plot 3 Tree Protection Plan
Drawing Number 2664-P-12 Plot 4 Tree Protection Plan

Energy and Sustainability Statement by Cudd Bentley Consulting Ltd March 2023

External Impact Lighting assessment, Document Ref: 6365-CBC-OR-RP-E-003 Revision PO3 dated 16/11/2023 by Cudd Bentley.

Noise Impact Assessment by Spectrum Plots 3 and 4 ref DP834/22259/Rev. 2 dated 09/02/2023

Ecological Mitigation and Enhancement Strategy (EMES) report (Focus Environmental Consultants, November 2023)

Preliminary Ecological Appraisal report (Focus Environmental Consultants, February 2023)

Ecological Impact assessment by Focus Environmental Consultants July 2023)

Habitat Regulations Assessment Screening Opinion report (Focus Environmental Consultants, July 2023)

except where these may be modified by any other conditions attached to this permission.

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

PREVIOUS REPORT TO COMMITTEE FEBRUARY 2024

1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RRMFA9QDGCV00>

- 1.1** The application is for the approval of Reserved Matters (in relation to Plots 3 and 4) for the Erection of Employment Development of 16,481sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 (general industrial) and B8 (Storage and distribution) Development with ancillary offices. The reserved matters being considered relate to scale, appearance, layout, access and landscaping.
- 1.2** In addition to seeking approval of reserved matters, there is a requirement to submit details pursuant to Conditions 8 and 11 of the relevant consent ref 11/01155/FUL relating to drainage and landscaping as part of the reserved matters application. The relevant conditions state:

8. The reserved matters submitted pursuant to Condition 1 shall be accompanied by a

sustainable drainage scheme for the relevant part of the development. The drainage scheme shall be in accordance with the approved Surface Water Drainage Strategy for the whole site (Ref: JLWi/28049/02 Enc by Mouchel Parkman dated 3rd October 2005). The approved scheme shall be completed in accordance with the approved details prior to the first occupation of that part of the development and the scheme shall be managed and maintained thereafter in accordance with the approved details.

11. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees and hedgerows on that part of the development and details of any to be retained together with measures for their protection during the course of development.

- 1.3** Details in respect of these two conditions have been submitted with this application.
- 1.4** The proposal is for the erection 3 warehouses totalling approximately 17,010m² GEA of modern flexible employment floor space. The respective floor areas for each unit are Unit 3 - 4,287 square metres, unit 4.1 – 895 square metres and unit 4.2 - 7,828 square metres. For each unit, around 93% of the total area will be at ground level consisting mainly of open space suitable for a variety of employment uses, and circa 7% of the floor area will be at first floor which is proposed for ancillary office accommodation.
- 1.5** The building on Plot 3 is on a site of circa 1.1ha, which represents a site density of 42% and the buildings on Plot 4 are on a site of circa 2.9ha, which represents a site density of 43%.
- 1.6** Provision has been made for 39 car parking spaces (including 4 EV charging spaces) and 14 cycle spaces for the Unit on Plot 3.
- 1.7** Plot 4 would provide a total of 129 car parking spaces and 40 cycle spaces. This provision is split by providing 50 car parking spaces (including 6 EV charging spaces) and 16 cycle spaces for Unit 4.1, and 79 car parking spaces (including 8 EV charging spaces) and 24 cycle spaces for Unit 4.2. These car parking spaces include accessible and car share spaces proportionate to the units and the cycle spaces will be provided in a covered cycle shelter near the building main entrance, in compliance with LPA requirements.
- 1.8** The service yard areas are self-contained and sized to reflect the requirements of each building floorspace, incorporating the required number of level access loading and dock levellers and the necessary operational manoeuvring into the design, with 40 metre deep service yards.
- 1.9** Plot 4's two separate units are accessed from individual accesses for each unit formed at either end of the site from Lobleys Drive. There are two additional accesses to be formed from Gambet Road and Buccaneer Avenue to give an additional access to pedestrians, cyclists, and the employee/visitor car park to each of the units. Plot 3's service yard and non-HGV parking is located on the site's frontage to Hurricane Road with a secondary access to be formed for employees/visitors, cyclists and pedestrians from Buccaneer Avenue.
- 1.10** The proposed buildings are overall up to 15.5 metres in height to ridge level and have a footprints of circa 4,287 square metres for Unit 3, circa 4,895 square metres for Unit 4.1 and 7,828 square metres for Unit 4.2. The scale of these proposed buildings is comparable but smaller than nearby developments in Gloucester Business Park. The buildings scale, footprint and height are significantly less than those in the immediate vicinity, the footprint of the largest Unit 4.1 being approximately 2.5 times smaller than the neighbouring

Laithwaite's warehouse by comparison. Each warehouse element has a parapet height of circa 14.5 metres and lower than the ridge to reduce the perceived height and building mass along the site boundaries.

2. Site Description

- 2.1** The site forms part of the Gloucester Business Park (GBP), which was granted outline planning permission for B1, B2 and B8 development in March 1992 (ref: 88T/7689/01/01). The permission was subsequently renewed in January 2001 to allow a further 10 years for the submission of reserved matters for the remaining commercial developments on the site (ref: 01/7689/0095/FUL). In 2012 a further extension of time was granted for the submission of reserved matters applications for the remaining commercial plots up to March 2026 (ref: 11/01155/FUL). Gloucester Business Park is a strategic employment site in the region covering over 111ha of land with a variety of uses comprising a mix of office, industrial, retail and leisure. The site was formerly the factory and test airfield for the Gloster Aircraft Company until 1965 and has been established as a business park since Arlington began developing it in the 1990s.
- 2.2** The application site consists of undeveloped land known as Plots 3 and 4 situated immediately south of Lobleys Drive and east of Gambet Road, defining the southern boundary of the business park. Each plot consists of levelled vacant development land, its northern and southern boundaries feature existing landscape buffers with established trees and hedge planting. Currently there are no existing access point to either of the plots. There are existing residential properties to the rear of both plots. There are no Listed Buildings within or close to the site and the site is not located within a Conservation Area. There are no Tree Preservation Orders affecting the site. The site falls within Flood Zone 1 which is the zone at the lowest risk of flooding.
- 2.3** Plot 3 is located to the southern side of Gloucester Business Park (GBP) and comprises a 1hectare parcel of land. It is bound to the south by a footpath serving existing residential properties located off Rodmarton Close and Martlet Way. To the east the site is bounded by an existing industrial/ warehouse unit, Elite Extrusion Die Ltd, to the west is Buccaneer Avenue which leads to the north to GBP and to the south to the existing residential area. The northern boundary of the site is formed by Hurricane Road. Plot 4 is located adjacent to plot 3 on the southern side of GBP and comprises of a site of approximately 2.9hectares. The site is bound to its northern, eastern and western sides by existing roads, namely Lobleys Drive, Buccaneer Avenue and Gambet Road.
- 2.4** Plot 3 site is dominated by species poor semi improved neutral grassland. There is a tree line boundary to the north and south. Plot 4 site is also dominated by species poor semi improved neutral grassland. There is a tree line boundary to the north. A wet woodland fringe along the Wotton Brook tributary runs along the south of both plots.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
88T/7689/01/01	Outline application for Class B1, B2 and B8 Business/industrial use and residential development on 107ha. Construction of new access roads.	Permit	10.03.1992
01/7689/0095/FUL	Variation of condition 2 of planning permission 88T/7689/01/01.	Permit	25.10.2001
11/01155/FUL	Proposed Class B1, B2 and B8 Business/industrial use (Extension to time limit for the submission of reserved matters applications for planning permission ref: 01/7689/0095/FUL as originally permitted by application ref: 88T/7689/01/01)	Permit	09.10.2012
23/00276/APP	Reserved Matters Application in relation to Plot 5 for the Erection of Employment Development of 6,773 sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 Development with ancillary offices, alongside discharge of pre-commencement conditions 5, 6, 8, 9 and 11 to planning permission reference 11/01155/FUL.	Pending	
15/01378/OUT	Development of up to 106 dwellings with associated access, public open space, landscaping and other infrastructure.	Not proceed with.	

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Hucclecote Parish Council – Objection.

- Concern about the visual impact, size and height of the units
- Overshadowing on adjoining residential development.
- Concern expressed about additional vehicle movements and congestion at peak times.
- Wish to see photo voltaic cells on entire roofs and buildings constructed to BREEAM excellent standard.

4.2 Brockworth Parish Council – Objection.

- Concern over height of buildings and proximity to residential development, causing overshadowing.
- Concern over traffic impact.
- Parish would wish to see more PV's installed as part of proposals.

4.3 Environmental Health – No objection subject to the applicants submitted lighting report being implemented.

- The applicants submitted noise report is considered satisfactory subject to the

recommendations being implemented.

- 4.4 **Tree Officer** – No objection subject to implementation of applicants submitted landscape and tree planting scheme.
- 4.5 **Ecology Advisor** – No objection subject to conditions.
- 4.7 **Highway Authority**- No objections in principle - further comments awaited.
- 4.8 **Drainage Officer** - Comments awaited.
- 4.9 **Lead Local Flood Authority** – No comment.
- 4.10 **Archaeology** - No comments received.
- 4.11 **NatureSpace** – No objection subject to conditions.

5. **Third Party Comments/Observations**

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1 The application has been publicised through the posting of a site notice for a period of 21 days, neighbour notification letters and the publication of a press notice.
- 5.2 30 representations have been received objecting to the scheme and raising the following concerns:-

- Increase of traffic on Lobleys Drive
- No need for the proposals, vacant warehouses on GBP.
- Proximity to residential occupiers detrimental by reason of loss of light and overbearing
- Detrimental by reason of scale and style
- Insufficient buffer for wildlife
- Noise & pollution
- Increase use of weight limited bridge over motorway using Lobleys Drive
- Loss of outlook
- Insufficient drainage in times of heavy rainfall
- Small number of PV's
- Neglect to explore alternative uses
- Effect on house prices/sales
- Negative effect on light to residential properties
- Inconsistent with existing area by reason of materials and size
- Detriment to wildlife
- Detriment to existing townscape

- 5.3 1 letter of support from the Local Economic Partnership stating

- The development proposals will provide for a good mix of much needed high quality commercial/employment space for the county in a well-established and well-connected location.
 - New jobs being created in close proximity to a large residential district providing opportunities for sustainable/active travel to work for local residents.

Commend the attention to the green / landscaped features.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- Policy SD1 (Employment -except Retail Development)
- Policy SD3 (Sustainable Design and Construction)
- Policy SD4 (Design Requirements)
- Policy SD6 (Landscape)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD14 (Health Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk Management)
- Policy INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- Policy EMP 1 (Major Employment sites)
- Policy EMP 5 (New employment development) (General)
- Policy ENV2 (Flood risk and Water management)
- Policy TRAC1 (Pedestrian Accessibility)
- Policy TRAC 2 (Cycle Network & Infrastructure)
- Policy TRAC 3 (Bus Infrastructure)
- Policy TRAC 9 (Parking Provision)
- Policy NAT1 (Biodiversity, geodiversity and Important Natural Features)
- Policy RES 1 (Housing Site Allocations)

6.5 Neighbourhood Plan

None

7. Policy Context

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.

- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2023 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Principle of development

- 8.1** The application site lies comprises an undeveloped parcel of land within Gloucester Business Park. The site benefits from outline planning permission for class B1, B2 and B8 business/industrial use and therefore the principle of development has already been established.
- 8.2** Gloucester Business Park is identified as a Major Employment site within Policy EMP1 of the TBLP and Policy SD1 of the JCS supports employment related development. As the site forms part of a Strategic employment site with an extant consent for development matters for consideration of the application is restricted to the specific reserved matters concerning these plots, which are details of scale, layout, appearance, access, and landscaping.
- 8.3** As well as being part of the Strategic Employment site the plots have also been identified under Policy RES1 of the TBLP as site BRO2 Nerva Meadows and allocated for residential development for 106 dwellings. Both plots were the subject of an outline application in 2015 for residential development (application no.15/01378/OUT). However, the S106 was not completed and as a result the decision was not issued.
- 8.4** Whilst the site does not benefit from any planning permissions for residential use and notwithstanding it's status as an allocated site, it should be noted that the extant outline consent of the Strategic Employment has precedence over its allocation in the plan as a potential residential site. Furthermore, it is understood that the current owners of the business park have no commercial interest in housing development and the land is not available for residential use.

Scale

- 8.5** Policy SD4 of the JCS sets out requirements for scale and high-quality design to new development and Policy EMP 5 of the TBLP states that development must respect the character, scale and proportion of the proposal and the surrounding development's character. The proposed buildings comprise three units, one of which is detached (unit 3 on Plot 3) whilst the other two being in close proximity to each other (units 4.1 and 4.2 on Plot 4).
- 8.6** The heights of the existing employment buildings throughout the Business Park range between circa 16 metres to 24 metres. The proposed buildings are overall up to 15.5 metres in height to ridge level and have footprints of circa 4,287m² for Unit 3, circa 4,895m² for Unit 4.1 and 7,828m² for Unit 4.2. The proposed units are of a smaller scale to those immediately to the north, in order to respond to the specific plot locations on the edge of Gloucester Business Park. It is considered that the scheme will provide an acceptable transition between the larger scale buildings and the residential areas to the south.

- 8.7** It is therefore considered that due to the height, width and depth of the buildings they are of an appropriate scale to the Business Park and due to the location on the peripheral of the Business Park form a suitable transition from the employment site to the nearby residential properties.

Layout and Appearance

- 8.8** The layout of the proposed buildings is lengthways (east/west) across the sites and would serve to provide acoustic screening from any noise created by the employment use of the sites for the nearby residential properties situated to the south of the sites. This includes the service yards of all the buildings which are located to the front (north) of the buildings with vehicular access on to Lobleys Drive.
- 8.9** The proposed scheme comprises employment style buildings consistent with the overall design of existing employment buildings on GBP. The elevations would comprise of horizontal profile metal cladding of contrasting colours. The prominent street facing end and corners to the building would include areas of glazing and the overall finish would result in buildings of an appropriately high quality and visual interest.
- 8.10** There is a varied palette of materials across the Business Park, ranging from brickwork, render, coloured composite panels and various forms of cladding. There is no prevailing character as such it is considered that the proposed materials and colour of the buildings is consistent with other buildings on the Business Park and is considered to be in accordance with Policy EMP5 of the TBLP and Policy SD4 of the JCS which requires new buildings on existing employment sites amongst other things to be of a scale and design to be compatible with the character of the existing location and its setting.

Landscape and Visual Impact

- 8.11** Paragraph 135 of the NPPF highlights the importance of appropriate and effective landscaping in achieving well-designed places. This advice is reiterated in JCS Policy SD6 which requires new development proposals to ensure that the design of landscaped areas, open space and public realm are of high quality. Policy SD4 (iv) of the JCS requires that new development should ensure that the design of landscaped area, open space and public realm are of a high quality and Policy LAN2 of the TBLP requires new development amongst other things for landscaping to be appropriate to and integrated into their existing landscape setting.
- 8.12** The applicants landscape strategy in the submitted design and access statement seeks to deliver long-term landscape, biodiversity and sustainability benefits within an established employment estate. It is proposed that soft landscaping in the form of upright trees and shrub planting is provided within the site. Planting will be incorporated either side of the new service road and between car parking areas and service yards. This would provide visual interest and separation, increasing legibility for users and soften the external areas ensuring there are no large expanses of hard surfacing.
- 8.13** The Landscape strategy states that planting will be carefully selected to ensure that native species are incorporated where possible and that slow growing, low maintenance species are used. This is to enhance the biodiversity of the site and to ensure safety for pedestrian and vehicle users by avoiding planting affecting visibility in circulation areas. The existing landscape buffer on the southern boundary of the site is to be retained and enhanced to ensure compliance with wildlife legislation and provide adequate protection of habitats and species.

- 8.14** The Councils tree officer has raised no objections to the scheme subject to a standard condition to secure the implementation and maintenance of the proposed landscaping strategy. It is therefore considered that the proposed landscaping scheme which includes integrating planting into the existing landscape and the proposed new planting is of an acceptable and high quality and would be in accordance with policies SD6 and SD 4 of the JCS, policy LAN2 of the TBLP and the NPPF.

Access and highway safety

- 8.15** The NPPF at Paragraph 115 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, Paragraph 114 of the NPPF states:

“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 8.16** JCS Policy INF1 requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Policies TRAC1 and TRAC2 of the TBLP seek to protect and enhance pedestrian and cycle access. Policies TRAC3 and TRAC9 provide guidance on bus connectivity and parking provision.
- 8.17** As this is a reserved matters application, the highway impact is limited to the suitability of the site accesses and the internal layout as the principle of the employment land use has already been established by the granting of the outline consent. As part of the proposal the applicants are providing EV charging points, cycle stores and separate pedestrian access to encourage convenient and sustainable modes of transport.
- 8.18** The County Highways Authority has been consulted on the application and having regard to the Transport Statement and subsequent submitted technical note in June 2023 and consider that the proposal is acceptable in principle, however the Highway Authority has recommended that a condition with respect to vision splays on the non-main accesses to both plots be imposed.
- 8.19** The proposal includes separate vehicular accesses for emergency use only. The precise details of these access are being reviewed by the Local Highway Authority and the applicant to ensure they are satisfactory, and a condition is also recommended to ensure that the access is for emergency use only. **An update will be provided at committee.**

Residential amenity

- 8.20** Policy SD14 of the JCS requires that new development should not cause harm to local amenity including the amenity of neighboring occupants. Policy EMP5 of the TBLP states that development should not have an unacceptable impact on adjacent property and residential amenity.
- 8.21** As a result of concerns raised by local residents and Parish Councils the applicant submitted a daylight and sunlight report. The assessment was based on the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 3rd Edition' by P J Littlefair 2022. The aim of the assessment is to consider the impact of the development on the light receivable by the neighbouring properties.
- 8.22** This report was subsequently assessed by an independent specialist on behalf of the council, who have confirmed that the Daylight and Sunlight Report (Neighbouring Properties) dated 14th December 2024 adequately addresses concerns and that the assessment results indicate that there will be no significant daylight and sunlight effects on adjoining residential properties that would warrant a refusal of the planning application.
- 8.23** The applicant has submitted a noise impact assessment together with an external lighting assessment and a ground conditions contamination assessment.
- 8.24** The noise assessment states that Predicted Rating Levels from the operation of the three proposed industrial units at Plots 3 and 4 (and Plot 5 subject of a separate application) under 'typical busiest' scenarios including general site-related activities, fixed plant and indoor activity do not exceed the existing Background Sound Levels either during the daytime or night-time. The potential noise impact from the use of the premises is therefore considered to be low at the nearby noise sensitive receptors (NSR). Accordingly, the use of the proposed development without any restrictions on hours of operation would not give rise to a significant risk of disturbance for nearby residents.
- 8.25** The supporting external lighting report produced by Cudd Bentley dated 16th November 2023 notes that a combination of photocells & timeclocks could be installed to control all external lighting. The time clocks will act as a master control and be set to switch off at times when the development is not in operation. Outside of these hours photocells will control the site external lighting according to daylight levels. This would prevent nighttime lighting pollution and to comply with POL 04/L2A. Localised security lighting to the rear of units bordering with ecological amenity areas shall utilise integrated local motion control sensors to minimize the potential for un-necessary illumination of the local vegetation habitat.
- 8.26** It is therefore considered that the proposal would not harm residential amenity in terms of loss of light, overshadowing or noise and complies with the requirements of Policy SD14 of the JCS and Policy EMP5 of the TBP.

Drainage and flood risk

- 8.27** JCS Policy INF2 states development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that requires new development to incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate to manage surface water drainage.

- 8.28** It was established during the consideration of the outline application that the site is at low risk of fluvial flooding (Flood Zone 1) and that any surface water drainage issues could be adequately addressed through an effective SUDS scheme. Planning conditions were imposed requiring a SUDS scheme for the business park as a whole, including maintenance and management details. This was conditioned with the renewed consent to be submitted as part of the reserved matters applications. (Condition 8).
- 8.29** The development is classed as 'less vulnerable' usage and the proposed development is in Flood Zone 1 and therefore a low risk of flooding and meets the Sequential Test. Therefore, the Exception test is not required.
- 8.30** The current site is classed as greenfield for the purpose of calculating drainage rates. The proposed Plot 3 development would have an impermeable area of 0.775 hectares and a permeable area of 0.250 hectares. Levels will be set where possible to follow the contours of the existing site so as to minimise the requirement for any retaining walls and adhere to best practice and building regulation design standards.
- 8.31** The total attenuation required for the site is approximately 603 cubic metres which would be provided via proposed cellular storage crates. The use of SuDS features has been considered and can be incorporated within the design.
- 8.32** The strategy is to discharge the surface water into the existing watercourse located southwest of the site. A Qbar discharge rate of 3.4 l/s has been proposed to meet LLFA requirements. A model simulation has been carried out to ensure that the site meets the proposed discharge rates on the return periods of 1, 30 and 100 year plus a 40% climate change. The site does not pose any increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other means.
- 8.33** The proposed Plot 4 development will have an impermeable area of 2.405 hectares and a permeable area of 0.420 hectares. The levels will be set to follow the contours of the existing site to minimise any surface water flooding from the new development to the drainage network and ensure that should any flooding occur, it is controlled and kept within the new development boundaries and does not affect neighbouring properties or highway land.
- 8.34** Storm water on site will be discharged into existing private sewers outside of the site boundary. Surface water will be designed to cater for storm events up to 1 in 100 Year plus 40% climate change. Foul water will also discharge into the existing highway foul sewers.
- 8.35** The total attenuation required for the site is approximately 1,624 cubic metres, it is provided via proposed cellular storage crates. The use of SuDS features has been considered and can be incorporated within the design. The strategy is to discharge the surface water into the existing watercourse located southwest of the site. A Qbar discharge rate of 9.4l/s has been proposed to meet LLFA requirements. A model simulation has been carried out to ensure that the site meets the proposed discharge rates on the return periods of 1, 30 and 100 year plus a 40% climate change. The site does not pose any increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other means.
- 8.36** While the LLFA have been consulted they have declined to comment on the application as the outline was permitted prior to their inception. The proposed drainage details are therefore being reviewed by the council's drainage engineer. **An update will be provided at committee.**

Biodiversity

- 8.37** The NPPF sets out, inter alia, that when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments, especially where this can secure measurable gains for biodiversity. Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. Policy NAT1 of the TBLP states that development proposals that will conserve, and where possible restore and/or enhance, biodiversity will be permitted.
- 8.38** Plot 3 has a boundary hedgerow along the eastern edge which was assessed as meeting the criteria of a habitat of principal importance under the NERC Act 2006. The wet woodland on Plot 3 and Plot 4 was also assessed as meeting the criteria as a habitat of principal importance under the NERC Act 2006. The submitted Preliminary Ecological Assessment (PEA) stated that the wet woodland habitats are due to be retained however initially the hedgerow was to be removed.
- 8.39** A Hedgerow Regulations Assessment report (Focus Environmental Consultants, June 2023) was submitted and the report concluded that the hedgerow along the eastern site boundary of Plot 3 did not meet the criteria to be considered an 'Important' hedgerow under the regulations. The submitted report has also stated that notwithstanding this, the hedgerow is now to be retained under proposed amended plans.
- 8.40** Two Bat Transect Survey Reports have been submitted for Plot 3 (Focus Environmental Consultants, September 2023) and Plot 4 (Focus Environmental Consultants, September 2023) which provides the results of bat transect and static detector surveys undertaken in April, July, and September 2023. Bat species recorded during the surveys at both Plot 3 and Plot 4 included common pipistrelle, soprano pipistrelle, a Myotis species and noctule. The most commonly recorded species at both plots were common pipistrelle bats, and activity levels were considered to be low. At Plot 3, four lesser horseshoe passes were also recorded (this species was not recorded at Plot 4). At Plot 3 and Plot 4, bat activity levels were higher at the southern site boundaries, and the Bat Transect Survey reports recommended retaining a dark corridor along the south site boundaries at both Plots, and retaining, protecting, and buffering trees along southern boundaries.
- 8.41** As such a revised External Impact Lighting Assessment (Cudd Bentley Consulting Ltd, November 2023) was submitted. The revisions removed external lighting along the south elevations of the buildings on Plot 3, thereby ensuring a dark corridor is retained along the south boundary which was found to be used by lesser horseshoe bats, and ensuring the proposed bat boxes would not be illuminated. External lighting has also been removed from the south elevation of the buildings on Plot 4, ensuring the wet woodland habitat to the south will not be illuminated.
- 8.42** In addition to the revised lighting assessment a Revised Ecology Mitigation and Enhancement Strategy (EMES) report (Focus Environmental Consultants, November 2023) has been submitted and the proposed bat box locations have been altered to ensure these features are not illuminated, with four tree-mounted bat boxes proposed along the south elevation of Plot 4. The council's ecological adviser has confirmed that the proposed locations are now suitable. These works can be secured by condition.

- 8.43** Two Great Crested Newt Survey Report reports have been submitted – one for Plot 3 and one for Plot 4 (Focus Environmental Consultants, May 2023). The reports included the results of eDNA surveys undertaken on three waterbodies (Ponds 2, 3 and 4) within 500m of the site and a positive result was returned for Ponds 3 and 4, with Pond 4 being adjacent to the Plot 4.
- 8.44** A Natural England Rapid Risk Assessment was undertaken for Plot 3 and Plot 4 and the results indicated an offence was ‘Likely’ for Plot 3 and ‘Highly Likely’ for Plot 4. The GCN Survey Report stated a Natural England Mitigation licence or inclusion within the District Licensing Scheme is required for the proposed development.
- 8.45** The applicant has opted for the District Licensing route administered by NatureSpace who have confirmed that they have received appropriate information from the applicant and have recommended necessary conditions to allow for the scheme to be permitted and appropriate licence to be secured.
- 8.46** No biodiversity net gain (BNG) data has been submitted as the original outline consent was submitted prior to the introduction of national legislation and policy in the development plan and therefore does not form part of the consideration for the reserved matters application.
- 8.47** It was note that the application site could impact on the Cotswold Beechwoods Special Area of Conservation and as such a Habitat Regulations Assessment Screening Opinion report (Focus Environmental Consultants, July 2023) was submitted. The HRA assessment concluded that the proposed development is not considered to give rise to a ‘likely significant effect’ on the Cotswold Beechwoods SAC and the Council’s ecological adviser has confirmed that an Appropriate Assessment is not required.
- 8.48** Subject to compliance with conditions it is considered that the application would have an acceptable impact on biodiversity.

Energy and Sustainability

- 8.49** The NPPF at section 14 deals with meeting the challenge of climate change, flooding and Coastal change seeking development which increases the use and supply of renewable and low carbon energy. Policy INF5 of the JCS supports proposals where they are designed to produce net energy savings. JCS policy SD3 requires development proposals to demonstrate how development contributes to sustainability by energy efficiency and adaptable for climate change.
- 8.50** The applicants have submitted an energy and sustainability report in compliance with Policy SD3 of the JCS, explains that the recommended sustainability features for the development, which from a dynamic energy model, would allow for an 19.86% energy saving from a base (Building Regulations) Part L (2021) compliant build, and a 12.53% reduction in carbon emission is anticipated through the incorporation of Air Source Heat Pumps and passive energy efficiency measures. This exceeds the local planning requirement set out by policy and complies with Policy SD3 (Sustainable design and construction).
- 8.51** The energy and carbon savings are to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, submetering of relevant areas, upgrading of ‘U’ values and occupancy sensing in relative areas, as well as the incorporation of Air Source Heat Pumps and 111 kW of Photovoltaic Array.

- 8.52** To reduce the energy demand of the development as well as help to conserve water resources within the local area, it is proposed that the fit-out works will provide for sanitary fittings which will be water efficient through measures such as dual flush toilets and low flow taps. The design of the proposed development will take a holistic approach to the integration of sustainable design from inception with commitment to achieve a BREEAM rating of 'Very Good' as a minimum, with the aspiration for the scheme to achieve 'Excellent' and EPC B rating. Constructed to modern standards and to provide adaptable and flexible workspace suitable for future needs, the proposal also targets reduction in carbon emissions from Building Regulation standards.
- 8.53** The development is located within Brockworth, and as such is in proximity to public transport nodes, existing bus routes as well as a range of primary local amenities such as a postal service, cash points and food outlets. These features allow for the reduction of car-based travel and transport related pollution.
- 8.54** The incorporation of these sustainability measures along with the provision of EV charging points and cycle stores allow for the proposed development to be deemed sustainable whilst targeting compliance with local and national policy.

9. Conclusion

- 9.1** The application site benefits from an extant planning permission for employment use and the principle of development is already established. This application therefore stands to be determined on the reserved matters thereto. It is considered that the submitted details, (subject to no objections being raised by the Local Highway Authority or drainage officer) are acceptable, would accord with the parameters of the extant outline planning permission and relevant policies as outlined above.

Benefits

- 9.2** The benefits of the scheme would be to provide 16,481sqm GIA across the 3 buildings contributing to the provision of appropriately sized buildings for occupiers seeking larger premises to support business growth with 70-126 FTE jobs at plot 3 and a further 211-378 FTE jobs across the 2 buildings on plot 4.
- 9.3** The location of the buildings is close to existing residential properties and would provide jobs in the local area enabling people to work and live in the area and in sustainable manner.

Harms

- 9.4** The development of the site for employment would result in a reduction of allocated housing land, however this is tempered by the fact that the land is not available for residential development, and it does not benefit from a planning permission for such use which would indicate that this was a likely prospect. This harm is therefore very limited.

Neutral

- 9.5** The site lies within the existing business park and the proposed buildings would be compatible with the area. Furthermore the proposal would have no adverse impacts on the living conditions of adjoining residents of the natural environment.

10. Recommendation

- 10.1 It is recommended that authority be **DELEGATED** to the Development Management Team Manager to **APPROVE** the application subject to no adverse observations from the Local Highway Authority and Drainage Officer and any additional or amended Conditions.

11. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following documents:

Drawing Number 11537_PL_003A Plots 3 and 4 Site Location Plan

Drawing Number 11537_PL030A Plot 3 Site Location Plan

Drawing number 11537_PL040B Plot 4 Site Plan

Drawing number 11537_PL_031 Unit 3 Ground Floor Plan

-Drawing Number 11537_PL_032 Unit 3.1 First Floor Plan

-Drawing Number 11537_PL_033 Unit 3.1 Elevations and Section

-Drawing Number 11537_PL_034 Unit 3.1 Roof Plan

-Drawing Number 11537_PL_041 Unit 4.1 Ground Floor Plan

-Drawing Number 11537_PL_042 Unit 4.1 First Floor Plan

-Drawing Number 11537_PL_043 Unit 4.2 Ground Floor Plan

Drawing Number 11537_PL_044 Unit 4.2 First Floor Plan

Drawing Number 11537_PL_045 Unit 4.1 Elevations and Section

Drawing Number 11537_PL_046 Unit 4.2 Elevations and Section

Drawing Number 11537_PL_047 Unit 4.1 Roof Plan

Drawing Number 11537_PL_048 Unit 4.2 Roof Plan

Drawing Number 11537_PL_130 Plot 3 Landscape GA sheet 1 of 2

Drawing Number 11537_PL_131 Plot 3 Landscape GA sheet 2 of 2

Drawing Number 11537_PL_140 Plot 4 Landscape GA sheet 1 of 3

Drawing Number 11537_PL_141 Plot 4 Landscape GA sheet 2 of 3

Drawing Number 11537_PL_142 Plot 4 Landscape GA sheet 3 of 3

Drawing Number 2663-P-12 Plot 3 Tree Protection Plan

Drawing Number 2664-P-12 Plot 4 Tree Protection Plan

Energy and Sustainability Statement by Cudd Bentley Consulting Ltd March 2023

External Impact Lighting assessment, Document Ref: 6365-CBC-OR-RP-E-003 Revision PO3 dated 16/11/2023 by Cudd Bentley.

Noise Impact Assessment by Spectrum Plots 3 and 4 ref DP834/22259/Rev. 2 dated 09/02/2023

Ecological Mitigation and Enhancement Strategy (EMES) report (Focus Environmental Consultants, November 2023)

Flood Risk Assessment and Drainage Strategy Report ref R300 First Issue February 2023 By Baynham Meikle Partnership Ltd

-Preliminary Ecological Appraisal report (Focus Environmental Consultants, February 2023)

Ecological Impact assessment by Focus Environmental Consultants July 2023)

Habitat Regulations Assessment Screening Opinion report (Focus Environmental Consultants, July 2023)

except where these may be modified by any other conditions attached to this permission.

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

- 2** No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Plots 3&4, Gloucester Business Park: Impact Plan for great crested newt District Licensing (Version 1)", dated 12th September 2023.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML[1]OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 3** No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 4** No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence') and in addition in compliance with the following: - Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians. - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development). - Amphibian fencing and pit all trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 5** No work shall start on the construction of the buildings hereby approved until details of floor slab levels of each new building, relative to each existing building on the boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the new buildings shall be constructed at the approved floor slab levels.

Reason: To protect the amenity of neighbouring properties and to ensure that the proposed development does not have an adverse effect on the character and appearance of the area.

6 Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

7 All planting comprised in the approved details of tree/hedgerow planting shall be carried out in the first planting season following the occupation of any building or the completion of the development, whichever is the sooner. If any trees or hedgerows, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, these shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any trees or hedgerows fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year period.

Reason: To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area.

8 The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6 metres above carriageway level at the centre of the accesses including emergency accesses to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6 metres in height above carriageway level.

Reason: In the interests of highway safety.

9 No building hereby approved shall be brought into use until the access, parking and turning facilities (to serve that building) to the nearest public highway has been provided as shown on the approved drawings.

Reason: To ensure that a safe and convenient means of emergency access can be provided in the interests of highway safety.

- 10 The use shall not commence until details of a scheme to prevent access (by way of retractable bollards, gates or other means), by motor vehicles through the emergency access have been submitted to and agreed in writing by the Local Planning Authority. The retractable bollards, gates or other means shall then be constructed in accordance with the approved plan and remain locked permanently thereafter unless otherwise required in an emergency.

Reason: In the interest of highway safety

12. Informatives

- 1 The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency
- 2 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.
- 3 Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.
- 4 It is recommended that the Nature Space Best Practice Principles are considered and implemented where possible and appropriate.
- 5 It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.
- 6 It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.
- 7 It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mi ga on principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mi ga on Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).

8 The development hereby approved may include the carrying out of work on the public highway. You are advised that before undertaking work on the public highway checking the highway ownership and management arrangement that you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out if adopted highway.

9 Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement

A Monitoring Fee

Approving the highway details

Inspecting the highway works

10 Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

11 It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

12 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

From: [REDACTED]
Sent: Thursday, March 14, 2024 3:09 PM
To: [REDACTED]
Cc: [REDACTED] >
Subject: 23/00275/APP - Committee Rebuttal

Good Afternoon [REDACTED]

Further to the Planning Committee on 20th February 2024 and our subsequent discussion, I enclose with this email our rebuttal on behalf of the Applicant.

Since the Committee Meeting, the Applicant has reviewed the heights of the proposed buildings on Plots 3 and 4 and submits revised drawings for the following:

- Building 3.1: **Reduction by 2m** to 10.5m to the eaves / 12.5m to top of parapet / 13.5m to the ridge.
- Building 4.1: **Reduction by 1m** to 11.5m to the eaves / 13.5m to top of parapet / 14.5m to the ridge.
- Building 4.2 **Reduction by 1m** to 11.5m to the eaves / 13.5m to top of parapet / 14.87m to the ridge.

It is also proposed to **relocate the access to Building 4.2 further south from the signalised junction** and add in a footpath to the south of Lobley's Drive as discussed with the Highways officer. The red line has been amended accordingly.

The letter provides the detail pertaining to these changes, which I trust is useful for updating the report back to Committee for the 23rd April.

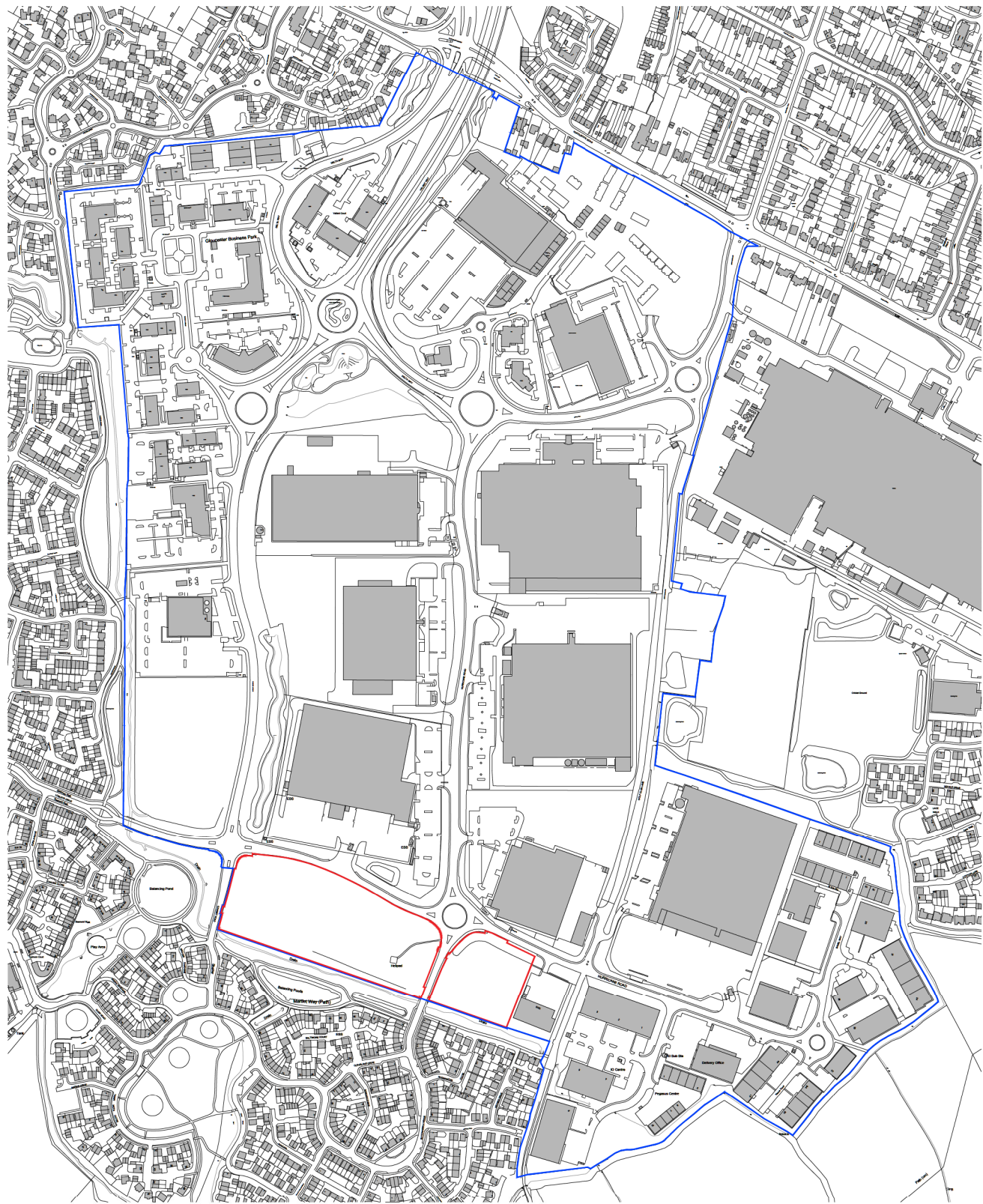
The following drawings are submitted for approval:

- 11537_PL_033A Unit 3.1 Elevations and Section
- 11537_PL_040C Plot 4 Site Plan
- 11537_PL_045A Unit 4.1 Elevations and Section
- 11537_PL_046A Unit 4.2 Elevations and Section
- 11537_PL_140C Landscape Sheet 1 of 3
- 11537_PL_141A Landscape Sheet 2 of 3
- 11537_PL_142B Landscape Sheet 3 of 3

The following are issued as Appendices for information to support the rebuttal letter:

- Appendix A – Proposed Heights
- Appendix B – Site Dimensions / Separation Distances
- Appendix C – Site Sections

Amended Plans



Scale @ A3: 1:5000	Checked by: ME	Date: JAN 23
Job No: 11537	Stage: PL	Drawing No.: 003
Construction Approval <input type="checkbox"/>	Preliminary Tender <input type="checkbox"/>	Rev.: B
	Information <input type="checkbox"/>	

Client: ARA EUROPE, NORTHLAND
Project: GLOUCESTER BUSINESS PARK
Drawing Title: PLOT 3 & 4 SITE LOCATION PLAN

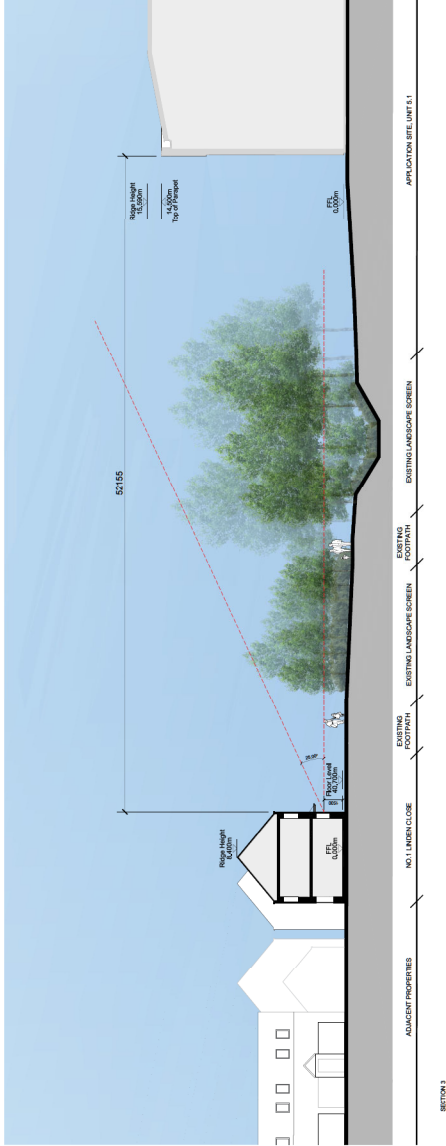
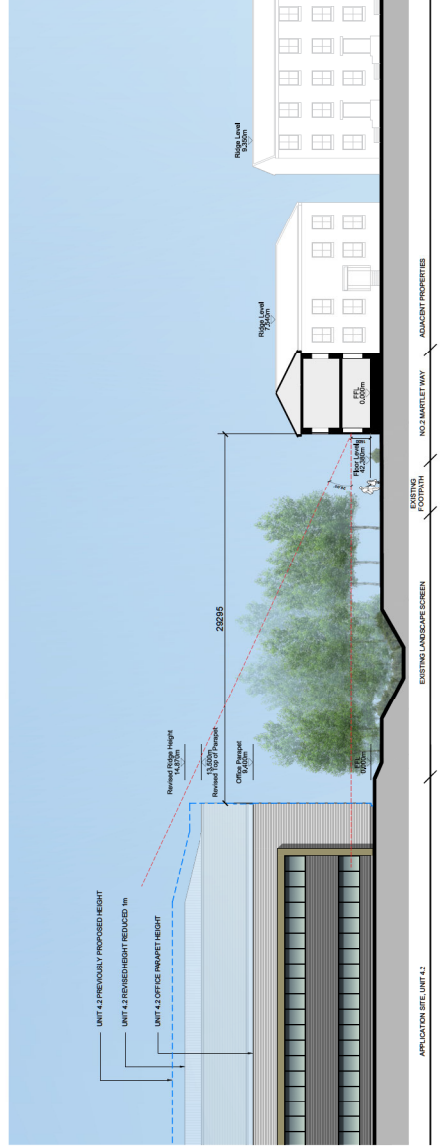
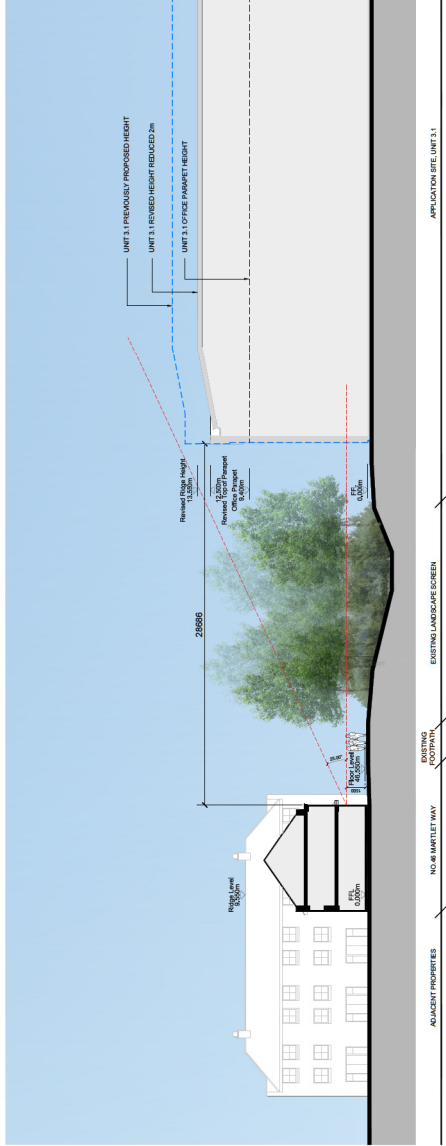
Revisions:	Drawn/Chk:	Date:
A. Red line amended to new secondary vehicle access location update	ASC	NOV 23
B. Red line amended to Plot 4 main vehicle access location update and addition of footpath	ASC	MAR 24

Figured dimensions only are to be used. All dimensions to be checked on site. Differences between drawings and between drawings and specification or bills of quantities to be reported to the PRC Group. The copyright of the drawings and designs contained therein remains vested in the PRC Group.

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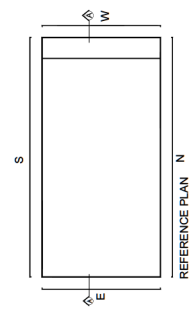
Figured dimensions only to be used. All dimensions to be checked on-site of materials to be used in the construction of the building.

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Drawn/Chk: D110
 A Warehouse height reduced by 2m CNG MAR 24

MATERIALS KEY

- 1 HORIZONTAL PROFILED CLADDING (SLATE GREY)
- 2 HORIZONTAL PROFILE CLADDING (SILVER GREY)
- 3 HORIZONTAL PROFILE CLADDING (ANTHRACITE GREY)
- 4 ALUMINIUM FRAMED WINDOWS (ANTHRACITE GREY)
- 5 ALUMINIUM FRAMED ENTRANCE DOORS AND GLAZING (ANTHRACITE GREY)
- 6 MAIN ENTRANCE FEATURE (MOORLAND GREEN)
- 7 STEEL PERSONNEL DOORS (ANTHRACITE GREY)
- 8 LOADING DOORS (ANTHRACITE GREY)
- 9 STEEL BOLLARD (YELLOW)
- 10 DOCK LEVELLER (ANTHRACITE GREY)
- 11 COMPOSITE CLADDING (SLATE GREY)
- 12 PROFILED ROOF CLADDING (GOOSEWING GREY)
- 13 GLAZED ENTRANCE CANOPY
- 14 OBTURED GLASS PANEL
- 15 BACKLIT UNIT NUMERAL (SILVER)
- 16 HORIZONTAL PROFILED CLADDING (MOORLAND GREEN)



PRC

Client: ARA EUROPE NORTHLAND

Project: GLOUCESTER BUSINESS PARK

13 Waters End, Waters Park, MK12 3NK, UK
 01494 303 314
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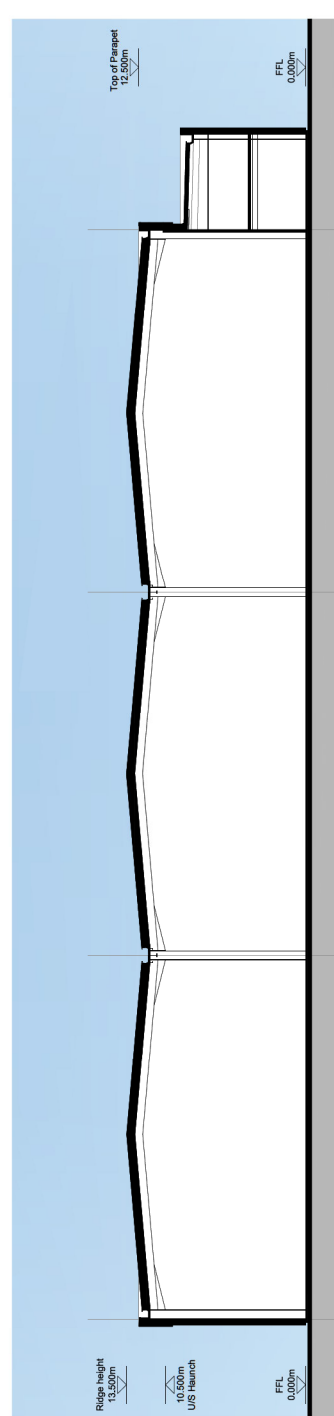
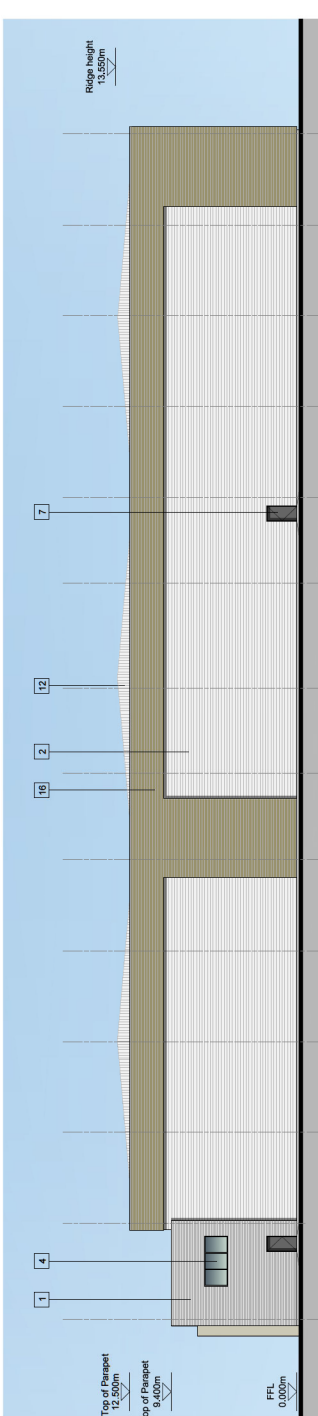
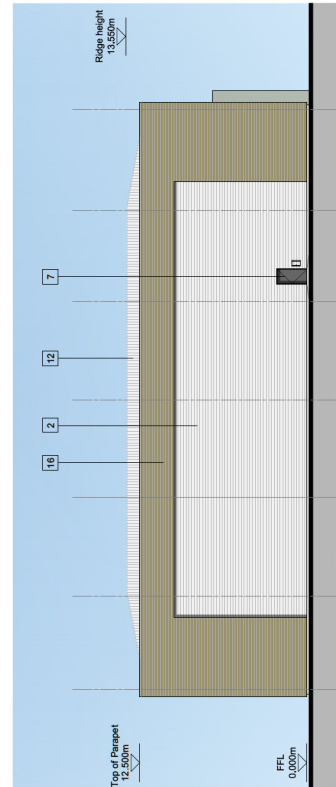
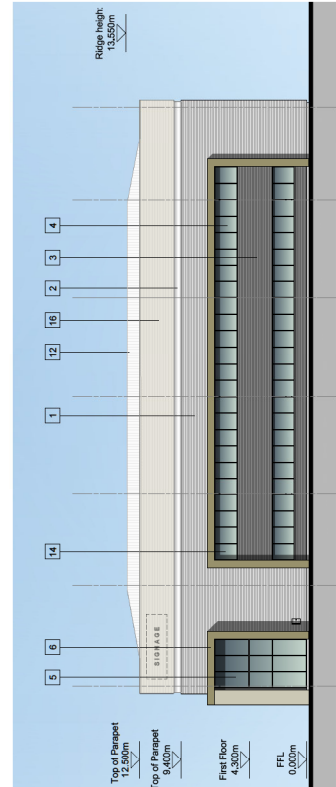
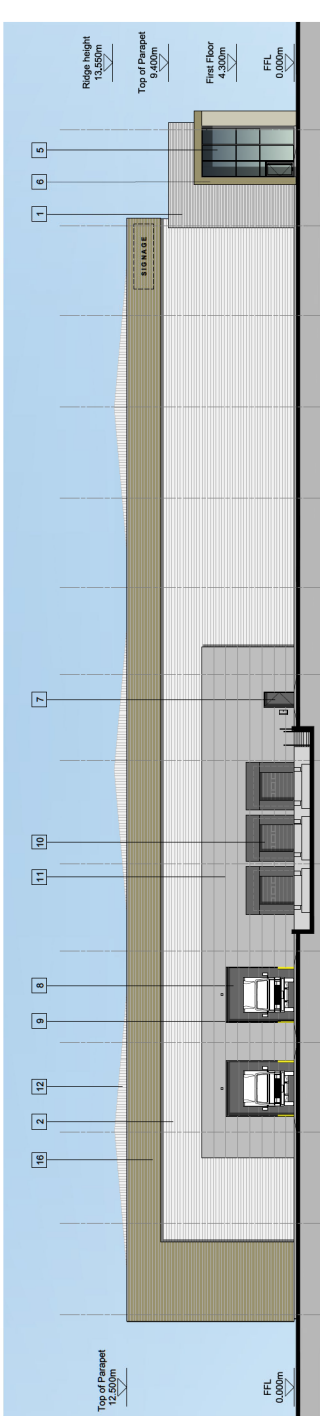
Drawing Title: UNIT 3.1 PROPOSED ELEVATIONS AND SECTION

Scale @ A1: 1:200
 Date: JAN 23
 Master Planning: Urban Design
 Landscape

Job No: 11557
 Issue No: PL 03
 Rev: A

Architect: PRC Architecture & Planning

Officers:
 Working:
 London:
 Manchester:
 York:

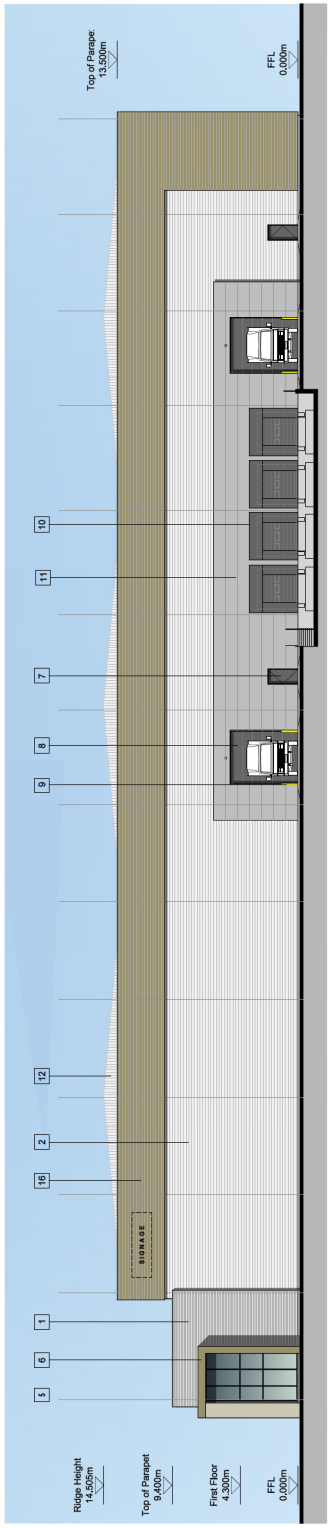


Plotted dimensions only to be used. All dimensions to be checked on-site. All materials to be confirmed with the Client. All materials to be confirmed with the Client. All materials to be confirmed with the Client.

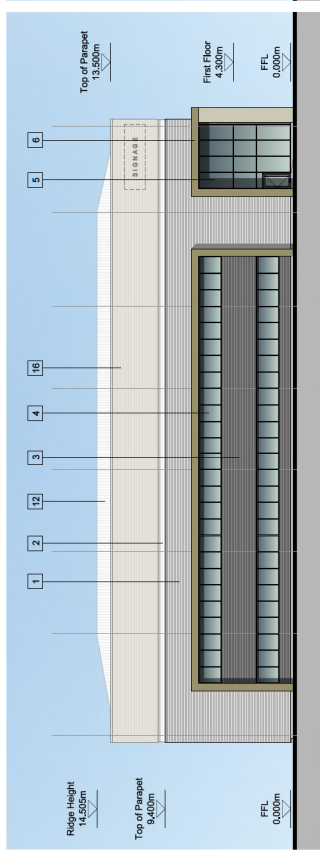
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REVISIONS: _____ Drawn/Chk: _____ Date: _____
 A. Warehouse height reduced by 1m. CMG MAR 24

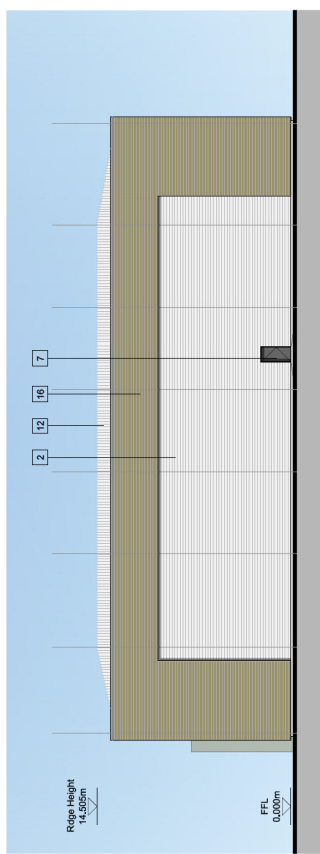
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 - 16 HORIZONTAL PROFILED CLADDING (MOORLAND GREEN)



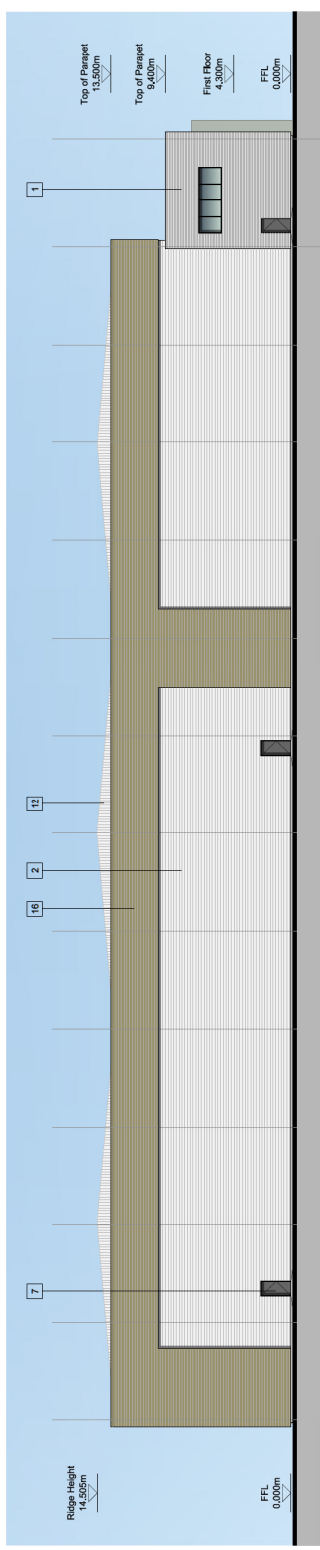
NORTHERN ELEVATION



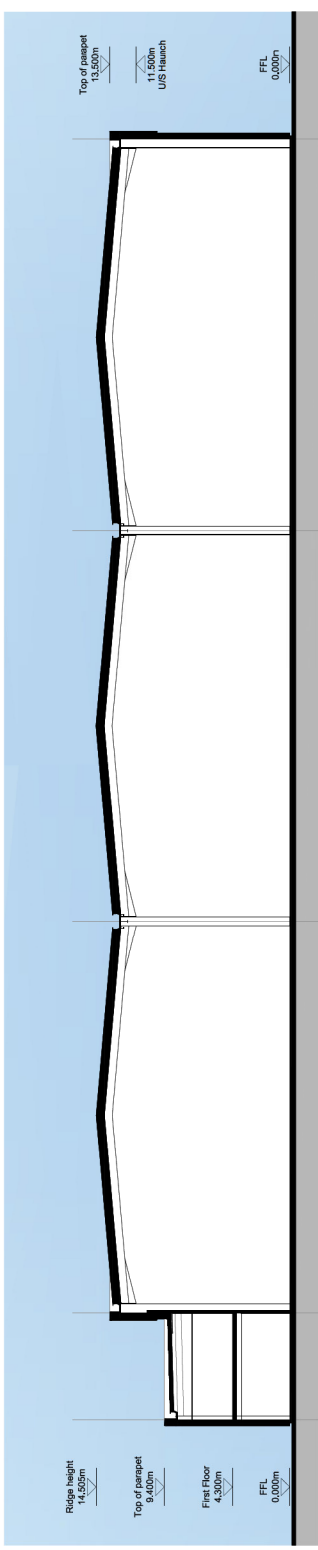
EASTERN ELEVATION



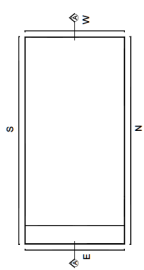
WESTERN ELEVATION



SOUTHERN ELEVATION



TYPICAL LONG SECTION



PRC

Client: **ARA EUROPE NORTHLAND**

Project: **GLoucester Business Park**

12 Waters End, Waterside, MK12 3NA, UK
 0118 303 314
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Drawing Title: **UNIT 4.1 PROPOSED ELEVATIONS & SECTION**

Scale @ A1: **ME JAN 23**
 Date: **ME JAN 23**
 Checked by: **ME**
 Drawn by: **PL**
 Rev: **04 A**

Architecture: **Planning**
 Master Planning
 Urban Design
 Landscape

Office: **London**
 Manchester
 Birmingham
 Leeds

Working: Preliminary
 Final
 Title Block: Approved
 Not Approved

PRC Architecture & Planning

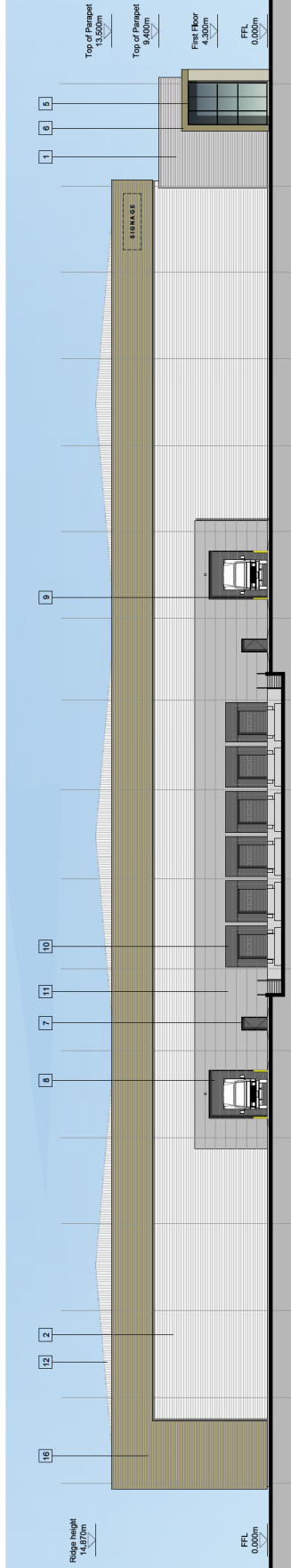


Revised dimensions only to be used. All dimensions to be checked on site. All materials to be specified in the Bill of Materials to be submitted to PRC. All materials to be specified in the Bill of Materials to be submitted to PRC. All materials to be specified in the Bill of Materials to be submitted to PRC.

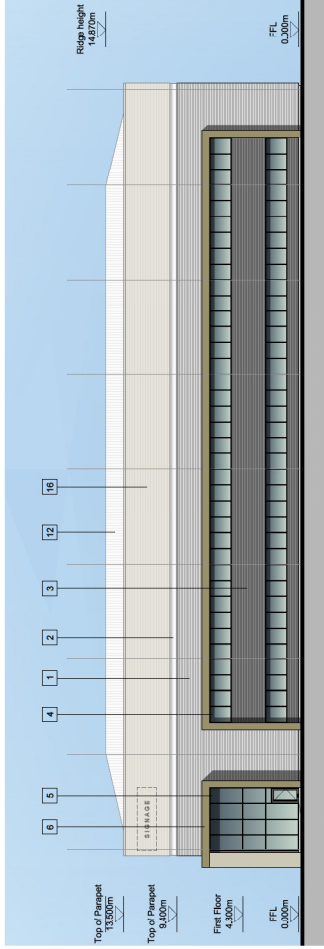
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REVISIONS: Drawn/Checked: DA 10
 A. Warehouse height reduced by 1m. CMG MAR 24

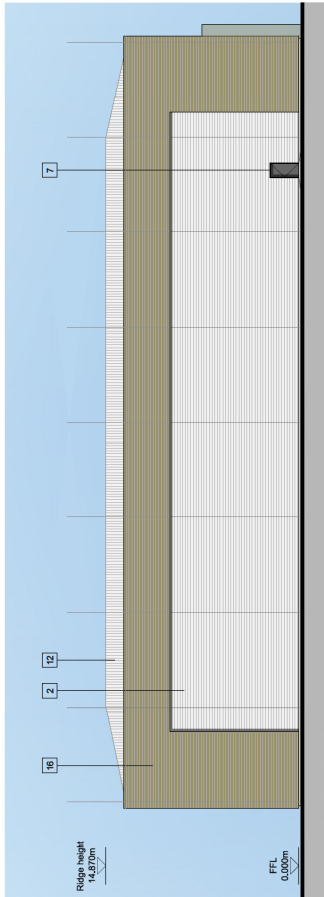
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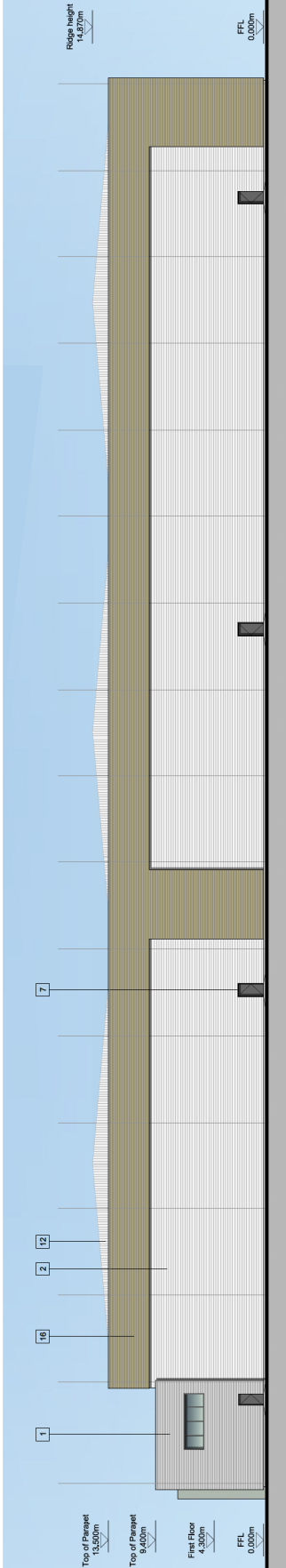
NORTHERN ELEVATION



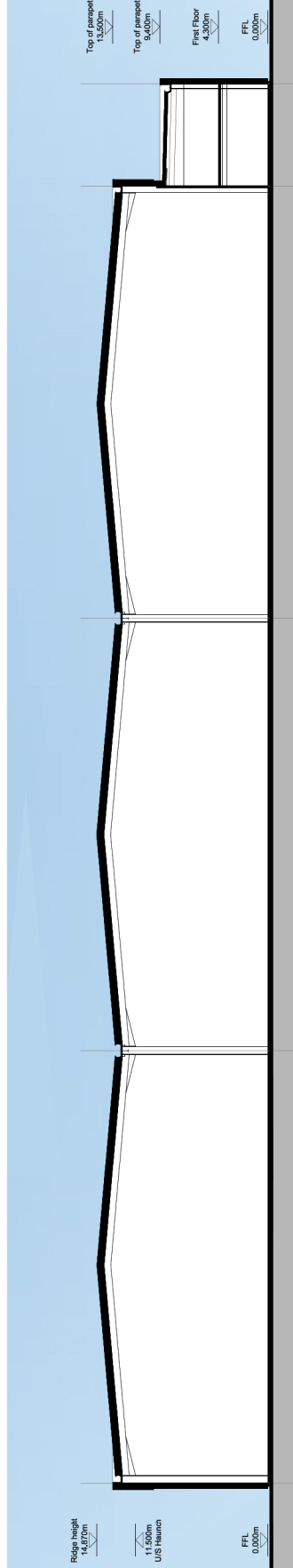
WESTERN ELEVATION



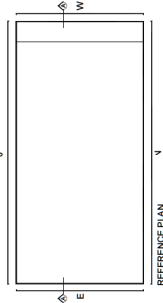
EASTERN ELEVATION



SOUTHERN ELEVATION



TYPICAL LONG SECTION



REFERENCE PLAN

PRC

Client: ARA EUROPE NORTHLAND

Project: GLOUCESTER BUSINESS PARK

13 Waters End, Waters Park, MK2 2NA, UK
 01488 815 114
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Drawing Title: UNIT 4.2 PROPOSED ELEVATIONS & SECTION

Architecture Planning Master Planning Urban Design Landscape

Scale @ A1: 1:200
 Date: ME JAN 23

Issue: 11537
 Issue Date: PL 06
 Issue No: A

Issue Status: Preliminary Working For Construction As Issued

Offices: London, Manchester, Birmingham, Glasgow, Dublin

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Revisions:

Revision	Date	Description
1	EM	Main access and footpath amended
2	EM	EM MAR'24

Legend

- DETAIL PLANNING APPLICATION BOUNDARY
- EXISTING TREES/VEGETATION - TO BE RETAINED
- AREAS TO REMAIN UNTOUCHED VEGETATION
- PROPOSED SPECIMEN TREE
- PROPOSED MULTISTEMMED
- PROPOSED ORNAMENTAL HEDGE
- PROPOSED SPECIES-RICH LAWN
- PROPOSED THICKET MIX PLANTING
- PROPOSED CANOPY RADIUS ON P-AN EIT Free Canopy @ 25 yrs
- PROPOSED CLIMBING PLANTS

Client: ARA EUROPE NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: LANDSCAPE GENERAL ARRANGEMENT PLAN PLOT 4, SHEET 2 OF 3
 Scale @ A1: 1/250
 Date: JAN '23
 Site No: 11537
 Plot: 141
 Rev: A

For continuation refer to drawing 11537_PL_140 Landscape General Arrangement Plan sheet 1 of 3

9 No. *Aspenia cedrus*
 5 No. *Prunus vulgaris*
 11 No. *Prinosporium tenuifolium* 'Tom Thumb'
 23 No. *Pachyandra terminalis* 'Green Carpet'
 92 No. *Trachelium* 'Bamburgh'
 13 No. *Trachelium* 'Bamburgh'
 8 No. *Phytolacca* 'Blackberry'
 6 No. *Phytolacca* 'Blackberry'
 8 No. *Corylus maxima* 'Purpurea'

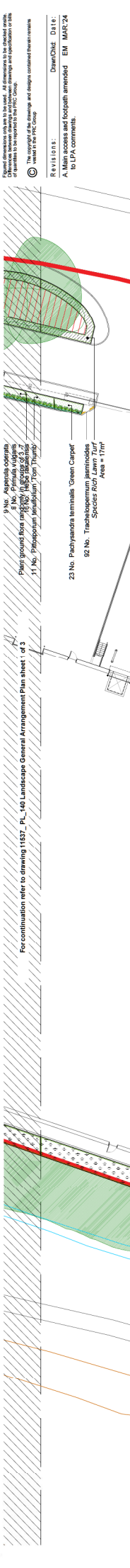
1 No. *Carpinus betulus* 'Frans Fontaine' 20-25cm
 1 No. *Carpinus betulus* 'Frans Fontaine' 20-25cm
 1 No. *Ameilanchier x grandiflora* 'Robin Hill' 18-20cm
 E69 - Grass mixture for hedgerows and woodland
 281 No. *Corylus maxima* 'Purpurea'
 374 No. *Crataegus monogyna*
 54 No. *Salix alba* 'Lutea'
 19/166 *Ligustrum vulgare*
 54 No. *Rhamnus frangula*
 84 No. *Rosa carolina*
 141 No. *Aspenia cedrus*
 Ground flora for shrub and groundcover mix
 Plant ground flora randomly in groups of 3-7

1 No. *Prunus x subhirtella* 'Aurumnalis Rosea'
 1 No. *Buxus sempiternus* 'Suffruticosa'
 1 No. *Pyrus calleryana* 'Chanticleer' 20-25cm
 1 No. *Acer campestre* 'Spectabile' 15-20cm
 1 No. *Prunus x subhirtella* 'Aurumnalis Rosea'
 1 No. *Buxus sempiternus* 'Suffruticosa'
 1 No. *Pyrus calleryana* 'Chanticleer' 20-25cm
 1 No. *Acer campestre* 'Spectabile' 15-20cm

1 No. *Acer campestre* 'Spectabile' 20-25cm
 Native Thicket Mix
 61 No. *Comus sanguinea*
 81 No. *Crataegus monogyna*
 21 No. *Eurostachys palustris*
 41 No. *Ligustrum vulgare*
 41 No. *Prunus spinosa*
 21 No. *Rosa carolina*
 21 No. *Rosa carolina*
 41 No. *Viburnum opulus*
 31 No. *Rehmannia vulgaria*
 31 No. *Rehmannia vulgaria*
 Ground flora for shrub and groundcover mix
 Plant ground flora randomly in groups of 3-7

1 No. *Tilia cordata* 'Virens Orange' 20-25cm
 1 No. *Tilia cordata* 'Virens Orange' 20-25cm
 1 No. *Tilia europaea* 'Palidula' 25-30cm
 1 No. *Amelanchier canadensis*
 104 No. *Corylus avellana*
 35 No. *Illex aquifolium*
 35 No. *Illex aquifolium*
 70 No. *Prunella vulgaris*
 35 No. *Rhamnus frangula*
 35 No. *Rosa carolina*
 25 No. *Aspenia cedrus*
 25 No. *Aspenia cedrus*
 Plant ground flora randomly in groups of 3-7
 E69 - Grass mixture for hedgerows and woodland
 Area = 231m²
 Species Rich Lawn
 Area = 125m²

For continuation refer to drawing 11537_PL_142 Landscape General Arrangement Plan sheet 1 of 3



11537_PL_142 Landscape GA Sheet 3 of 3
 Location Plan NTS
 Client: ARA EUROPE NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: LANDSCAPE GENERAL ARRANGEMENT PLAN PLOT 4, SHEET 2 OF 3
 Scale @ A1: 1/250
 Date: JAN '23
 Site No: 11537
 Plot: 141
 Rev: A

Revision	Date	Description
1	EM	Main access and footpath amended
2	EM	EM MAR'24

Legend

- DETAIL PLANNING APPLICATION BOUNDARY
- EXISTING TREES/VEGETATION - TO BE RETAINED
- AREAS TO REMAIN UNTOUCHED VEGETATION
- PROPOSED SPECIMEN TREE
- PROPOSED MULTISTEMMED
- PROPOSED ORNAMENTAL HEDGE
- PROPOSED SPECIES-RICH LAWN
- PROPOSED THICKET MIX PLANTING
- PROPOSED CANOPY RADIUS ON P-AN EIT Free Canopy @ 25 yrs
- PROPOSED CLIMBING PLANTS

Client: ARA EUROPE NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: LANDSCAPE GENERAL ARRANGEMENT PLAN PLOT 4, SHEET 2 OF 3
 Scale @ A1: 1/250
 Date: JAN '23
 Site No: 11537
 Plot: 141
 Rev: A

For continuation refer to drawing 11537_PL_140 Landscape General Arrangement Plan sheet 1 of 3

9 No. *Aspenia cedrus*
 5 No. *Prunus vulgaris*
 11 No. *Prinosporium tenuifolium* 'Tom Thumb'
 23 No. *Pachyandra terminalis* 'Green Carpet'
 92 No. *Trachelium* 'Bamburgh'
 13 No. *Trachelium* 'Bamburgh'
 8 No. *Phytolacca* 'Blackberry'
 6 No. *Phytolacca* 'Blackberry'
 8 No. *Corylus maxima* 'Purpurea'

1 No. *Carpinus betulus* 'Frans Fontaine' 20-25cm
 1 No. *Carpinus betulus* 'Frans Fontaine' 20-25cm
 1 No. *Ameilanchier x grandiflora* 'Robin Hill' 18-20cm
 E69 - Grass mixture for hedgerows and woodland
 281 No. *Corylus maxima* 'Purpurea'
 374 No. *Crataegus monogyna*
 54 No. *Salix alba* 'Lutea'
 19/166 *Ligustrum vulgare*
 54 No. *Rhamnus frangula*
 84 No. *Rosa carolina*
 141 No. *Aspenia cedrus*
 Ground flora for shrub and groundcover mix
 Plant ground flora randomly in groups of 3-7

1 No. *Prunus x subhirtella* 'Aurumnalis Rosea'
 1 No. *Buxus sempiternus* 'Suffruticosa'
 1 No. *Pyrus calleryana* 'Chanticleer' 20-25cm
 1 No. *Acer campestre* 'Spectabile' 15-20cm
 1 No. *Prunus x subhirtella* 'Aurumnalis Rosea'
 1 No. *Buxus sempiternus* 'Suffruticosa'
 1 No. *Pyrus calleryana* 'Chanticleer' 20-25cm
 1 No. *Acer campestre* 'Spectabile' 15-20cm

1 No. *Acer campestre* 'Spectabile' 20-25cm
 Native Thicket Mix
 61 No. *Comus sanguinea*
 81 No. *Crataegus monogyna*
 21 No. *Eurostachys palustris*
 41 No. *Ligustrum vulgare*
 41 No. *Prunus spinosa*
 21 No. *Rosa carolina*
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 35 No. *Rosa carolina*
 25 No. *Aspenia cedrus*
 25 No. *Aspenia cedrus*
 Plant ground flora randomly in groups of 3-7
 E69 - Grass mixture for hedgerows and woodland
 Area = 231m²
 Species Rich Lawn
 Area = 125m²

For continuation refer to drawing 11537_PL_142 Landscape General Arrangement Plan sheet 1 of 3

70

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REVISIONS: Drawn/Checked: DA 10 / CMC MAR 24
 A: Plot 4 main access amended and LPA Comments, red line amended.

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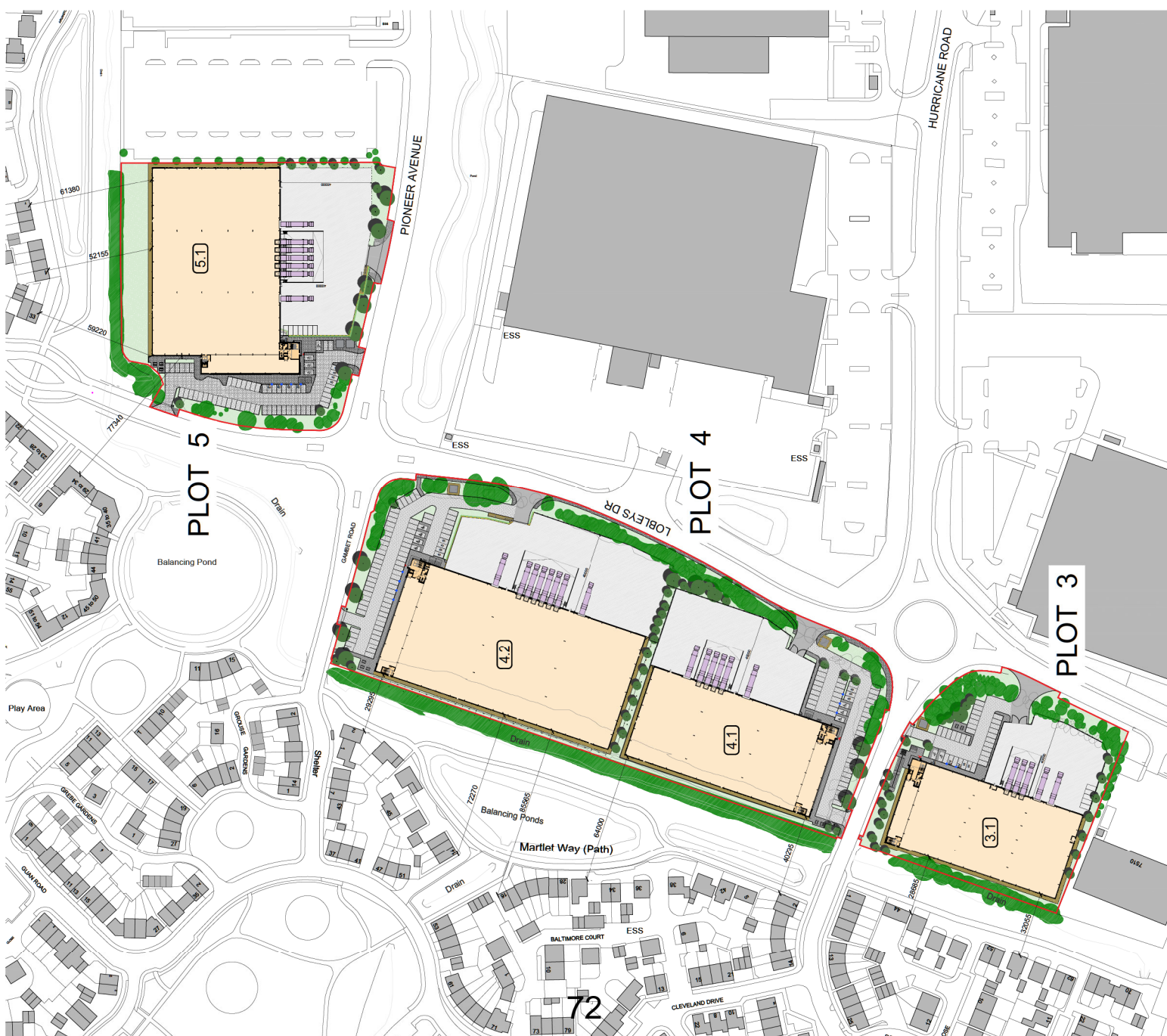
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 Project: GLOUCESTER BUSINESS PARK
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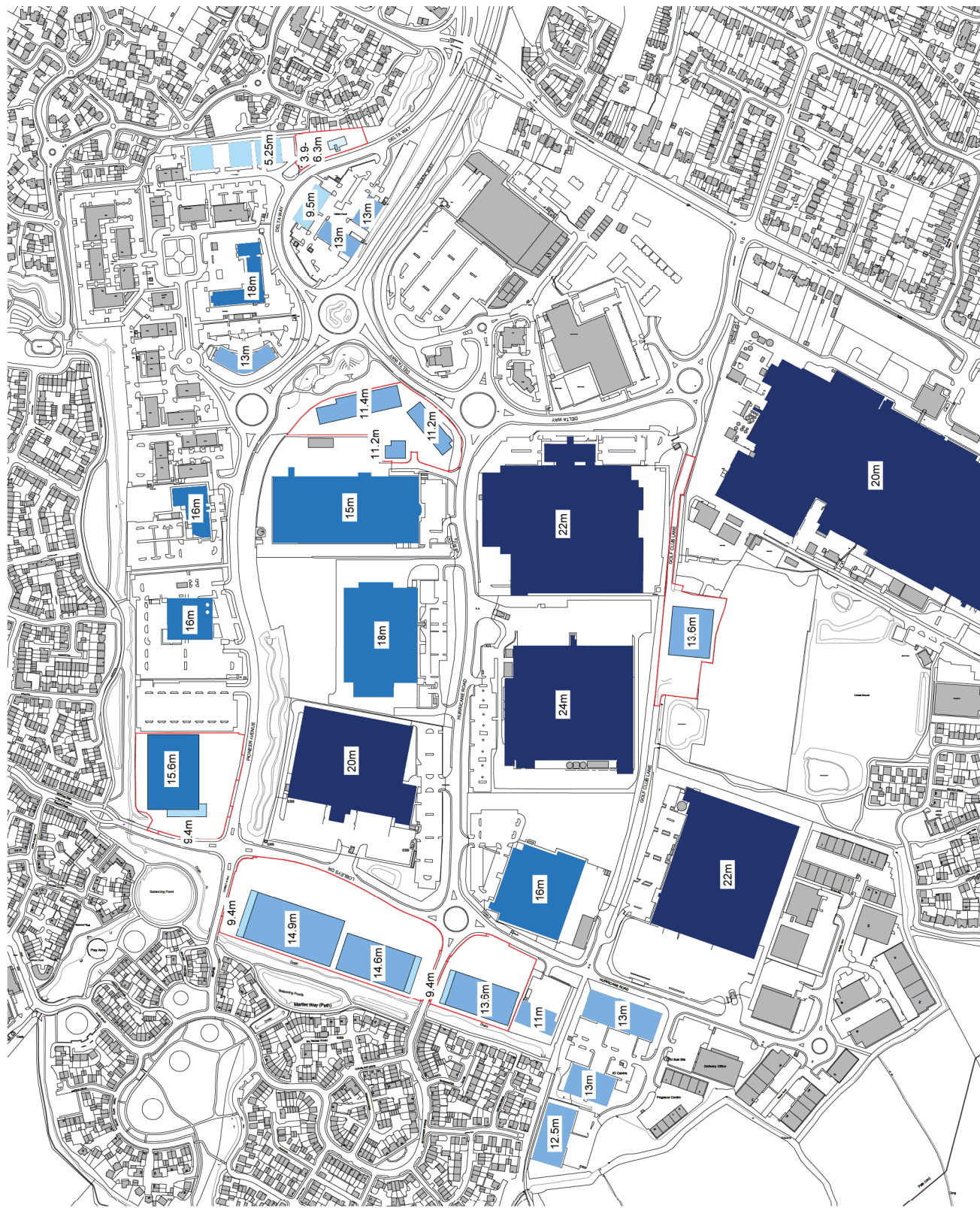
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 Date: APR 23
 Issue: 11537 PL 201 A

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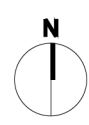
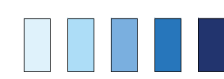
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Scale 1:1000





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Construction:	<input type="checkbox"/>	Preliminary:	<input type="checkbox"/>	Information:	<input type="checkbox"/>
Approval:	<input checked="" type="checkbox"/>	Tender:	<input type="checkbox"/>		

Client: ARA EUROPE, NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: EXISTING AND PROPOSED BUILDING HEIGHTS

Drawn/Chk: CMG
 Date: MAR 24

Revisions:
 A. Heights reduced for Units 3.1, 4.1 and 4.2

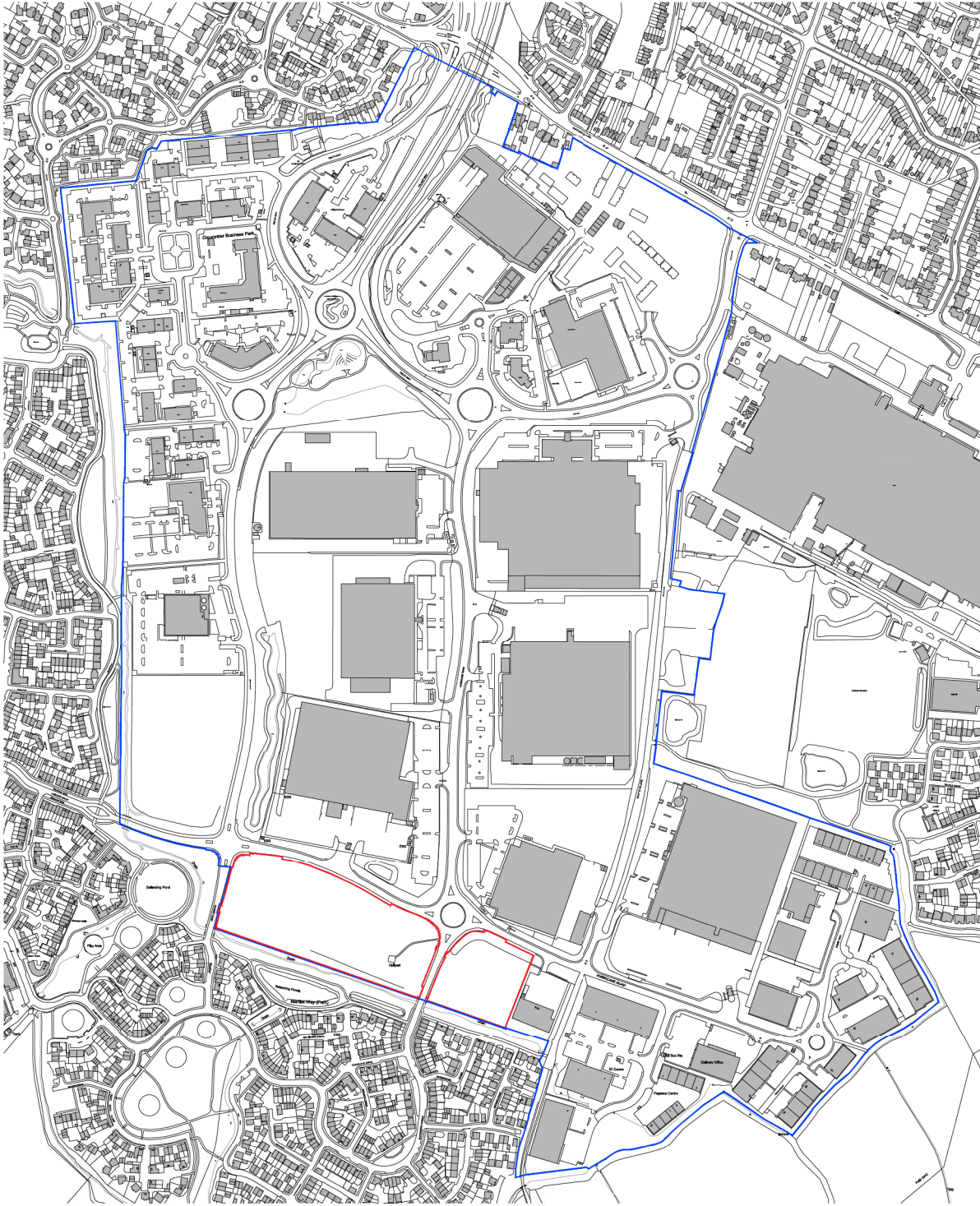
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 01908 305 246
 info@prcgroup.com
 www.prcgroup.com

Revisions:
 A. Red line amended to new secondary vehicle access location update

Drawn/Chd: ASC Date: NOV 23

Client: ARA EUROPE, NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: PLOT 3 & 4 SITE LOCATION PLAN

Scale @ A3: 1:5000
 Job No: 11537
 Checked by: ME
 Stage: PL
 Date: JAN 23
 Drawing No: 003
 Rev: A

Construction Approval Preliminary Tender Information

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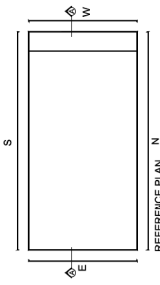
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Drawn/Checked: D.H.A.

MATERIALS KEY

- 1 HORIZONTAL PROFILED CLADDING (SLATE GREY)
- 2 HORIZONTAL PROFILE CLADDING (SILVER GREY)
- 3 HORIZONTAL PROFILE CLADDING (ANTHRACITE GREY)
- 4 ALUMINIUM FRAMED WINDOWS (ANTHRACITE GREY)
- 5 ALUMINIUM FRAMED ENTRANCE DOORS AND GLAZING (ANTHRACITE GREY)
- 6 MAIN ENTRANCE FEATURE (MOORLAND GREEN)
- 7 STEEL PERSONNEL DOORS (ANTHRACITE GREY)
- 8 CORNER PANELS (ANTHRACITE GREY)
- 9 STEEL BOLLARD (YELLOW)
- 10 DOCK LEVELLER (ANTHRACITE GREY)
- 11 COMPOSITE CLADDING (SLATE GREY)
- 12 PROFILED ROOF CLADDING (GOSWENING GREY)
- 13 GLAZED ENTRANCE CANOPY
- 14 OBRUSSED GLASS PANEL
- 15 BACKLIT UNIT NUMERAL (SILVER)
- 16 HORIZONTAL PROFILED CLADDING (MOORLAND GREEN)



Client:
ABA EUROPE
NORTHLAND

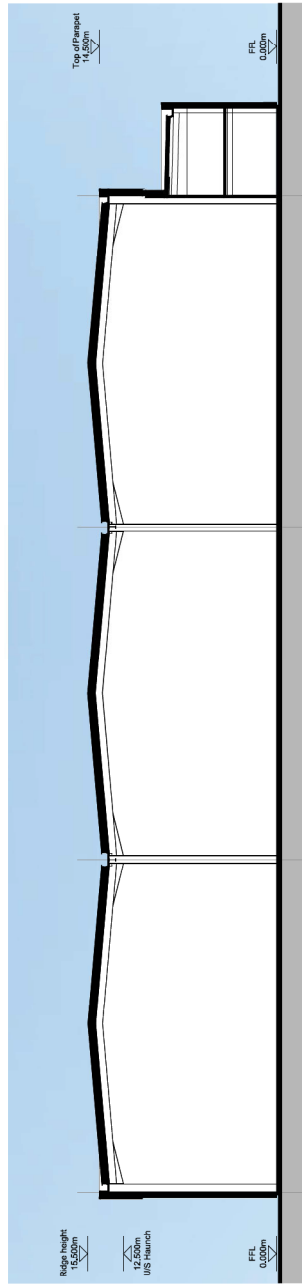
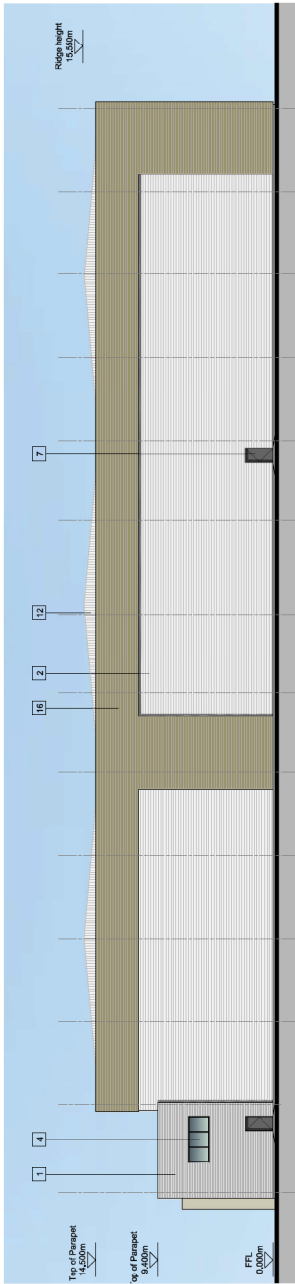
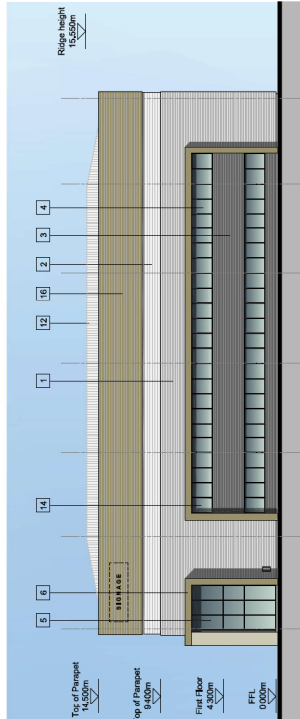
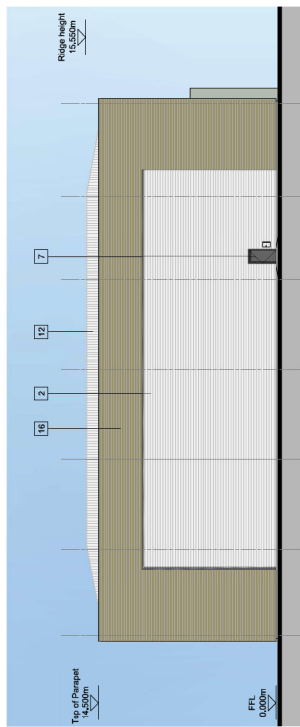
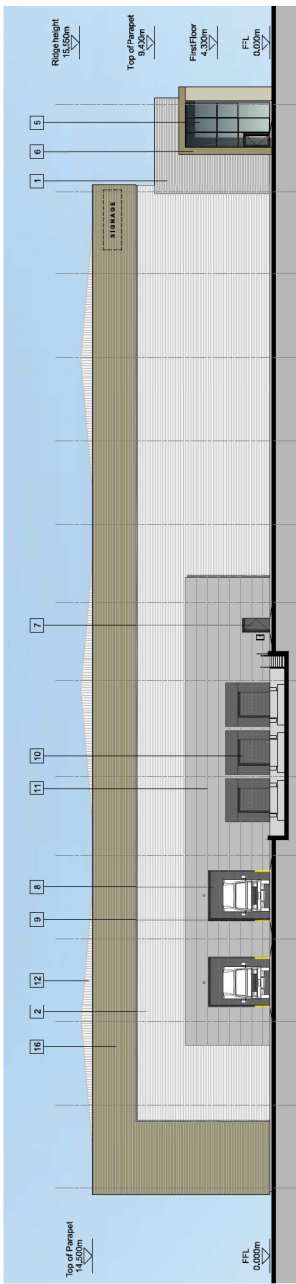
Project:
GLOUCESTER BUSINESS PARK

Drawing Title:
UNIT 3.4
PROPOSED ELEVATIONS
AND SECTION

Architect:
Planning
Planning
Master Planning
Landscape

Scale: 1:500
Classified by: ME
Date: JAN 23
Job No.: 1637
Drawn No.: PL_033

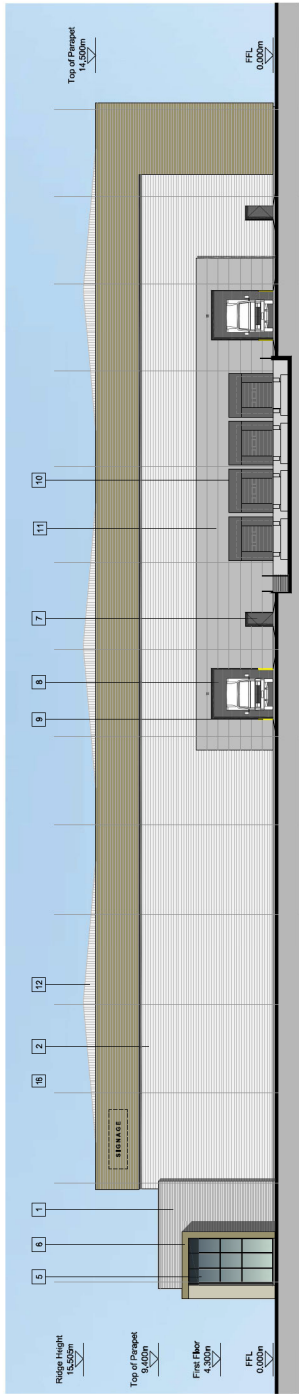
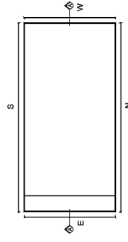
Office:
London
Milton Keynes
Wolverhampton



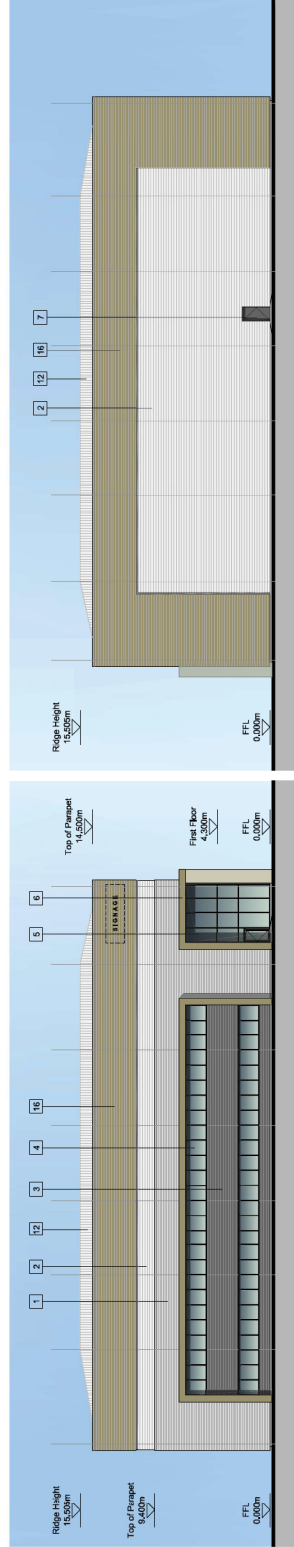
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Drawn/Checked: D.H.A.

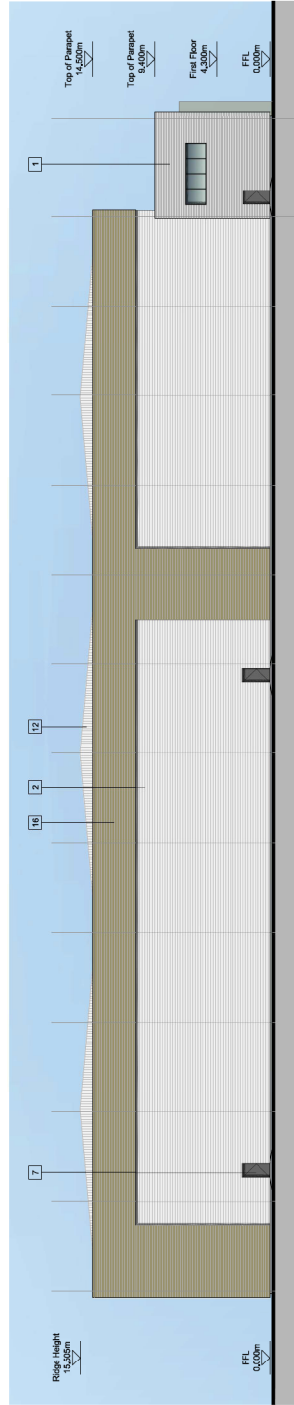
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 - 6 MAIN ENTRANCE FEATURE (WOODLAND GREEN)
 - 7 STEEL PERSONNEL DOORS (ANTHRACITE GREY)
 - 8 LOADING BAY DOORS (ANTHRACITE GREY)
 - 9 STEEL BOLLARD (YELLOW)
 - 10 DOCK LEVELLER (ANTHRACITE GREY)
 - 11 COMPOSITE CLADDING (SLATE GREY)
 - 12 PROFILED ROOF CLADDING (WOODLAND GREEN)
 - 13 GLAZED ENTRANCE CANOPY
 - 14 OBSCURED GLASS PANEL
 - 15 BACKLIT UNIT NUMERAL (SILVER)
 - 16 HORIZONTAL PROFILED CLADDING (WOODLAND GREEN)



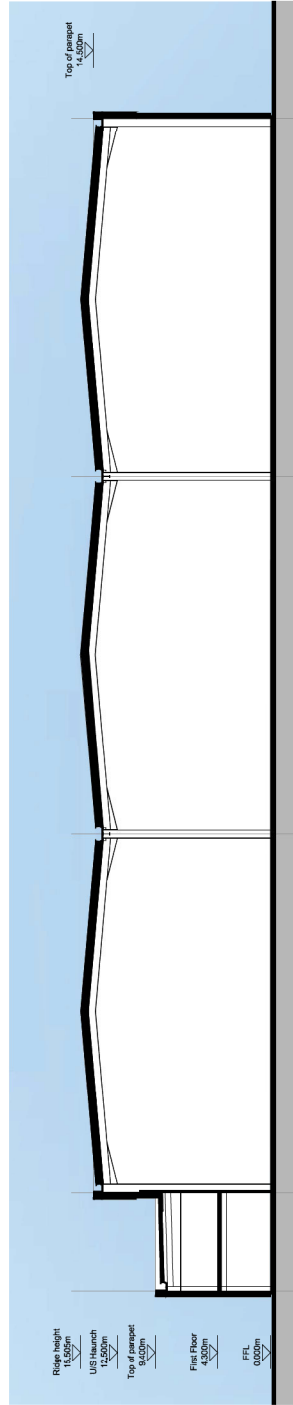
NORTHERN ELEVATION



EASTERN ELEVATION



WESTERN ELEVATION



TYPICAL LONG SECTION



PRC

Client: ABA EUROPE NORTHLAND

Project: GLOUCESTER BUSINESS PARK

Drawing Title: UNIT 4.4 PROPOSED ELEVATIONS & SECTION

12 Weymouth, Milton Keynes, MK11 3JL, UK
0114 331 144
info@prcgroup.com
www.prcgroup.com

Architect: PRC

Prepared by: ME Date: JAN 23

Checked by: ME Date: JAN 23

Scale: PL 045

Office: Milton Keynes

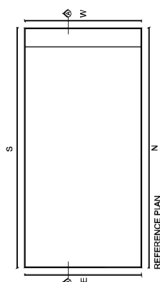
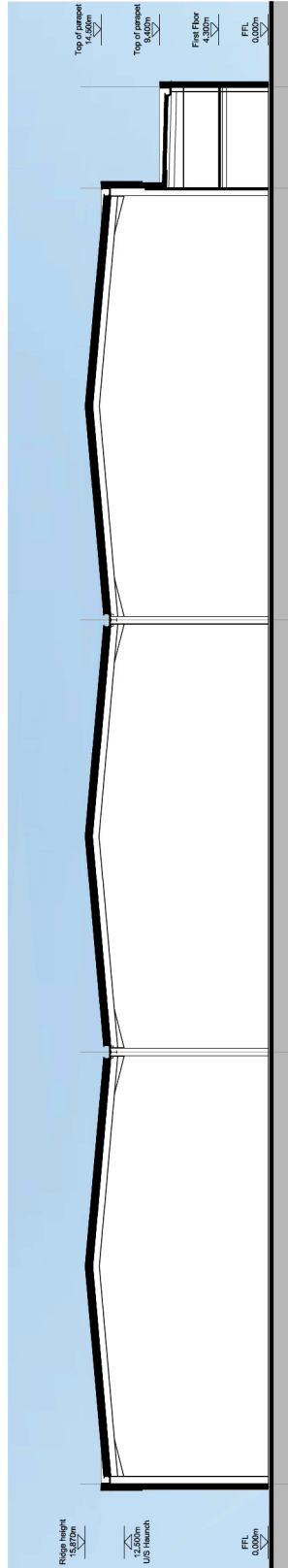
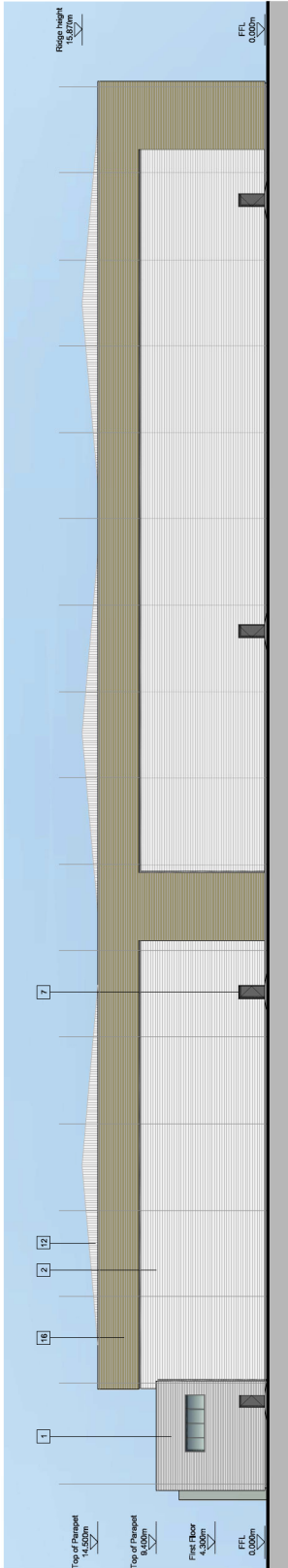
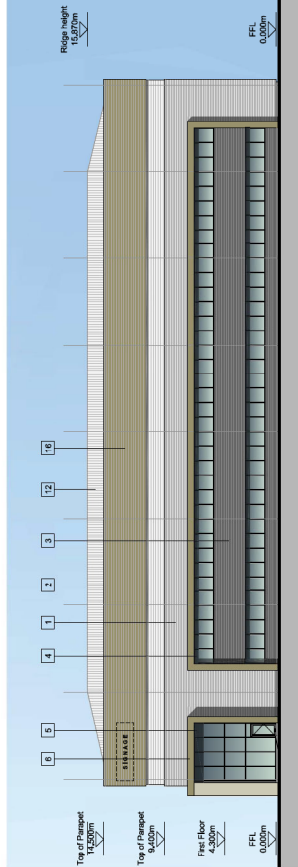
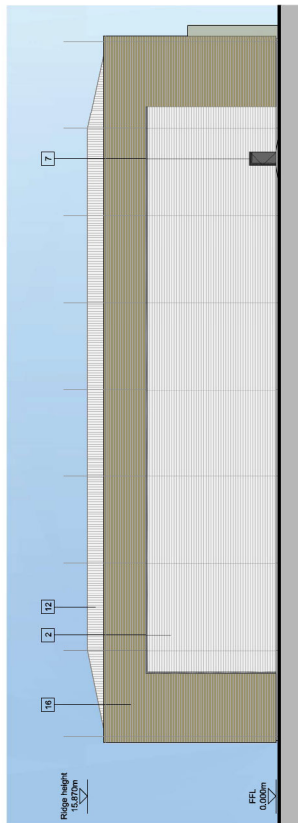
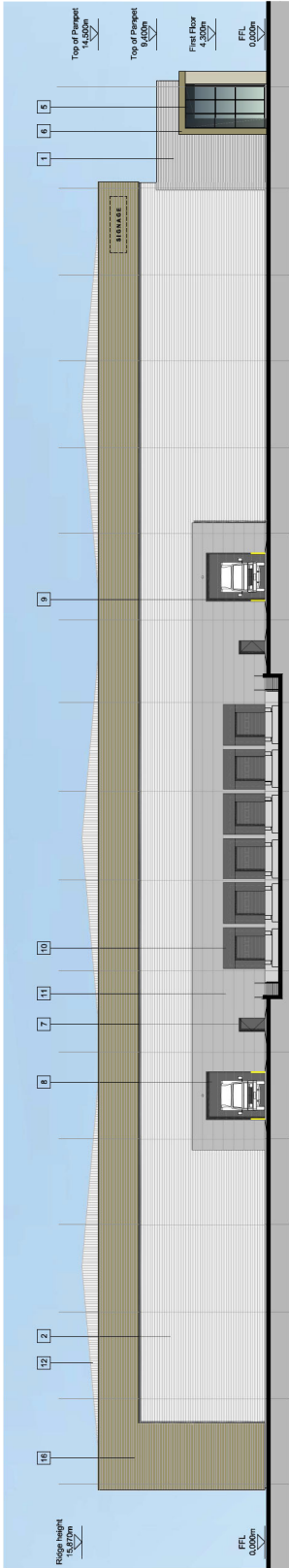
Construction: Preliminary London Approval Milton Keynes Review Weymouth

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Final elevations are to be used. All dimensions to be finished levels. Dimensions to be used for the construction of the building. All dimensions to be used for the construction of the building. All dimensions to be used for the construction of the building.

Drawn: CHK: D 111

- MATERIALS KEY**
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 - 6 MAIN ENTRANCE FEATURE (WOODLAND GREEN)
 - 7 STEEL PERSONNEL DOORS (ANTHRACITE GREY)
 - 8 GLAZED ENTRANCE CANOPY (WOODLAND GREEN)
 - 9 STEEL BOLLARD (YELLOW)
 - 10 DOCK LEVELLER (ANTHRACITE GREY)
 - 11 GALVANIZED CLADDING (ANTHRACITE GREY)
 - 12 PROFILES FOR JOINTING (WOODLAND GREEN)
 - 13 GLAZED ENTRANCE CANOPY
 - 14 OBSCURED GLASS PANEL
 - 15 BACK-LIT UNIT NUMERAL (SILVER)
 - 16 HORIZONTAL PROFILED CLADDING (WOODLAND GREEN)



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Client: ABA EUROPE NORTHLAND

Project: GLOUCESTER BUSINESS PARK

22 Warren Road, Milton Keynes, MK11 3JL, UK
0114 331 144
www.prcgroup.com

Architect: Planning
Master Planning
Interior Design
Landscape

Drawn by: T.H.H.
Unit: 4.2

Scale: Drawing No: PL_046

Issue Status:
Construction Preliminary
Permitted Approval
Final Working

Office: Milton Keynes
London
Milton Keynes
Wolverhampton

PRC Architecture & Planning

Planning Committee

Date	23 April 2024
Case Officer	Erica Buchanan
Application No.	23/00276/APP
Site Location	Plot 5 Gloucester Business Park
Proposal	Reserved matters application in relation to Plot 5 for the erection of employment development of 6,773 sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 development with ancillary offices, alongside discharge of pre-commencement conditions 8 and 11 to planning permission reference 11/01155/FUL.
Ward	Churchdown Brookfield With Hucclecote
Parish	Hucclecote
Appendices	Site Location Plan Site Layout Plan Elevations & Sections Ground Floor Plan First Floor Plan Existing & Proposed Building Heights Plan
Reason for Referral to Committee	Parish Council objection
Recommendation	Delegated Approve

Site Location



1. The Proposal

Full application details are available to view online at:

<https://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RRMFAWQDGCX00>

- 1.1 The application is for the approval of Reserved Matters (in relation to Plot 5) for the Erection of Employment Development of 6,773 sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 (general industrial) and B8 (Storage and distribution) development with ancillary offices. The reserved matters being considered through this application relate to scale, appearance, layout, access and landscaping.
- 1.2 In addition to seeking approval of reserved matters, there is a requirement to submit details pursuant to Conditions 8 and 11 of the relevant consent ref 11/01155/FUL relating to drainage and landscaping as part of the reserved matters application. The relevant conditions state:
- 8. The reserved matters submitted pursuant to Condition 1 shall be accompanied by a sustainable drainage scheme for the relevant part of the development. The drainage scheme shall be in accordance with the approved Surface Water Drainage Strategy for the whole site (Ref: JLWi/28049/02 Enc by Mouchel Parkman dated 3rd October 2005). The approved scheme shall be completed in accordance with the approved details prior to the first occupation of that part of the development and the scheme shall be managed and maintained thereafter in accordance with the approved details.*
- 11. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees and hedgerows on that part of the development and details of any to be retained together with measures for their protection during the course of development.*
- 1.3 Details in respect of these two conditions have been submitted with this application.
- 1.4 The proposal is for the erection 1 warehouse building with a footprint of circa 6,977 square metres with an overall height of 15.6 metres to ridge level (**See Proposed Elevations & Sections Plan**). The scale of the proposed building is comparable but smaller than nearby developments in Gloucester Business Park. (**See Existing & Proposed Building Heights Plan**)
- 1.5 The building would be set to the western part of the site and would retain a landscaped buffer, separating the development from nearby residential properties. The proposal would create a service yard to the east of the building, accessed from Pioneer Avenue, along with a further access to a separate carpark which would provide 65 parking spaces including EV charging provision and 22 cycle spaces. A further emergency access would be provided onto Lobleys Drive.

2. Site Description

- 2.1** The site forms an undeveloped plot to the southwestern corner of Gloucester Business Park (GBP), which was granted outline planning permission for B1, B2 and B8 development in March 1992 (ref: 88T/7689/01/01). The permission was subsequently renewed in January 2001 to allow a further 10 years for the submission of reserved matters for the remaining commercial developments on the site (ref: 01/7689/0095/FUL). In 2012 a further extension of time was granted for the submission of reserved matters applications for the remaining commercial plots up to March 2026 (ref: 11/01155/FUL). Gloucester Business Park is a strategic employment site in the region covering over 111ha of land with a variety of uses comprising a mix of office, industrial, retail and leisure. The site was formerly the factory and test airfield for the Gloster Aircraft Company until 1965 and has been established as a business park since Arlington began developing it in the 1990s.
- 2.2** The application site consists of undeveloped land known as Plot 5 and comprises an undeveloped 1.58 hectare parcel of land situated north of Lobleys Drive and west of Pioneer Avenue. There is a car park associated with the ecclesiastical insurance offices to the north and a residential area to the West. Between the site and the residential area in the West is a footpath avenue which is bounded by a dense tree line.
- 2.3** The South and West boundary of the site are vegetated providing a green buffer between the site and the adjacent residential areas and enclosing the site and wider business park. A tributary to the Wootten Brook is also located to the West of the site.
- 2.4** The plot consists of levelled vacant development land. Currently there are no existing access points. There are no Listed Buildings within or close to the site and the site is not located within a Conservation Area. There are no tree preservation orders affecting the site and the site falls within Flood Zone 1 which is the zone at the lowest risk of flooding.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
88T/7689/01/01	Outline application for Class B1, B2 and B8 Business/industrial use and residential development on 107ha. Construction of new access roads.	Permit	10.03.1992
01/7689/0095/FUL	Variation of condition 2 of planning permission 88T/7689/01/01.	Permit	25.10.2001
11/01155/FUL	Proposed Class B1, B2 and B8 Business/industrial use (Extension to time limit for the submission of reserved matters applications for planning permission ref: 01/7689/0095/FUL as originally permitted by application ref: 88T/7689/01/01)	Permit	09.10.2012
23/00275/APP	Reserved Matters Application in relation to Plots 3 and 4 for the Erection of Employment Development of 16,481sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2	Pending	

	(general industrial) and B8 (storage and Distribution) Development with ancillary offices, alongside discharge of pre-commencement conditions 8 and 11 to planning permission reference 11/01155/FUL.		
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4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Hucclecote Parish Council – Concerned

- Building is excessive in height
- Location is close to residential buildings in Arlington Rd
- Would feel overpowering, result in overshadowing
- Detrimental to the residential area
- Noise and light pollution
- Restrictions on the hours of use recommended
- Restriction on external lighting hours recommended
- Impact on traffic and existing logistic companies
- Updated traffic modelling study should be undertaken
- Concern about additional vehicle movements and congestion at peak times.
- Wish to see photo voltaic cells on entire roofs
- Buildings should to BREEAM excellent standard.

4.2 Brockworth Parish Council - Objection

- Height of the building and its proximity to residential housing
- Potential to overshadow neighbouring properties and affect light
- Height of the building should be reduced and position amended
- Increase in traffic
- More PV's should be installed

4.3 Environmental Health Officer – No objection

- Submitted lighting report recommendations to be implemented.
- Submitted noise report recommendations to be implemented

4.4 Tree Officer – No objection

4.5 Ecology Advisor – No objection subject to conditions.

4.6 Highway Authority- No objections subject to conditions.

4.7 Drainage Officer – Further information required.

4.8 Lead Local Flood Authority – No comment.

4.9 Archaeology - No comments received.

4.10 Nature Space – No objection subject to conditions

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

5.1 The application has been publicised through the posting of a site notice for a period of 21 days, neighbour notification letters and the publication of a press notice.

5.2 Sixteen representations have been received objecting to the scheme. The comments raised are summarised below:

- Proximity to residential occupiers
- Loss of light and overbearing
- Loss of outlook
- Detrimental by reason of scale and style
- Inconsistent with existing area by reason of materials and size
- Would detract from residential area
- Increase use of weight limited bridge over motorway using Lobley's Drive
- Noise and vibration
- Increased traffic, HGV's and congestion
- 2 accesses would impact safety
- Neglect to explore alternative uses
- Detriment to wildlife
- Detriment to existing townscape
- Should use brick and render not metal cladding
- Already unused units on estate
- Should provide for an alternative use
- More and higher screening/trees should be provided to Martlet Way

5.3 One letter of support from the Local Economic Partnership (LEP). The comments raised are summarised below:

- Proposals will provide for a good mix of much needed high quality employment space
- Well-established and well-connected location.
- New jobs close to a large residential district
- Opportunities for sustainable/active travel to work for residents
- Commend the attention to the green / landscaped features

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- Policy SD1 (Employment -except Retail Development)
- Policy SD3 (Sustainable Design and Construction)
- Policy SD4 (Design Requirements)
- Policy SD6 (Landscape)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD14 (Health Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk Management)
- Policy INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- Policy EMP 1 (Major Employment sites)
- Policy EMP 5 (New employment development) (General)
- Policy ENV2 (Flood risk and Water management)
- Policy TRAC1 (Pedestrian Accessibility)
- Policy TRAC 2 (Cycle Network & Infrastructure)
- Policy TRAC 3 (Bus Infrastructure)
- Policy TRAC 9 (Parking Provision)
- Policy NAT1 (Biodiversity, geodiversity and Important Natural Features)

6.5 Neighbourhood Plan

None

7. Policy Context

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.

7.3 The relevant policies are set out in the appropriate sections of this report.

7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2023 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Principle of development

8.1 The application site comprises an undeveloped parcel of land within Gloucester Business Park. The site benefits from outline planning permission for class B1, B2 and B8 business/industrial use and therefore the principle of development has already been established.

- 8.2** Gloucester Business Park is identified as a Major Employment site within Policy EMP1 of the TBLP which supports proposals for employment uses. Policy SD1 of the JCS supports employment related development. As the site forms part of a designated Strategic Employment Site with an extant planning consent for employment related development, the principle of development is therefore acceptable and it remains that the matters for consideration as part of this application are those specific reserved matters concerning this plot, which are details of scale, layout, appearance, access, and landscaping.

Scale

- 8.3** Policy SD4 of the JCS sets out requirements for scale and high-quality design to new development and Policy EMP 5 of the TBLP states that development must respect the character, scale and proportion of the proposal and the surrounding development's character.
- 8.4** The heights and sizes of the existing employment buildings throughout the Business Park vary considerably and range from 11 to 24 metres in height. The proposed building for this site would have an overall height of 15.6 metres to ridge level and would have a footprint of circa. 6,977 square metres.
- 8.5** The scale of the proposed building would be comparable to the two buildings to the north and significantly smaller in both footprint and overall height when compared to buildings to the east and the more central part of the business park.
- 8.6** The proposed building would be set away from the western boundary of the site, which then adjoins residential properties beyond. It is considered that as a result of the separation from neighbouring properties, the height and positioning on the site would provide an appropriate transition in scale of development which would be consistent with that of adjoining buildings to the north, resulting in an acceptable relationship to nearby commercial and residential properties.

Layout and Appearance

- 8.7** JCS Policy SD4 sets out that new development should respond positively to and respect the character of the site and its surroundings, enhancing local distinctiveness and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form, which should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.8** Buildings within Gloucester Business Park comprise a varied design and palette of materials, ranging from brickwork, render, coloured composite panels and various forms of cladding and there is no single prevailing character to this part or the wider business park.
- 8.9** The proposed building would have a linear form with a north-south orientation across the site. The southern part of the building fronting the junction of Gambet Way and Lobleys Drive would include a glazed office section which would serve to add visual interest to the building and would contrast with the more utilitarian appearance of the main warehouse element of the building which would comprise of framed horizontal profile metal cladding of contrasting colours. It is considered that the overall design and finish would result in buildings of an appropriately high quality and visual interest.

- 8.10** The proposed layout, with HGV access and servicing area being located to the eastern side of the building onto Pioneer Avenue would have the benefit of the building providing both acoustic and visual screening from the residential properties to the west.
- 8.11** The staff and visitor parking would be set to the southern part of the site behind a landscaped buffer and would be set a significant distance of over 52 metres from the nearest residential property.
- 8.12** The proposal is considered to be in accordance with Policy EMP5 of the TBLP and Policy SD4 of the JCS which requires new buildings on existing employment sites amongst other things to be of a scale and design to be compatible with the character of the existing location and its setting.

Landscape and Visual Impact

- 8.13** Paragraph 135 of the NPPF highlights the importance of appropriate and effective landscaping in achieving well-designed places. This advice is reiterated in JCS Policy SD6 which requires new development proposals to ensure that the design of landscaped areas, open space and public realm are of high quality. Policy SD4 (iv) of the JCS requires that new development should ensure that the design of landscaped area, open space and public realm are of a high quality and Policy LAN2 of the TBLP requires new development amongst other things for landscaping to be appropriate to and integrated into their existing landscape setting.
- 8.14** The applicants landscape strategy seeks to deliver long-term landscape, biodiversity and sustainability benefits within an established employment estate. It is proposed that soft landscaping in the form of upright trees and shrub planting is provided within the site. Planting will be incorporated either side of the new service road and between car parking areas and service yards. This would provide visual interest and separation, increasing legibility for users and soften the external areas ensuring there are no large expanses of hard surfacing.
- 8.15** The Landscape strategy states that planting will be carefully selected to ensure that native species are incorporated where possible and that slow growing, low maintenance species are used. This is to enhance the biodiversity of the site and to ensure safety for pedestrian and vehicle users by avoiding planting affecting visibility in circulation areas. The existing landscape buffer on the west boundary of the site is to be retained and enhanced to ensure compliance with wildlife legislation and provide adequate protection of habitats and species.
- 8.16** The landscape proposals have been revised since following initial observations from the Council's Tree Officer including additional new meadow grass planting within the western landscape buffer and addition of climbing plants.
- 8.17** It is therefore considered that the proposed landscaping scheme would integrate well with existing established landscaping throughout the business park and would be in accordance with policies SD6 and SD 4 of the JCS, policy LAN2 of the TBLP and the NPPF.

Access and highway safety

8.18 The NPPF at Paragraph 115 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, Paragraph 114 of the NPPF states:

“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

8.19 JCS Policy INF1 requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Policies TRAC1 and TRAC2 of the TBLP seek to protect and enhance pedestrian and cycle access. Policies TRAC3 and TRAC9 provide guidance on bus connectivity and parking provision.

8.20 As this is a reserved matters application, the highway impact is limited to the suitability of the site accesses and the internal layout as the principle of the employment land use and associated traffic generation has already been established by the granting of the outline planning permission.

8.21 The County Highways Authority has been consulted on the application and having regard to the Transport Statement and subsequent submitted technical note in June 2023, consider that the proposal is acceptable in principle. The Highways Officer has noted possible impacts of HGV's obstructing the highway if site gates are closed however this can be addressed via a condition requiring gates to be left open during peak daytime hours.

8.22 It is also noted that the proposal includes separate vehicular accesses for emergency use only. The restricted use of this access directly onto Lobleys Drive can be controlled by condition.

8.23 Subject to compliance with conditions it is considered that the proposed development would have an acceptable impact upon the highway network and would accord with the requirements of JCS Policy INF1.

Residential Amenity

8.24 Policy SD14 of the JCS requires that new development should not cause harm to local amenity including the amenity of neighboring occupants. Policy EMP5 of the TBLP states that development should not have an unacceptable impact on adjacent property and residential amenity.

- 8.25** Following concerns raised by local residents and Parish Councils, the applicant submitted a daylight and sunlight report to assess the impacts of the proposal on nearby residential properties. The assessment was based on the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 3rd Edition' by P J Littlefair 2022. The aim of the assessment is to consider the impact of the development on the light receivable by the neighbouring properties.
- 8.26** This report was assessed by an independent specialist on behalf of the council, who has confirmed that the Daylight and Sunlight Report (Neighbouring Properties) dated 14th December 2024 adequately addresses concerns and that the assessment results indicate that there will be no significant daylight and sunlight effects on adjoining residential properties that would warrant a refusal of planning permission on these grounds.
- 8.27** The applicant has submitted a noise impact assessment together with an external lighting assessment and a ground conditions contamination assessment in support of the application.
- 8.28** The noise assessment states that Predicted Rating Levels from the operation of Plot 5 under 'typical busiest' scenarios including general site-related activities, fixed plant and indoor activity do not exceed the existing Background Sound Levels either during the daytime or night-time. The potential noise impact from the use of the premises is therefore considered to be low at the nearby noise sensitive receptors (NSR). Accordingly, the use of the proposed development without any restrictions on hours of operation would not give rise to a significant risk of disturbance for nearby residents.
- 8.29** The supporting external lighting report produced by Cudd Bentley dated 16th November 2023 notes that a combination of photocells & timeclocks could be installed to control all external lighting. The time clocks will act as a master control and be set to switch off at times when the development is not in operation. Outside of these hours photocells will control the site external lighting according to daylight levels. This would prevent nighttime lighting pollution. Localised security lighting to the rear, bordering the ecological amenity area should utilise integrated local motion control sensors to minimize the potential for unnecessary illumination of the local vegetation habitat. These details are considered to be acceptable and compliance can be secured by condition.
- 8.30** It is therefore considered that the proposal would not harm residential amenity in terms of loss of light, overshadowing or noise and complies with the requirements of Policy SD14 of the JCS and Policy EMP5 of the TBP.

Drainage and flood risk

- 8.31** JCS Policy INF2 states development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach that requires new development to incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate to manage surface water drainage.
- 8.32** It was established during the consideration of the outline application that the site is at low risk of fluvial flooding (Flood Zone 1) and that any surface water drainage issues could be adequately addressed through an effective SUDS scheme. Planning conditions were imposed requiring a SUDS scheme for the business park as a whole, including maintenance and management details. This was conditioned in the renewed consent with details to be submitted as part of the reserved matters applications. (Condition 8).

- 8.33** The development is classed as a 'less vulnerable' use and the proposed development is in Flood Zone 1 and therefore a low risk of flooding.
- 8.34** The current site is classed as greenfield for the purpose of calculating drainage rates. The proposed Plot 5 development would have an impermeable area of 1.285 hectares and a permeable area of 0.280 hectares. Levels will be set where possible to follow the contours of the existing site so as to minimise the requirement for any retaining walls and adhere to best practice and building regulation design standards.
- 8.35** The total attenuation required for the site is approximately 712 cubic metres which would be provided via proposed cellular storage crates and permeable parking bays. The use of SuDS features has been considered and can be incorporated within the design.
- 8.36** The drainage strategy is to discharge the surface water into the existing watercourse located southwest of the site. A Qbar discharge rate of 5.3 l/s has been proposed to meet LLFA requirements. A model simulation has been carried out to ensure that the site meets the proposed discharge rates on the return periods of 1, 30 and 100 year plus a 40% climate change.
- 8.37** It is concluded that the site is unlikely to pose any increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other means.
- 8.38** While the LLFA have been consulted, they have declined to comment on the application as the outline was permitted prior to their inception. The proposed drainage details are therefore being reviewed by the council's drainage engineer who has requested further clarification and details. This is being reviewed by the applicant and **an update will be provided at committee.**

Biodiversity

- 8.39** The NPPF sets out, inter alia, that when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments, especially where this can secure measurable gains for biodiversity. Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. Policy NAT1 of the TBLP states that development proposals that will conserve, and where possible restore and/or enhance, biodiversity will be permitted.
- 8.40** A preliminary Ecological Appraisal was submitted with the application and confirms that the habitats onsite included species poor semi-improved grassland, with a tree lined boundary to the south, wet woodland and stream to the west. The wet woodland was assessed as meeting the criteria as a habitat of Principle importance under the NERC Act 2006.
- 8.41** A Bat Transect Survey Report has been submitted (Focus Environmental Consultants, September 2023) which provides the results of bat transect and static detector surveys undertaken in May, July, and September 2023. Bat species recorded during the surveys included common pipistrelle, a Myotis species and noctule. The most recorded species were common pipistrelle bats, and the most activity was recorded along the south side boundary. The report recommended that the south site boundary be retained as a dark corridor, and that removal of boundary vegetation along the southern boundary be minimised, with additional planting along the remaining boundaries. It should be noted that

the wet woodland along the west site boundary also recorded bat activity, and it is important that this boundary is also retained as a dark corridor.

- 8.42** As such a revised External Impact Lighting Assessment (Cudd Bentley Consulting Ltd, November 2023) was submitted. The revisions include removal of external lights on the west elevation of the building, thereby retaining a dark corridor along the west site boundary. Propose lighting along the south site boundary has also significantly reduced ensuring the proposed bat boxes will not be illuminated. Compliance can be secured by condition.
- 8.43** A Great Crested Newt Survey Report (Focus Environmental Consultants, July 2023) has been submitted. The report included the results of eDNA surveys undertaken on four waterbodies (Ponds 1, 2, 3 and 4) within 500m of the site. A negative result was returned for Ponds 1 and 2, and a positive result was returned for Ponds 3 and 4, with Pond 3 being adjacent to the proposed development site boundary.
- 8.44** A Natural England Rapid Risk Assessment was undertaken, and the result indicated an offence was 'Highly Likely'. The GCN Survey Report stated a Natural England Mitigation licence or inclusion within the District Licensing Scheme is required for the proposed development.
- 8.45** The applicant has opted for the District Licensing route administered by NatureSpace who have confirmed that they have received appropriate information from the applicant and have recommended necessary Conditions to allow for the scheme to be permitted and appropriate licence to be secured.
- 8.46** The trees and scrub offer nesting opportunities for birds, and several species were recorded during the PEA survey. Appropriate mitigation measures are outlined within the PEA reports to avoid potential harm to nesting birds.
- 8.47** Plot 5 offers suitable habitat for reptiles such as slow-worms and grass snakes. A Reptile Survey Report (Focus Environmental Consultants, July 2023) was submitted confirming no reptiles were recorded during the reptile survey site visits. However, the Common toad, a Species of Principal Importance under the NERC Act 2006, were recorded on site. The mitigation measures outlined for reptiles in section 5.2.2 of the EMES report are considered to be appropriate to avoid potential harm to reptiles/other amphibians (e.g. common toad) in the event that they are present on site at the time of construction.
- 8.48** The site also offers some suitable habitat for badgers and hedgehogs. It is considered that the mitigation measures outlined in section 6.2. of the EMES report are appropriate to avoid potential harm to badgers and hedgehogs
- 8.49** No biodiversity net gain (BNG) data has been submitted as the original outline consent was submitted prior to the introduction of national legislation and policy in the development plan and therefore does not form part of the consideration for the reserved matters application.
- 8.50** It was note that the application site could impact on the Cotswold Beechwoods Special Area of Conservation and as such a Habitat Regulations Assessment Screening Opinion report (Focus Environmental Consultants, July 2023) was submitted. The HRA assessment concluded that the proposed development is not considered to give rise to a 'likely significant effect' on the Cotswold Beechwoods SAC and the Council's ecological adviser has confirmed that an Appropriate Assessment is not required.

- 8.51** Subject to compliance with conditions it is considered that the application would have an acceptable impact on biodiversity.

Energy and Sustainability

- 8.52** The NPPF at Section 14 deals with meeting the challenge of climate change, flooding and Coastal change seeking development which increases the use and supply of renewable and low carbon energy. Policy INF5 of the JCS supports proposals where they are designed to produce net energy savings. JCS policy SD3 requires development proposals to demonstrate how development contributes to sustainability by energy efficiency and adaptable for climate change.
- 8.53** The applicants have submitted an energy and sustainability report in compliance with Policy SD3 of the JCS, explains that the recommended sustainability features for the development, which from a dynamic energy model, would allow for an 6% energy saving from a base (Building Regulations) Part L (2021) compliant build, and a 5% reduction in carbon emission is anticipated through the incorporation of Air Source Heat Pumps and passive energy efficiency measures. This exceeds the local planning requirement set out by policy and complies with Policy SD3 (Sustainable design and construction).
- 8.54** The energy and carbon savings are to be achieved through passive design, energy efficient measures incorporating design features such as energy efficient lighting, submetering of relevant areas, upgrading of 'U' values and occupancy sensing in relative areas, as well as the incorporation of Air Source Heat Pumps and 74 kW of Photovoltaic Array.
- 8.55** To reduce the energy demand of the development as well as help to conserve water resources within the local area, it is proposed that the fit-out works will provide for sanitary fittings which will be water efficient through measures such as dual flush toilets and low flow taps. The design of the proposed development will take a holistic approach to the integration of sustainable design from inception with commitment to achieve a BREEAM 'Excellent' and EPC B rating. Constructed to modern standards and to provide adaptable and flexible workspace suitable for future needs, the proposal also targets reduction in carbon emissions from Building Regulation standards.
- 8.56** The development is located within Brockworth, and as such is in proximity to public transport nodes, existing bus routes as well as a range of primary local amenities such as a postal service, cash points and food outlets. These features allow for the reduction of car-based travel and transport related pollution.
- 8.57** The incorporation of these sustainability measures along with the provision of EV charging points and cycle stores allow for the proposed development to be deemed sustainable whilst targeting compliance with local and national policy.

9. Conclusion

- 9.1** The application site benefits from an extant planning permission for employment use and the principle of development is already established. This application therefore stands to be determined on the reserved matters thereto. It is considered that the submitted details, (subject to no objections being raised by the drainage adviser) are acceptable, would accord with the parameters of the extant outline planning permission and relevant policies as outlined above.

Benefits

- 9.2 The benefits of the scheme would be to provide 6,773 sqm GIA contributing to the provision of an appropriately sized building for occupiers seeking larger premises to support business growth providing 115-206 FTE jobs.
- 9.3 The location of the buildings is close to existing residential properties and would provide jobs in the local area enabling people to work and live in the area and in sustainable manner.

Harms

- 9.4 The proposal would result in the loss of an undeveloped area of grassland and there would be some impact on wildlife and habitats however this harm would be limited given the site's condition, the fact the site already benefits from outline planning permission and that the impacts can be appropriately mitigated against compliance with conditions and appropriate licence.

Neutral

- 9.5 The site lies within the existing business park and the proposed buildings would be compatible with the area. Furthermore the proposal would have no demonstrable adverse impacts in planning terms on the living conditions of adjoining residents or visual amenity of the area.

10. Recommendation

- 10.1 It is recommended that authority be **DELEGATED** to the Development Management Team Manager to **APPROVE** the application subject to no adverse observations from the Council's Drainage adviser and any additional or amended conditions arising.

11. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following documents, except where these may be modified by any other conditions attached to this permission:
- Drawing Number 11537_PL_004 Site Location Plan
 - Drawing number 11537 PL 050B Site Plan
 - Drawing number 11537_PL_051 Ground Floor Plan
 - Drawing Number 11537_PL_052 First Floor Plan
 - Drawing Number 11537_PL_053 Elevations and Section
 - Drawing Number 11537_PL_054 Roof Plan
 - Drawing Number 11537_PL_151 A Plot 5 Landscape GA sheet 1 of 2
 - Drawing Number 11537_PL_151 A Plot 5 Landscape GA sheet 2 of 2
 - Drawing Number 2665-P-12 Tree Protection Plan
- Energy and Sustainability Statement by Cudd Bentley Consulting Ltd Document Ref: 6365-CBC-IC-RP-S-004-P04 Rev 004 dated March 2023
- External Impact Lighting assessment, Document Ref: 6365-CBC-OR-RP-E-004 Revision PO2 dated November 2023 by Cudd Bentley.

- Noise Impact Assessment by Spectrum ref: DP835/22259/Rev. 2 dated 09/02/2023
- Ecological Mitigation and Enhancement Strategy (EMES) report (Focus Environmental Consultants, October 2023)
- Preliminary Ecological Appraisal report (Focus Environmental Consultants, February 2023)
- Ecological Impact assessment by Focus Environmental Consultants September 2023)
- The Ecological Mitigation and Enhancement Strategy (EMES) report (Focus Environmental Consultants, July 2023)

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

- 2** No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Plot 5, Gloucester Business Park: Impact Plan for great crested newt District Licensing (Version 1)", dated 12th September 2023.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 3** No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 4** No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence') and in addition in compliance with the following: - Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians. - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development). - Amphibian fencing and pi all trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural

Communities Act 2006.

- 5 No work shall start on the construction of the buildings hereby approved until details of floor slab level relative to each existing building on the boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the new buildings shall be constructed at the approved floor slab levels.

Reason: To protect the amenity of neighbouring properties and to ensure that the proposed development does not have an adverse effect on the character and appearance of the area.

- 6 Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

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

- 7 All planting comprised in the approved details of tree/hedgerow planting shall be carried out in the first planting season following the occupation of any building or the completion of the development, whichever is the sooner. If any trees or hedgerows, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, these shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any trees or hedgerows fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year period.

Reason: To ensure adequate provision for trees/hedgerows, in the interests of visual amenity and the character and appearance of the area.

- 8 The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6 metres above carriageway level at the centre of the accesses including emergency accesses to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6 metres in height above carriageway level.

Reason: In the interests of highway safety.

- 9** No building hereby approved shall be brought into use until the access, parking and turning facilities (to serve that building) to the nearest public highway has been provided as shown on the approved drawings.

Reason: To ensure that a safe and convenient means of emergency access can be provided in the interests of highway safety.

- 10** The use shall not commence until details of a scheme to prevent access (by way of retractable bollards, gates or other means), by motor vehicles through the emergency access have been submitted to and agreed in writing by the Local Planning Authority. The retractable bollards, gates or other means shall then be constructed in accordance with the approved plan and remain locked permanently thereafter unless otherwise required in an emergency.

Reason: In the interest of highway safety

- 11** Notwithstanding the submitted details. 10% of parking spaces for each unit shall be provided with electric vehicle charging points and marked out as electric vehicle charging spaces close to entrances including at least 5% prior to occupation and 5% within three years of occupation. All electric vehicle charging points shall comply with the latest building regulations for commercial electric charging spaces, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with such details and are operational. The charging points installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities.

- 12** The development hereby approved shall not be brought into use until the accessible car parking spaces have been provided and thereafter shall be kept available for disabled users as approved.

Reason: To provide safe and suitable access for all users.

- 13** The Development hereby approved shall not be until sheltered, secure and accessible bicycle parking, and showers have been provided in accordance with submitted plans. Notwithstanding submitted details lockers for staff shall also be provided. These facilities shall be maintained for their purposes thereafter.

Reason: To promote sustainable travel and healthy communities.

- 14** The gates to the servicing yard shall remain open between the hours of 0700-1900 Monday to Friday.

Reason: In the interest of highway safety.

12. Informatives

- 1 The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency
- 2 Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.
- 3 Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.
- 4 It is recommended that the Nature Space Best Practice Principles are considered and implemented where possible and appropriate.
- 5 It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.
- 6 It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.
- 7 It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mi ga on principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mi ga on Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).
- 8 The development hereby approved may include the carrying out of work on the public highway. You are advised that before undertaking work on the public highway checking the highway ownership and management arrangement that you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out if adopted highway.

- 9** Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Councils costs in undertaking the following actions:

Drafting the Agreement
A Monitoring Fee
Approving the highway details
Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

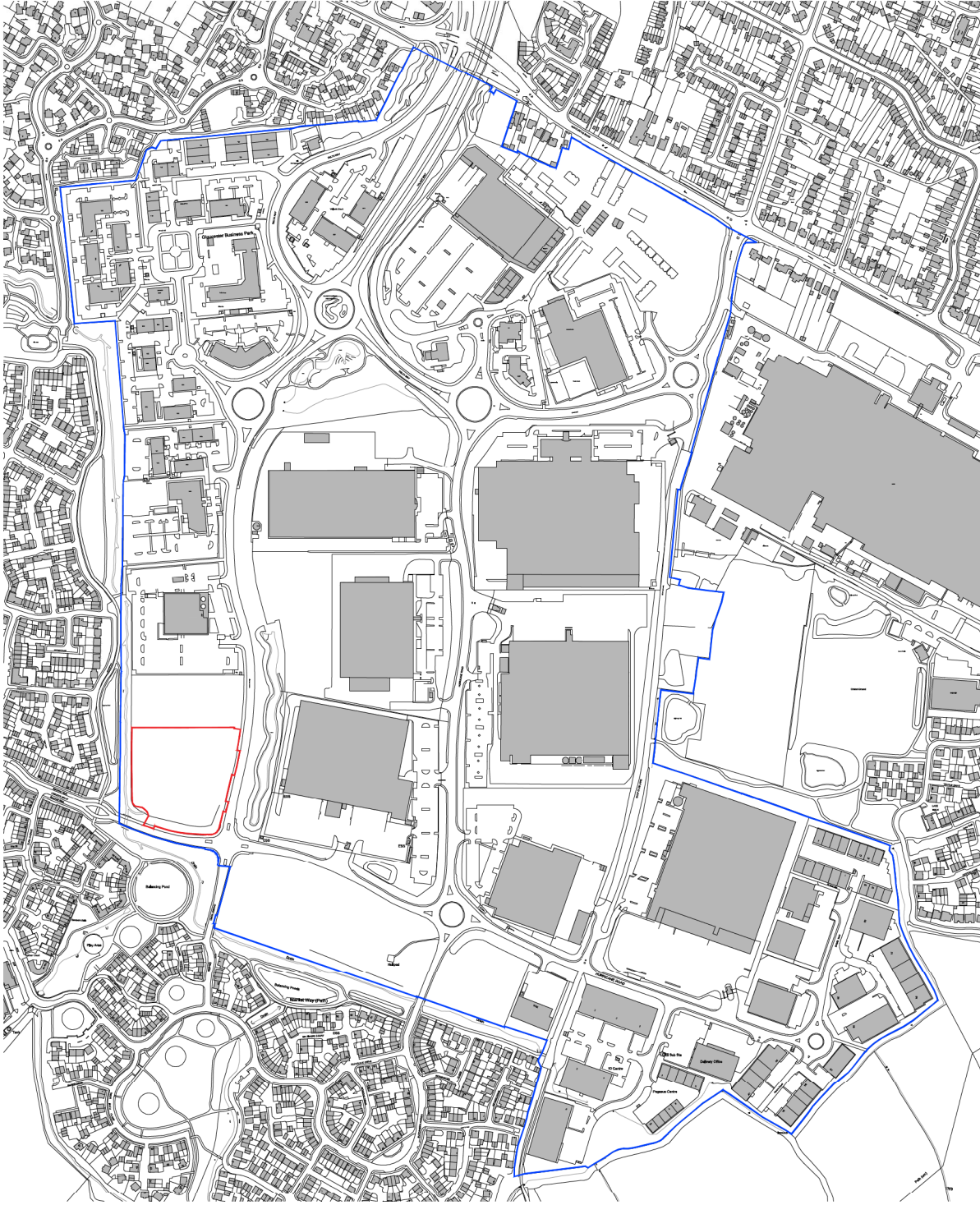
Constructors should give utmost consideration to their impact on neighbours and the public • Informing, respecting and showing courtesy to those affected by the work;

- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

- 10** In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.



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Client: ARA EUROPE, NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: PLOT 5 SITE LOCATION PLAN

Scale @ A1: 1:5000
 Job No: 11537
 Checked by: ME
 Stage: PL
 Date: JAN 23
 Drawing No: 004
 Rev: *

Construction Approval Information
 Preliminary Tender



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Revisions:
 A. Amended to updated landscape access surround ASC OCT 23
 B. LPA comments ASC NOV 23

Client:
 AR-EUROPE
 NORTHLAND

Project:
 GLOUCESTER BUSINESS PARK

Drawing Title:
 PLOT 5
 SITE PLAN

Scale @ A1:
 1:500
Checked by:
 ME
Date:
 JAN 23

Stage:
 PL 000
Drawn by:
 B

Project No.:
 1137

Project Name:
 Gloucester Business Park

Project Location:
 Gloucester Business Park

Project Manager:
 M. Jones

Project Architect:
 PRC

Project Date:
 11/11/2023

Project Status:
 Working

Project Contact:
 M. Jones

Project Phone:
 0114 271 1111

Project Email:
 info@prc.co.uk

Project Website:
 www.prc.co.uk

Project Address:
 Gloucester Business Park

Project Postcode:
 GL1 2JH

Project Country:
 UK

Project Region:
 Gloucestershire

Project City:
 Gloucester

Project Street:
 Gloucester Business Park

Project Plot:
 Plot 5

Project Area:
 45000 sqm

Project Volume:
 10000 cu m

Project Height:
 10m

- KEY:**
- APPLICATION SITE
 - PROPOSED NEW TREES
 - EXISTING TREES RETAINED
 - EXISTING TREES REMOVED
 - EV CHARGING POINT
 - EV CHARGING POINT WITH CANOPY
 - CAR SHARE PARKING SPACE
 - ACCESSIBLE PARKING SPACE
 - CYCLE SHELTER
 - PROPOSED NEW TREES
 - PROPOSED NEW TREES WITH CANOPY
 - PROPOSED NEW TREES WITH CANOPY AND BENCH
 - 2.4M HOUR ROCK BARRIER
 - FENCE WITH MATCHING GATES
 - ROAD PAVING TO PAVING
 - ROAD PAVING TO PAVING WITH CURB
 - BLOCK PAVING TO PAVING
 - ASPHALT
 - ASPHALT TO CONCRETE SERVICE YARD
 - WELL CONSOLIDATED GRAVEL
 - SOFT LANDSCAPE

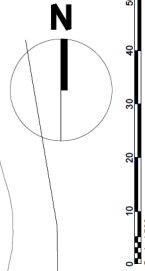
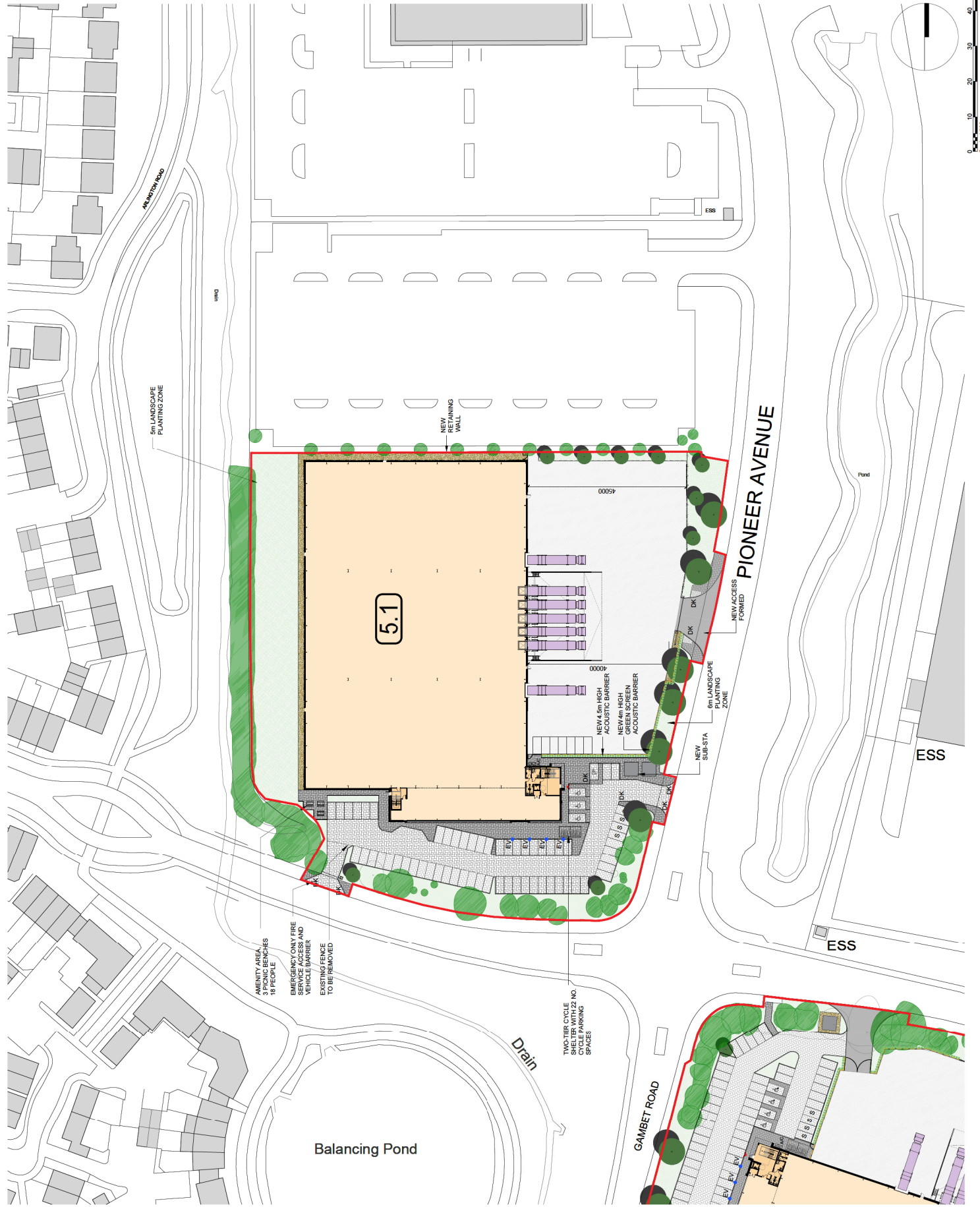


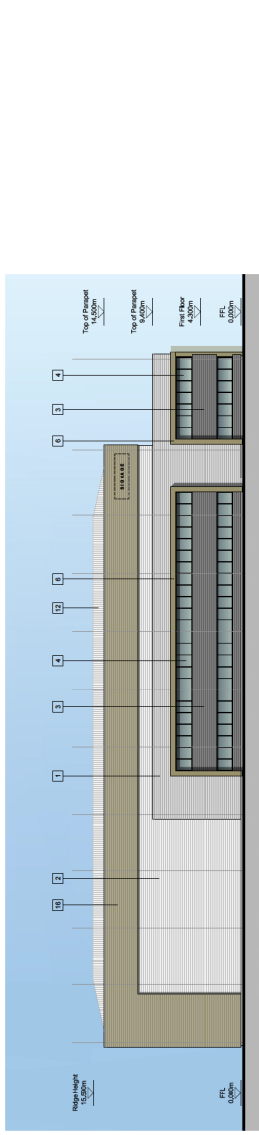
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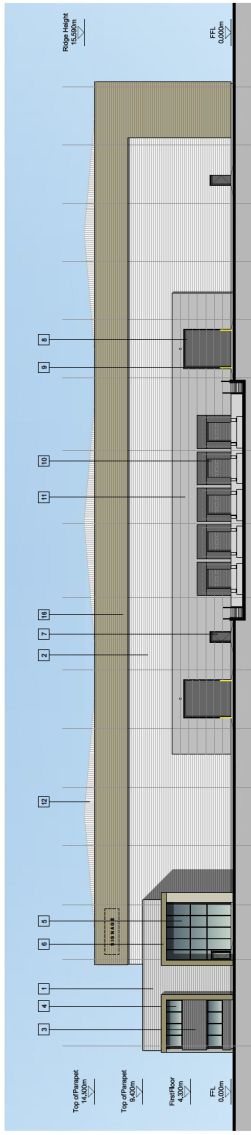
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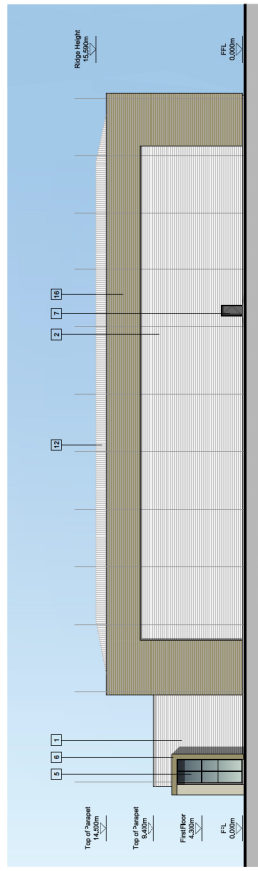




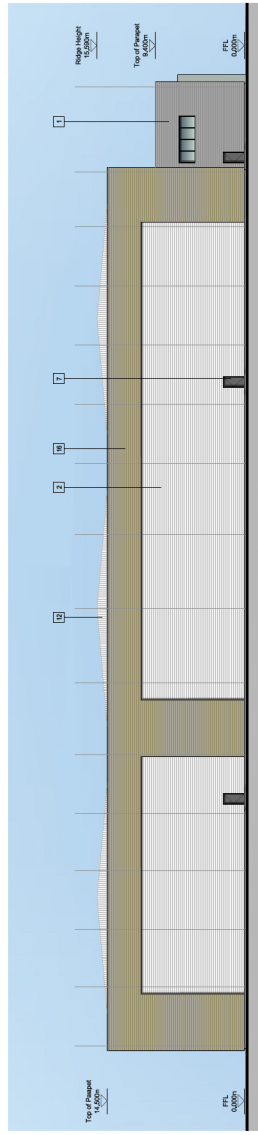
SOUTHERN ELEVATION



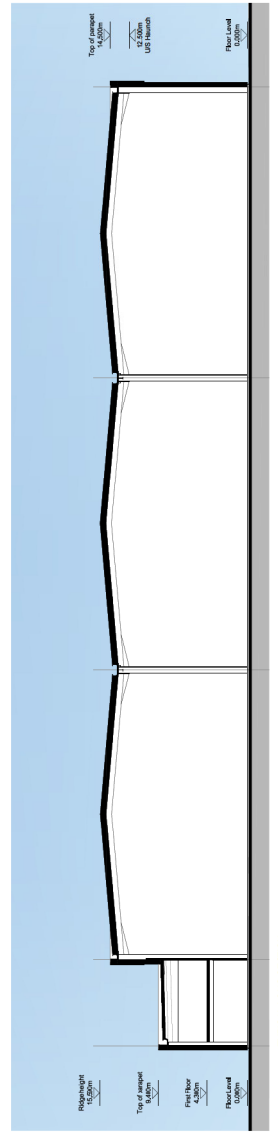
EASTERN ELEVATION



NORTHERN ELEVATION

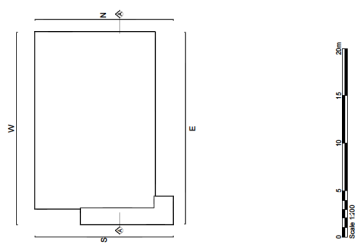


WESTERN ELEVATION



TYPICAL LONG SECTION

- MATERIALS KEY**
- 1 HORIZONTAL PROFILED CLADDING (SLATE GREY)
 - 2 HORIZONTAL PROFILED CLADDING (SLATE GREY)
 - 3 HORIZONTAL PROFILED CLADDING (ANTHRACITE GREY)
 - 4 ALUMINIUM FRAMED WINDOWS
 - 5 DOORS AND GLAZING (ANTHRACITE GREY)
 - 6 MAIN ENTRANCE FEATURE (WOODLAND GREEN)
 - 7 STEEL PERSONNEL DOORS (ANTHRACITE GREY)
 - 8 GLAZING (ANTHRACITE GREY)
 - 9 STEEL BOLLARD (YELLOW)
 - 10 DOCK LEVELLER (ANTHRACITE GREY)
 - 11 COMPOSITE SLAB (SLATE GREY)
 - 12 PROFILED ROOF CLADDING (WOODLAND GREEN)
 - 13 GLAZED ENTRANCE CANOPY (SILVER)
 - 14 OBTURED GLASS PANEL (SILVER)
 - 15 HORIZONTAL PROFILED CLADDING (WOODLAND GREEN)

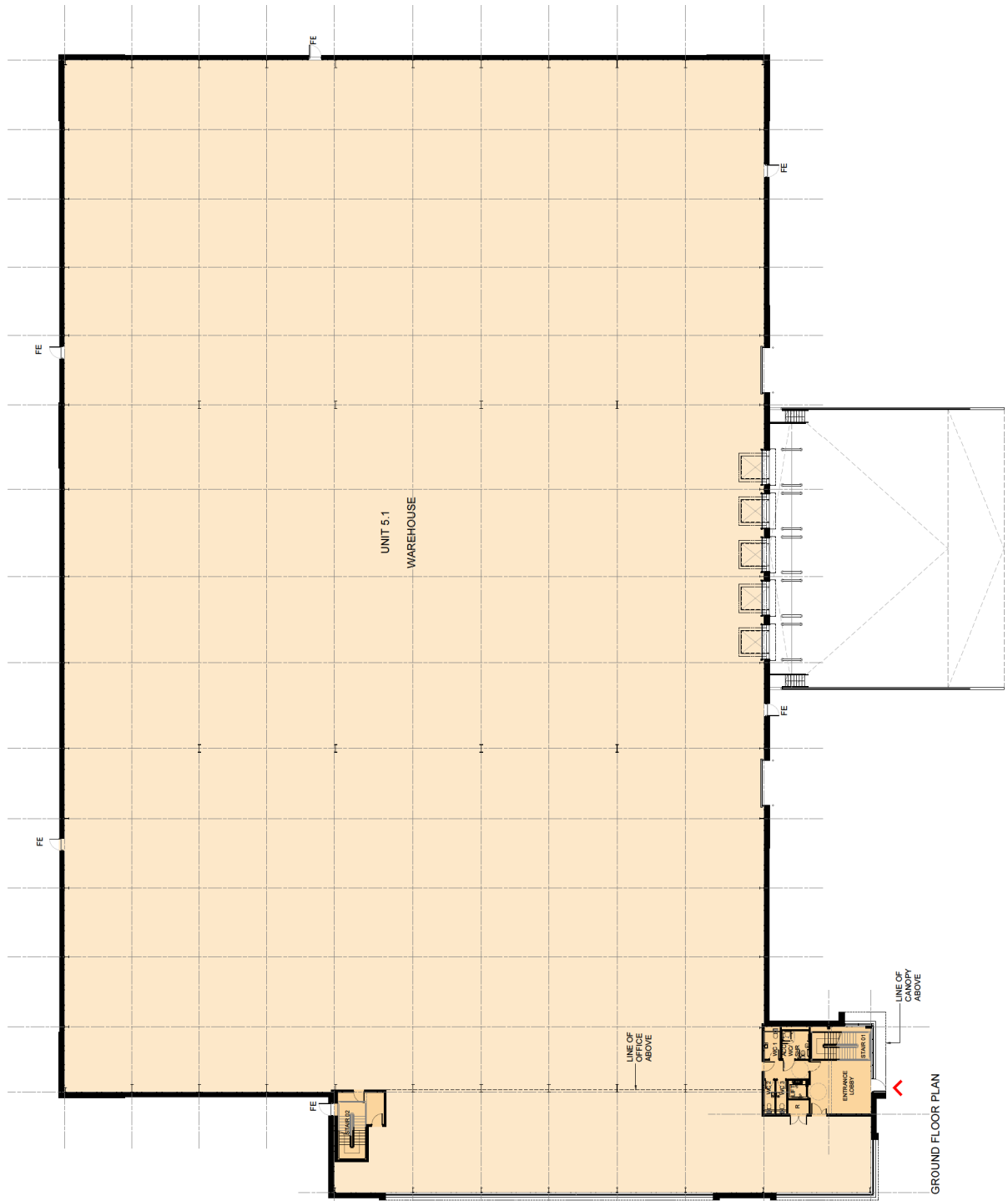


PRC
 PROJECT: ARK EUROPE NORTHLAND
 CLIENT: GLOUCESTER BUSINESS PARK
 DRAWING TITLE: UNITS 5.1 PROPOSED ELEVATIONS AND SECTION
 DATE: JAN 23
 SCALE: 1:200
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 OFFICE: [Name]
 WORKING: [Name]
 CHECKED: [Name]
 DRAWN: [Name]

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REVISIONS: _____ DRAWING DATE: _____

UNIT 5.1	
GEA	
GF	69,561m ² / 6,482,42m ²
FF	5,535m ² / 514,21m ²
Total	75,096m ² / 6,976,63m ²
GIA	
GF	67,868m ² / 6,305,14m ²
FF	5,037m ² / 467,95m ²
Total	72,905m ² / 6,773,09m ²



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NG23 7NP
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Client:
ARR EUROPE
NORTHLAND

Project:
GLOUCESTER BUSINESS PARK

Drawing Title:
UNIT 5.1
PROPOSED GROUND FLOOR PLAN

Scale @ A1: 1:200
Checked by: ME
Date: JAN23

Stage: PL 051
Drawing No.: 11137
Rev.:

Architecture
Planning
Master Planning
Urban Design
Landscape

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Information
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London
Manchester
Nottingham

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Revisions: _____ Drawn/Chk: _____ Date: _____

UNIT 5.1	
GEA	
GF	69,561m ² / 6,482,42m ²
FF	5,535m ² / 514,21m ²
Total	75,096m ² / 6,976,63m ²
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Total	72,905m ² / 6,773,09m ²

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Client:
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NORTHLAND

Project:
GLOUCESTER BUSINESS PARK

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Landscape

Drawing Title:
UNIT 5.1
PROPOSED FIRST FLOOR PLAN

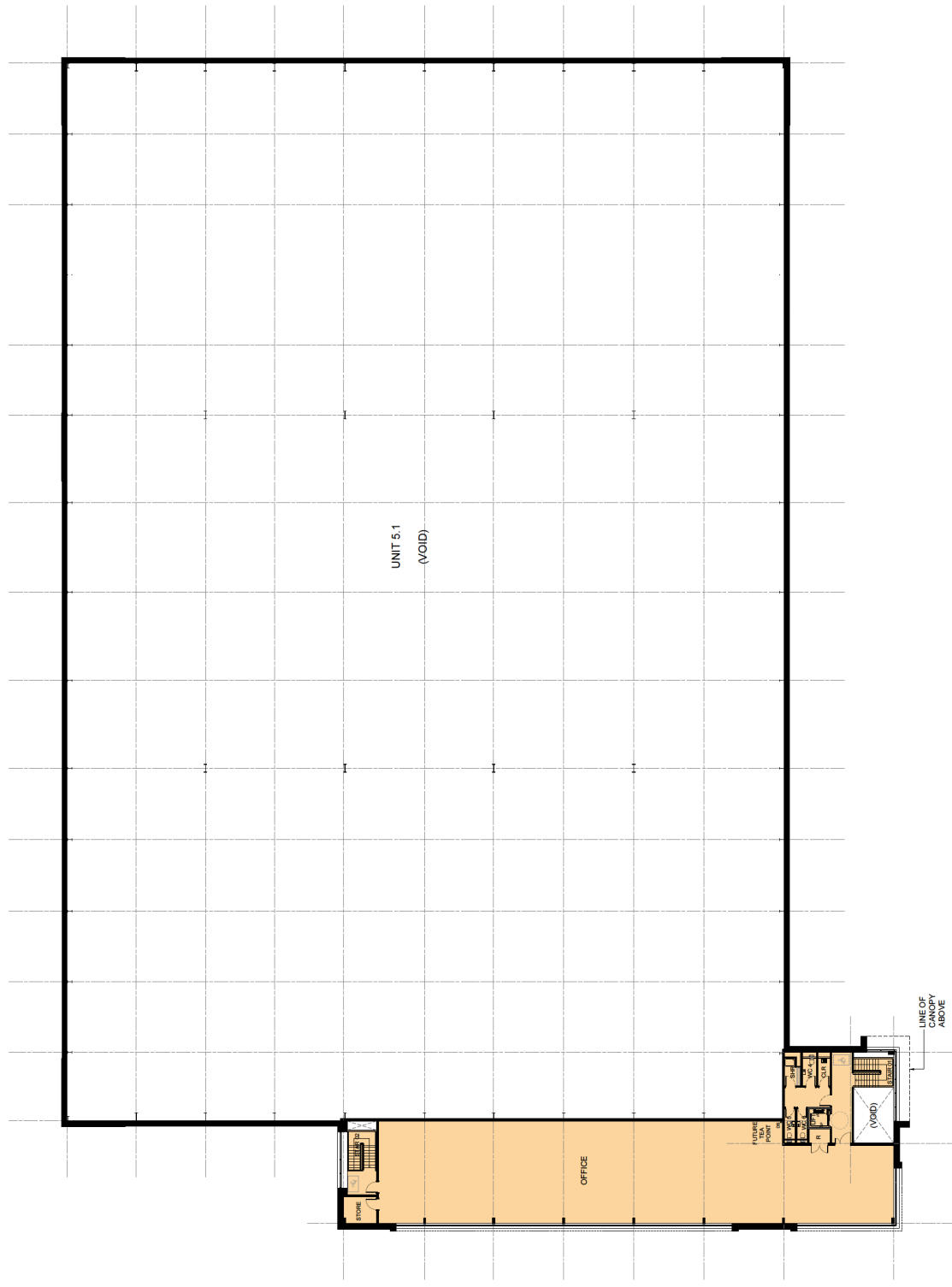
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Created by: ME
Date: JAN23

Sheet: 11/37
Stage: PL 02
Drawing No.: PL 02

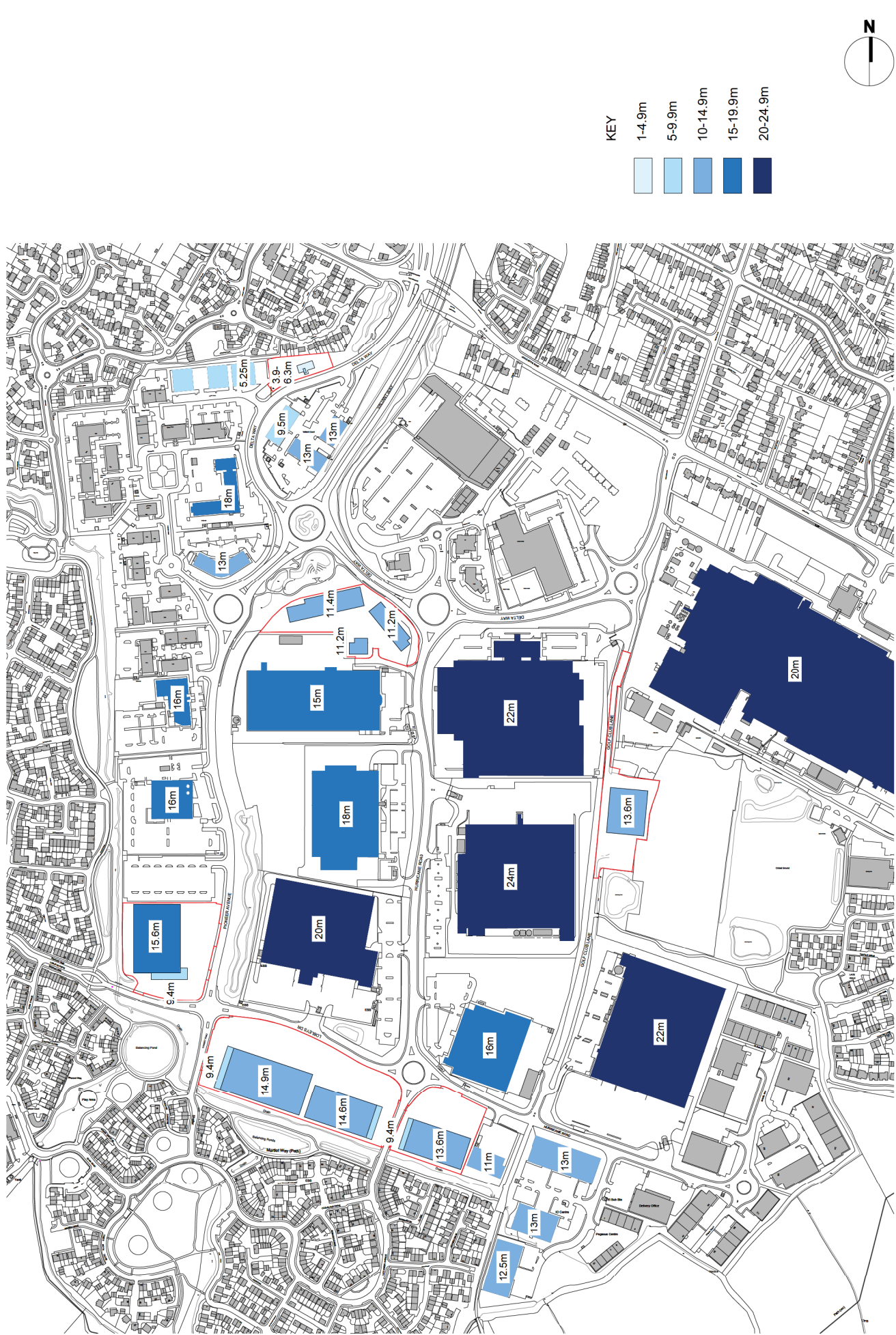
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FIRST FLOOR PLAN



KEY

1-4.9m
5-9.9m
10-14.9m
15-19.9m
20-24.9m

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Scale @ A3: 1:5000	Checked by: ME	Date: MAY 23
Sub No: 11537	Stage: PL	Drawing No: 203
Construction	Approval	Rev: A
<input type="checkbox"/> Preliminary	<input type="checkbox"/> Tender	<input type="checkbox"/> Information

Client: ARA EUROPE, NORTHLAND
 Project: GLOUCESTER BUSINESS PARK
 Drawing Title: EXISTING AND PROPOSED BUILDING HEIGHTS

Revisions:
 A. Heights reduced for Units 3, 1, 4, 1 and 4, 2

Drawn/Chd: CMG
 Date: MAR 24

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 MK12 5NW
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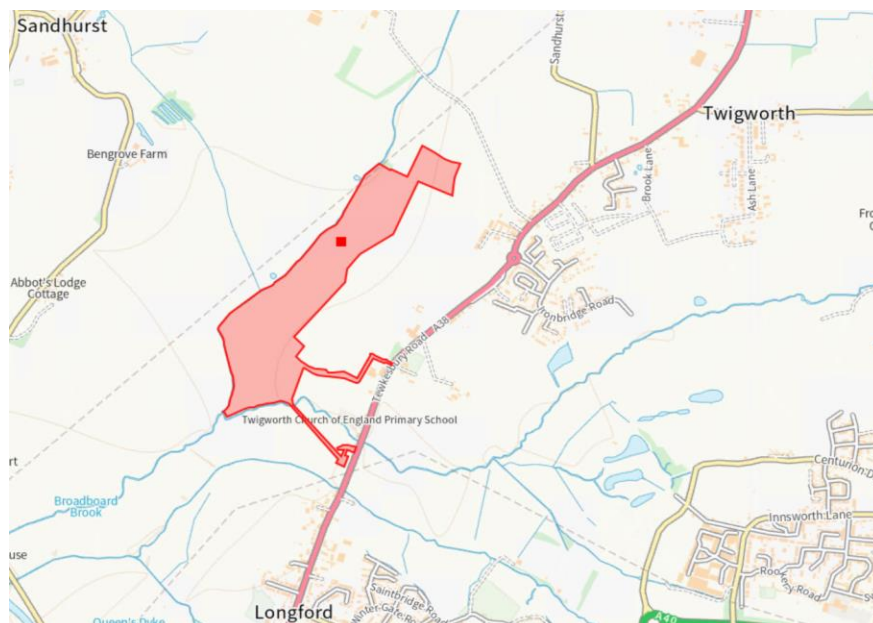
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Planning Committee

Date	23 April 2024
Case Officer	Frank Whitley
Application No.	23/00441/FUL
Site Location	Land to the West of Twigworth Court Farm, Tewkesbury Rd, Twigworth
Proposal	Installation of ground mounted solar to export up to 16 MW (AC) electricity, comprising photovoltaic panels and associated infrastructure and works.
Ward	Innsworth
Parish	Twigworth
Appendices	<ul style="list-style-type: none"> Location plan Layout Array details Panel dimensions Access track Control room DNO customer substation Inverter station 1 Inverter Station 2 Inverter Station 3 Inverter Station 4 Landscaping plan
Reason for Referral to Committee	Parish Council objection
Recommendation	Permit.

Site Location



1. The Proposal

- 1.1 Full application details are available to view online at:
<https://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RU38KGQDHDV00>
- 1.2 The application seeks planning permission for Installation of ground mounted solar to export up to 16 MW (AC) electricity, comprising photovoltaic panels and associated infrastructure and works.
- 1.3 It is proposed that at the end of the operational life of the solar farm (40 years) the development would be decommissioned.
- 1.4 The application follows pre-application advice provided under ref 22/00021/PRE, where the principle of solar development on the application site was found generally acceptable by Officers.
- 1.5 A Screening Opinion (application ref 23/00004/SCR) decided that an Environmental Assessment is not required.
- 1.6 The development would comprise:
- 38,000 photo voltaic (PV) panels between 1.8m to 4.3m above ground level, depending upon maximum depth of flood water
 - 4 x inverter containers each 10m long, x 2.6m wide x 3m high
 - Control building container 10.5m long x 2.6m wide x 3m high.
 - District Network Operator (DNO) substation container 8.1m long x 2.7m wide x 3.2m high
 - Customer substation container 8.1m long x 2.7m wide x 3.2m high
 - Containers would be mounted on raised platforms depending on maximum depth of flood water
 - Distribution cable network
 - 1.5km new access track
 - 2m high perimeter security fence and CCTV cameras
 - Temporary Construction compound (approx. 900sqm area)
 - Landscaping and biodiversity enhancements
- 1.7 The solar farm would be accessed by vehicles from the A38 Tewkesbury Road, 1.3km north of the A40 Longford roundabout. The access is currently a gated field entrance, immediately north of the filling station/store/car sales garage at Twigworth, and opposite St Matthew's Church. From here a new vehicle track would be laid, to connect close to the southern end of the solar farm.
- 1.8 There would be a second access off the A38 to the DNO facility, customer substation and auxiliary transformer, where there is an existing gated opening from the A38. From here, a cable would connect to the solar farm underground, with the exception of the Broadboard Brook crossing where it would be carried overhead between two poles. There would be no vehicle access to the solar farm from the DNO facility.
- 1.9 A buffer strip is incorporated into the PV array layout either side of a high-pressure gas pipeline which runs through the southern end of the site.

- 1.10** In addition to location/layout plans, the application is supported by:
- Planning Statement
 - Design and Access Statement
 - Environmental report
 - Landscape proposal
 - Landscape and Visual Impact Assessment (LVIA)
 - Settings Impact Assessment
 - Sequential Test
 - Residential and Amenity Visual Assessments
 - Noise Assessment
 - Landscape and Ecological Management Plan
 - Glint and Glare Assessment
 - Geophysical Survey and Archaeology reports
 - Flood Risk Assessment
 - Construction Traffic Management Plan
 - Arboricultural Assessment and Land Classification Report
 - Ecological Management Plan and Shadow Habitat Regulation Assessment
 - Access Study
 - Statement of Community Involvement
 - Visibility Assessment
 - Residential Visual Amenity Assessment

2. Site Description

- 2.1** The application site is approx. 26ha of flat agricultural land, bounded on its western edge by Cox's Brook and on the southern edge, by Broadboard Brook. The site is 1.2km from the northeast to southwest corners, consisting of five agricultural fields enclosed by hedgerow (hereafter referred to as fields 1-5, numbered north to south).
- 2.2** The red line of the application site connects to the A38 by two projections, one of which would comprise cable/substation infrastructure and the other would be for vehicle access.
- 2.3** The site is almost entirely within Twigworth Parish, though a small section to the south is within Longford Parish. The land is flat and currently is arable/grassed.
- 2.4** A high-pressure gas pipeline runs through field 5, and continues north, running parallel and just outside the eastern boundary of development.
- 2.5** The land is almost entirely within Flood Zone 3 (highest risk of flooding), according to Environment Agency Flood Maps. According to the Agricultural Land Classification System, the land is graded 3b.
- 2.6** The application site is outside of any landscape designation. The Cheltenham/Gloucester Green Belt extends as far west as the A38.
- 2.7** There are no public rights of way crossing the site, though the route of a footpath borders the eastern side of field 1, for a distance of 125m. There is a network of paths locally and the Gloucestershire Way passes 100m to the south of field 5 and the substation facility.
- 2.8** The site is bounded entirely by open agricultural land on its eastern side, and set back from the A38, though in the intervening space is some development on the western side of the A38 comprising residential dwellings, commercial buildings and a school.

- 2.9** Residential dwellings closest to the solar arrays (160m across open field)) would be Nos. 1-3 Twigworth Views, which are located to the rear of Twigworth Court and Business Centre (Grade 2 listed). Twigworth Primary School, nursery to the rear, and a group of residential dwellings on the A38 adjacent would be approximately 230m from the nearest array. Twigworth Lodge Hotel (Grade 2 listed) is also on the western side of the A38 and separated over a distance of approximately 270m.
- 2.10** The most northern part of the development would be within 100m of the approach lane to Wallsworth Hall (Grade 2* listed), part of which is occupied by an art gallery and tea room. Adjacent to the northeastern side of the lane, planning permission has been granted in outline for up to 85 dwellings by an appeal decision dated 21 February 2024 (23/01343/OUT).
- 2.11** The nearest settlement is Twigworth which for the most part is on the eastern side of the A38. Significant residential development has been approved, most notably relating to outline planning permission granted in 2016 for up to 750 dwellings (15/01149/OUT) and several later applications for reserved matters.
- 2.12** To the west of the A38, and in the context of the application site, the area is predominantly rural in character, comprising open arable land, hedgerows, small pockets of woodland, scattered residential properties/farm buildings between small villages and a network of narrow lanes. There are no protected trees within the application site, though there is a group Tree Preservation Order opposite St Matthews Church, and immediately north of the proposed vehicle access point.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
23/00004/SCR	Construction of a solar farm and associated infrastructure (Coxs Brook SPV)	EIA not required	12.4.24

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>. A site notice has been displayed.

4.1 Twigworth Parish Council- objection

In summary:

- Inappropriate close to residential properties of Twigworth
- visual impact to the outlook of nearby residential properties
- Contrary to policies of Neighbourhood Development Plan
- impact to the character of the local landscape
- impact for users of public rights of way
- Loss of productive arable land
- Impact to heritage assets
- Loss of wildlife habitat
- Traffic impacts, including noise and vibration
- Development is not temporary
- No direct benefit to local community

- 4.2 Longford Parish Council-** objection
In summary:
Flooding, traffic and noise
- 4.3 Natural England-** no objection
Summary: Mitigation Measures should be secured as set out in the Shadow Habitats Regulations Assessment
- 4.4 Environment Agency-** no objection
Summary:
- Site is almost entirely Flood Zone 3 functional flood plain
 - Sequential Test (ST) should be applied: *'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding'*. (para 162 of archived NPPF now para 168)
 - Exception test should be applied
 - Condition should be applied to ensure that solar panels and buildings are installed above design flood level
 - If the Local Planning Authority is minded to approve, conditions are recommended to keep the voided area free of water flow obstruction
 - No objection to raised access track above flood level
 - Concerns highlighted about flood levels around infrastructure buildings. The EA recommends consultation with emergency planners and emergency services and compliance with national policy guidance
 - As regards Flood Evacuation Management Plan (FEMP), EA operates a Flood Warning Service. EA recommends consultation with emergency planners and emergency services to determine whether FEMP would secure safe and sustainable development.
- 4.5 National Highways-** no objection
Based on the location of the proposal we do not consider that the application will result in a severe or unacceptable impact on the Strategic Road Network
- 4.6 Historic England-** no objection
We confirm that while the visual impact of the proposed development from the estate approach to Wallsworth Hall is limited (and could be further mitigated through augmented hedge/tree planting), the change to the landscape, as historically associated with the estate, would result in a small degree of harm. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.
- 4.7 Health and Safety Executive -** no objection
- 4.8 Cotswolds National Landscapes-** no objection
The Board has no comments to make on the proposed development
- 4.9 Gloucester Airport-** no objection
The submitted glint and glare study has stated that there would be no adverse effects from the proposed solar farm. In this case therefore GAL would have no objection to the proposal
- 4.10 Exolum Pipeline System Ltd-** no objection
- 4.11 County Council Highways-** no objection

- 4.12 Lead Local Flood Authority-** no objection
The proposal is for structures identified as Essential Infrastructure largely in Flood Zone 3. The NPPF allows such development when supported by an exception test. The exception test is satisfied by constructing panels, control rooms, inverter stations, substations and transformers on structures above the 1:100 flood levels. The LLFA has no objection to this proposal.
- 4.13 County Archaeology-** no objection
Acceptable mitigation strategy has been provided and can be secured through condition
- 4.14 Public Rights of Way-** no objection
- 4.15 Tewkesbury Borough Council Emergency Planning Team-** no objection
Summary: Development should not have an impact on other properties by increasing flooding elsewhere, and should not create additional loss of power locally in the event of flood event.
- 4.16 Tewkesbury Borough Council Landscape Adviser -** no objection
Some adverse landscape harm, though no objection overall.
- 4.17 Conservation Officer-** no objection
The impact of the proposed development would generally be insufficient to generate anything above minor harm to the setting of surrounding Heritage assets.
- 4.18 Ecology-** no objection
- 4.19 Newt Officer –** no objection
- 4.20 Environmental Health-** no objection

5. Third Party Comments/Observations

A site notice has been displayed

12 Objections have been received on the following grounds in summary:

- Landscape harm- eyesore and blight on countryside
- Solar farm would be entirely visible from Twigworth Court- clear violation of the Neighbourhood Development Plan states public views from the A38 to May Hill should be maintained
- Risk of flooding and required elevation of equipment
- Outside of settlement boundary
- Fails to protect views according to neighbourhood development plan
- Emergency access issues during flood event
- Impact on wildlife
- Proximity to airport, risk to aircraft traffic from glint and glare
- Potential expansion of solar farm
- Loss of agricultural land
- Noise and light pollution
- Reduction in property values and visual impact
- Should be sited in alternative locations such as roof tops and non-agricultural land
- Development would change the tranquil character of the area creating adverse impact along public right of way. Panels would tower above walkers blocking views.

-
- Harm to heritage assets
 - Would consume what little green space Twigworth has left. Would engulf the area and cause harm to the countryside
 - Current beautiful vistas across Severn Vale countryside
 - Solar arrays up to 4.33m will appear like a robotic army standing in perfect formation ready to advance on Gloucester
 - 4 container buildings up to 5.68m above predicted flood level of 11.58m will look like command centres for the robotic army
 - Connecting cables will short circuit during flooding and could be damaged by burrowing animals
 - Could harm drainage of Cox's Brook into River Severn
 - No reason given to support lifespan of 40 years
 - Poor energy performance
 - Installation will take longer than 6 months if flooding occurs
 - Increase in construction traffic on A38
 - Cumulative impact of other solar farms
 - New planting to screen development would take 10 years to mature

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP2 (Distribution of New Development)
 Policy SD3 Sustainable Design and Construction
 Policy SD4 Design Requirements
 Policy SD6 Landscape
 Policy SD8 Historic Environment
 Policy SD9 Biodiversity and Geodiversity
 Policy SD14 Health and Environmental Quality
 Policy INF1 Transport Network
 Policy INF5 Renewable Energy/Low Carbon Energy Development

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy NAT1 Biodiversity, Geodiversity, and Important Natural Features
 Policy HER2 Listed Buildings
 Policy LAN2 Landscape Character
 Policy ENV2 Flood Risk and Water Management
 Policy ENV3 Solar Farms

- 6.5 Down Hatherley, Norton and Twigworth Neighbourhood Development Plan
Policy E2 Landscape protection in the open countryside
Policy E3 Landscape and new developments

7. Policy Context

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBP), and a number of 'made' Neighbourhood Development Plans
- 7.3 The relevant policies are set out in the appropriate sections of this report.
- 7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG)

MAIN ISSUES

- Principle of Development
- Site selection
- Loss of agricultural land
- Layout
- Effect on Landscape Character and Visual Amenity
- Flooding and Drainage
- Residential Amenity
- Historic Environment
- Access and Highways
- Ecology and Trees

8. Evaluation

Principle of Development

- 8.1 Under the Climate Change Act 2008, the government seeks to promote renewable energy production in order to reduce greenhouse emissions. The UK is committed under legislation to become the first major economy to achieve Net Zero greenhouse gas emissions by 2050.
- 8.2 The UK Government published its 'Overarching National Policy Statement for Energy' in November 2023 and came into force in January 2024. Para 3.3.20 states that:

Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar.

- 8.3** Chapter 14 of the NPPF seeks to meet the challenge of climate change, flooding and coastal change. Para 157 states that
The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure
- 8.4** Planning Practice Guidance (PPG) explains that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.
- 8.5** Tewkesbury Borough Council declared a Climate Emergency on 1 October 2019. In achieving its vision for a 'good quality of life', the Tewkesbury Borough Plan incorporates the environment into the three dimensions of sustainable development. The Plan recognises that addressing climate change contributes to achieving its vision.
- 8.6** Policy INF5 (Renewable Energy/Low Carbon Energy Development) of the adopted JCS states:
Proposals for the generation of energy from renewable resources, or low carbon energy development (with the exception of wind turbines), will be supported, provided the wider environmental, social or economic benefits of the installation would not be outweighed by a significant adverse impact on the local environment.
- 8.7** Policy ENV3 of the adopted TBP (Solar Farms) states that in considering proposals for large scale, stand alone solar photovoltaic installations priority will be given to sites on previously developed land or non-agricultural land. Where the proposed use of agricultural land is shown to be necessary, priority will be given to poorer quality agricultural land.
- 8.8** Subject to further determining criteria below, in principle, the development is supported by national, local policies and associated guidance.

Site Selection

- 8.9** The planning application is supported by an Alternative Site Assessment (ASA) Document comprising a Sequential Test required specifically in relation to flooding.
- 8.10** The ASA explains that Developments with a generating capacity roughly in the range 2 to 25 MegaWatts (MW) will typically require a connection to the 33,000 volt (33kV) network. The first stage in site selection is to identify a suitable connection point before assessing planning and environmental considerations. In dialogue with National Grid, the applicant has identified capacity for 16MW in the overhead line between Rotol Road (off Down Hatherley near Gloucestershire Airport) and Castle Meads. Sites greater than 1.5 km from the overhead power line are economically unviable.

- 8.11** Stage 3 of the applicant's ASA excludes land which is subject to statutory designations, in terms of landscape, ecological and/or heritage value. Green Belt (other than in exceptional circumstances), Country Parks, built up areas, Registered Common Land, National Parks, and land crossed by public rights of way is also excluded. Best and Most Versatile Land is also screened out the process.
- 8.12** Site Suitability Investigations at Stage 3 of the ASA process includes an assessment of Flood Zones (at this juncture Officers note that the NPPF does not exclude land at risk of flooding from solar development, (see paragraph 8.64 below).
- 8.13** Stage 3 also includes an assessment of existing land use, where preference is given to brownfield land. However no suitable brown field sites were located within the refined search area.
- 8.14** Preference is given to sites where the overall landscape and visibility of the site is limited, or can be made so with appropriate screening.
- 8.15** Taking into account the size and number of the proposed construction vehicles that will be used, the application explains it is necessary to find a site which has suitable road access with minimal highway improvements required.
- 8.16** In terms of topography and shading characteristics, a site that is mostly flat or south facing is preferred to a site with a north facing slope, as the area of land required is reduced and the amount of electricity generated per hectare of land used is higher. Generally, smaller sites are preferred because this minimises land take and visual impacts. Fewer field boundaries are preferred to minimise shading from existing hedgerows and trees.
- 8.17** The findings of the Stage 3 ASA investigations demonstrated there were no suitable sites in Flood Zone 1 in the refined search area. They were not of sufficient size to be viable and were largely in use for housing and/or commercial purposes. A site in Flood Zone 2 was considered a possibility but was in an existing industrial estate/business park and could not be developed as a solar farm. The only land identified as being potentially suitable within the refined search area was identified as being in Flood Zone 3.
- 8.18** Finally, thorough dialogue with a number of landowners, and carrying out site inspections, the search for suitable sites was narrowed down still further. The outcome of these discussions led to the final section of the proposed application site.

Loss of Agricultural Land

- 8.19** Chapter 15 of the NPPF seeks to conserve and enhance the natural environment. Paragraph 180 states that amongst other things, planning decisions should contribute to and enhance the natural and local environment by recognising the benefits of natural capital, including the economic and other benefits of the best and most versatile agricultural land. Similarly, Chapter 11 of the NPPF seeks to make effective use of land, where planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment, and encourage multiple benefits from both urban and rural land.
- 8.20** Policy SD14 (Health and Environmental Quality) of the adopted JCS amongst other things states that new development must take into account the quality and versatility of any agricultural land affected by proposals, recognising that the best agricultural land is a finite reserve.

- 8.21 Policy AGR2 of the adopted TBP is also relevant where it states any proposals (for diversification) must be of a scale and use appropriate to the rural setting and be in keeping with the character of its surroundings.
- 8.22 The agricultural holding is approximately 189 hectares. The proposed development would cover approximately 69% of total arable land and 12.4% of the overall holding. Land is currently used in the application site for arable and silage purposes.
- 8.23 According to the submitted Agricultural Land Classification report, the application site is Grade 3b, which is described as *Land capable of producing moderate yields of a narrow range of crops, principally cereals and grass, or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.*
- 8.24 According to the NPPF, Best and Most Versatile Agricultural Land (BMV) is defined as land within Grades 1,2 and 3(a) of the Agricultural Land Classification. The application site is not therefore BMV. There is no conflict with the NPPF, Policies SD14 or AGR2.

Layout

- 8.25 The basic solar module unit would be formed of 27 panels fitted together to form a rectangular array measuring in total 10.4m long x 6.7m wide and 35mm depth. Each array would be angled between 15-35 degrees from horizontal and mounted on a metal frame fixed into the ground. There would be 1407 array modules distributed across the site in parallel rows east to west. The height above ground of each array would be a maximum of 4.3m in the western and central parts of fields 3 and 4, where flood water depth is likely to be at its highest. Elsewhere in fields 2,3,4 and 5, arrays would mostly be up to 4.1m high. The majority of arrays in field 1 would be mounted up to 1.8m height above ground level where the depth of flood water would be least.
- 8.26 The solar panels would connect to four combined inverter/transformer units which would then transfer energy to the grid. There would be one unit in field 1 (inverter station 1), and three in field 4 (inverter stations 2-4).
- 8.27 The inverter station containers would all be the same size (see paragraph 1.5 above) though each would be mounted on a raised platform, taking account of maximum flood water depth in their proposed position. Platforms would be constructed on frames, to allow water to move underneath and to minimise the displacement of water. Table 1 shows the floor level of each inverter container and the roof height of each inverter container above ground level.

Table 1: Inverter container heights above ground level.

	Container floor level above ground (ie maximum flood water depth)	Container roof level above ground.
Inverter 1	1.4m	4.6m
Inverter 2	2.9m	6.1m
Inverter 3	2.7m	5.9m
Inverter 4	2.9m	6.1m

- 8.28 Members should note that the maximum predicted flood water depth includes a margin taking into account predicted climate change impacts, and an additional 300mm as requested by the Environment Agency. As also noted by the Environment Agency, this represents 500mm above the highest recorded flood level at the Sandhurst gauge, recorded in July 2007.

- 8.29** Each inverter container would have an external platform at its floor level, measuring 13.5m x 5.6m accessed by steps from the ground.
- 8.30** Alongside the inverter station in field 1 would be a control room, raised 1.4m off the ground. Total height would be 4.6m above ground.
- 8.31** The application site comprises a single access track from the A38 which would be routed to the outside of the field 5 boundary (where there would be a construction compound) and then through a gated entrance into field 4. Here the access track crosses the oil pipeline over a 30m buffer strip (total width), crossing field 5 and part of field 4. Although the layout buffer strip equates to 15m either side of the pipeline, the applicant has provided a letter from Wales and West Utilities which confirms the minimum 'no excavation' distance either side of the pipeline is 10m. This enables new planting to take place inside the layout buffer strip. The access track runs inside the eastern boundary, past each inverter unit and terminates at the control room in field 1 to the north. The access track would be constructed from crushed stone, and would be at ground level.
- 8.32** The solar array development would be entirely bounded by a 2m dark coloured galvanised wire mesh fence (colour specification to be confirmed at the condition discharge stage), held between wooden posts at 4m intervals. The high pressure pipeline would also be protected by the same specification of fence, on the edge of the buffer strip. There would be gates through the perimeter fence into fields 1 and 5.
- 8.33** The entire solar array fence would be screened on its outside either by the existing strengthened hedge, or by a new hedge, maintained with tree planting to a height dependent upon the height of the solar panels intended to be screened.
- 8.34** The submitted layout indicates that (in approximation) field 1 would be bounded on its eastern side by a 2.5m hedge, field 2 by a 3m hedge, field 3 by a 4m hedge, field 4 by a 6m hedge, and field 5 by a 4m hedge.
- 8.35** The standard hedgerow mix would comprise hawthorn, hazel, field maple, dogwood, blackthorn and crab apple. Hedges would be planted in a staggered row of three transplants, in order to achieve additional depth once established. Where a hedge is intended to reach 6m high, the Trees Officer has discussed a solution directly with the applicant's landscaping consultant. It has been agreed that new tree planting within the hedge would take place at approximately 15m centres, of heavy standard (12-14cm girth) of field maple and wild pear.

DNO and Customer Substation

- 8.36** The DNO and Customer substation facility would be located adjacent to the A38, 75m south of the School House belonging to with Twigworth CofE Primary School. In the intervening space is Hatherley Brook and its bankside vegetation, and an existing car park. The compound is situated almost directly underneath the route of the 33kV overhead power line to which the facility would connect. The much larger 132kV power line is 50m further south, though there would be no connection made to it.
- 8.37** The two substation buildings would each be 8.1m long x 2.7m wide x 3.2m high, each mounted on raised platforms in the same way as the inverter units, taking account of predicted flood water depths. Table 2 shows the shows the floor level of substation containers and transformer, and the roof height of each above ground level.

Table 2: Substation containers and equipment heights above ground level.

	Floor level above ground (ie maximum flood water depth)	Maximum height above ground
DNO Substation container	2.1m	5.3m
Customer Substation Container	2.1m	5.3m
Auxiliary Transformer	2.1m	3.8m
Control Room	1.4m	4.6m

- 8.38** The containers and the transformer would have an external platform at floor level, accessed by steps from the ground.
- 8.39** The substation facility would be screened on its northern, eastern and southern boundaries by the existing and new hedge. In response to concerns about achieving timely effective screening, the revised landscaping strategy includes a proposal to plant 2.4m high feathered trees of native species in the area of the substation.

Connection from Solar arrays to DNO Substation facility

- 8.40** The solar arrays in field 5 would connect to the DNO substation by an underground cable (approx. 275m), except where crossing the Broadboard Brook. Here the cable would run 35m overhead, 8m above ground, between two poles either side of the brook.

Effect on Landscape Character and Visual Amenity

- 8.41** The NPPF at Paragraph 130 states amongst other things that decisions should ensure that developments are sympathetic to local character and history. At Paragraph 174, the NPPF states that decisions should protect and enhance valued landscapes and sites of biodiversity in a manner commensurate with their statutory status or identified quality in the development plan. The NPPF also states in Para 174 that decisions should recognise the intrinsic beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including trees and woodland.
- 8.42** Policy SD6 (Landscape) of the adopted JCS in summary:
- seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.
 - states proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis.
 - applications for development will consider landscape and visual sensitivity, supported by a Landscape and Visual Impact Assessment as appropriate. Proposals should include appropriate mitigation and enhancement.
- 8.43** Policy LAN2 (Landscape Character) of the adopted JCS states all development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting. Relevant landscape features and characteristics must be conserved and where possible enhanced.

- 8.44** Policies E2 and E3 of the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan 2011 – 2031 seek to protect the landscape in the open countryside, and where new planting is proposed, to incorporate a majority of native species. Amongst other important vistas and landscape features, the enclosed tree-lined drive to Wallsworth Hall is identified in the Development Plan.
- 8.45** The application is supported by a Landscape and Visual Impact Assessment where it explains the Vale of Gloucester provides a largely flat, broad floodplain rising to the north to form Sandhurst Hill, and to the west, beyond the River Severn to form Spring Hill, north to the settlement of Maisemore. Gloucester and Innsworth also lie in the floodplain, before the land rises to form the Cotswold Escarpment to the south east.
- 8.46** The land is flat, and sparsely wooded across the landscape, and is characterised by frequent hedges and hedgerow type trees, parkland, and orchards. There is also unimproved grassland and other grazing marshes.
- 8.47** In the Gloucester Landscape Character Assessment of 2006, the application site is identified as being in Landscape Character Type (LCT) 12, (Floodplain Farmland), with LCT 18 (Settled Unwooded Vale) lying to the west, north and east.
- 8.48** LCT Floodplain Farmland is characterised by:
- Areas subject to winter flooding which provides fertile pastures for summer grazing.
 - Flat landform and limited tree cover
 - Extensive pattern of ditches, streams and brooks
 - Pastoral landscape with unimproved and improved grassland
 - Urban and industrial land uses in the vicinity of Gloucester
- 8.49** LCT Settled Unwooded Vale is characterised by:
- Gently undulating to flat landscape with intermittent locally elevated areas
 - Mixed arable and pastoral land
 - Limited woodland cover with mature hedgerow and trees
 - Bordered by large urban and suburban areas and interspersed with commercial and industrial premises
 - Major transport corridors
 - Network of pylons and transmission lines
- 8.50** In terms of landscape character, Twigworth Farmed Floodplain is assessed as having a medium sensitivity value, with low susceptibility to change.
- 8.51** The LVIA concludes that in terms of landscape character, there would be an adverse effect but the significance of the effect would be graded moderate-minor.
- 8.52** Specific to the application site, is the presence of a number of listed buildings near to the application site, and of particular note is Wallsworth Hall (Grade 2*). The conclusion of the Settings Impact Assessment is that the proposed development would not harm the significance of any of the heritage assets in the wider area.
- 8.53** In terms of Visual Receptors, 12 viewpoints have been selected within the Zone of Theoretical Visibility (ZTV). Six are located on public rights of way, and six on nearby roads. A separate Residential Visual Amenity Assessment accompanies the application.

- 8.54** Visual receptor harm has been identified from the following viewpoints:
- Viewpoint 1 from the A38- moderate to minor harm, decreasing to minor after 15 years
 - Viewpoint 3 from public footpath on north east boundary- moderate, decreasing to negligible after 15 years
 - Viewpoint 7 from public footpath to north west of site- moderate to minor decreasing to negligible after 15 years.
 - Viewpoint 8 from public footpath (Gloucestershire Way) – major to moderate decreasing minor after 15 years
 - Viewpoint 9 from public footpath (Gloucestershire Way) – major to moderate decreasing moderate after 15 years
 - Viewpoint 10 from public footpath west of site –moderate decreasing moderate to minor after 15 years
- 8.55** The Gloucestershire Way is considered a particularly sensitive route due to its popularity with walkers. Harm from all other viewpoints is considered in the LVIA to be minor or negligible.
- 8.56** Officers comment on the submitted LVIA having regard to the opinions of the Borough Council’s own appointed landscape Adviser who has reviewed the application and visited the application site.
- 8.57** The Adviser acknowledges there will be adverse impacts because landscape positives do not outweigh the negatives. In his opinion, even though there is a sizeable change where the alteration would occur, it is relatively discrete and is to an intensively managed agricultural landscape with limited landscape amenity appeal. The Adviser adds that the local landscape feature of note, Wallsworth Hall, would not have its landscape setting altered. Adverse impacts are mitigated by the duration of the effect and once the site is decommissioned, new hedgerow and tree planting would remain as a more lasting beneficial change.
- 8.58** The landscape Adviser also comments that flatter landscapes generally are better hosts for solar farms. Primarily, the edge of the development affects ‘human perception’ rather than the ability to see a greater area of arrays ranging up a slope or hillside. However, this opinion is qualified by potential cumulative effects where wider landscape character harm may occur from a proliferation of solar farms. In relation to an approved solar farm at Maisemore, the Adviser believes there should be no visual link.
- 8.59** The landscape Adviser has stated that generally, he agrees that 15 years after development, the effect on landscape character for the Twigworth Farmed floodplain would be moderate to minor, adverse, but reversible. The description of effects and sensitivity levels given to receptors in the LVIA is found to be fair and reasonable. Additional planting and increased husbandry of landscaping could increase benefits still further.
- 8.60** In terms of visual effects, arrays would be visible in ‘middle distance’ views from a number of residential, commercial buildings on the west side of the A38.
- The residents of Twigworth View looking west to the eastern edge of Fields 1, 2 & 3
 - Residents and workers on the upper floor of the Oakwood Hotel
 - From the occasional residential properties set to the west side of the A38 set between the Twigworth Service Station and The School House
- Arrays would also be visible from Mary P’s Nursery School.

- 8.61** Some concerns are raised about the views from the approach lane to Wallsworth Hall, though not from the Hall itself. The landscape Adviser acknowledges that away from the A38 corridor, the edge of the array development would be visible and would appear 'unnatural, uniform and repetitious in appearance'. Housing development approved by 23/01343/OUT on 21 February 2024 would not be affected by the solar farm as there is sufficient separation over approximately 100m and the dividing feature of Wallsworth Hall Lane.
- 8.62** However Officers comment that this visual harm would be limited to a small number of properties, and not from close range. New planting and enhancement of existing hedgerows would mitigate the visual harm. Further solar arrays closest to the approach lane to Wallsworth Hall in field 1 would for the most part be 1.8m off the ground. Only a small number of panels on the western edge of field 1 would be up to 3.6m off the ground, due to a higher predicted flood water depth closer to Cox's Brook. According to the landscaping plan, the existing hedge of the northern boundary of field 1 is 6m high, and would be maintained at that height.
- 8.63** In terms of the substation facility adjacent to the A38, Officers comment that it would be highly visible at least initially after installation, though in time visibility would be reduced. Given the speed of traffic and screening, only glimpses of the 5m high structures are more likely. Views from the School House to the north are not considered significantly harmful, given the existing proximity of the A38, proximity of power lines and intervening vegetation.
- 8.64** Officers acknowledge the development would lead to significant landscape change, resulting in some adverse harm to character, particularly before and during the establishment of effective screening. However having regard to comments from the Council Landscape Adviser, Officers do not believe impacts to the character of the landscape are sufficiently harmful to warrant refusal of the application.
- 8.65** Solar arrays and the substation would be visible from relatively few local locations due to flat topography and existing field boundaries. Where some visual harm is identified, the landscaping strategy submitted demonstrates that harm can be controlled to an acceptable level. Subject to implementation of a landscaping plan secured by condition, Officers consider there is no conflict with Paragraphs 130 and 174 of the NPPF, Policy SD6 (Landscape) of the adopted JCS and Policy LAN2 (Landscape Character) of the adopted TBP.

Flooding and Drainage

- 8.66** The NPPF states that inappropriate development at risk of flooding should be avoided by directing development away from areas at highest risk.
- 8.67** The Sequential Test required by the NPPF Technical Guidance, forms part for the Alternative Site Analysis (ASA), which has been submitted as a separate document. The ASA explains that proximity to and availability of electricity grid is essential for viability and environmental reasons. A number of alternative sites within the ASA document have been discounted. The selected location of the solar farm includes consideration of a number of constraints and has concluded that the proposed site is the most reasonable within the search area (Paragraph 8.17)

- 8.68** The application site is within functional floodplain. NPPF Technical guidance states that only water-compatible uses and essential infrastructure should be permitted in functional floodplain. It should be designed and constructed to:
- remain operational and safe for users in times of flood
 - result in no net loss of floodplain storage
 - not impede water flows
 - not increase flood risk elsewhere

Essential infrastructure in this zone should pass the Exception Test.

- 8.69** According to NPPF Technical Guidance, Essential Infrastructure includes:
- Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk
 - Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including electricity generating power stations and grid and primary substations; and water treatment works that need to remain operational in times of flood.
 - Wind turbines.
- 8.70** For the avoidance of doubt, and as acknowledged by the Environment Agency and LLFA, solar farms are considered to fall within these exceptions.
- 8.71** The application is supported by a Flood Risk Exception Test which in summary, explains there are local, regional and national benefits from the proposed development, and that the solar farm can operate safely, without increasing flood risk elsewhere.
- 8.72** Policy INF2 (Flood Risk Management) of the adopted JCS states that development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach.
- 8.73** Policy ENV2 (Flood Risk and Water Management) of the adopted TBP seeks to manage the risk of flooding to and from new development.
- 8.74** The vast majority of the application site is in Flood Zone 3 (highest risk) from fluvial flooding and is functional floodplain. Only a small part of field 1 is in Flood Zone 2. According to the landscaping plan, the existing hedge of the northern boundary of field 1 is 6m high, and would be maintained at that height.
- 8.75** The submitted Flood Risk Assessment explains that according to British Research Establishment (BRE) planning guidance, large-scale ground mounted solar panels do not increase the impermeable area of a site and it is generally considered that they do not contribute to an increase in surface water runoff from the site. Panels are typically mounted in double horizontal rows and are separated by a horizontal rainwater gap. These gaps allow rainwater to drain freely to the ground between the ground. Officers comment that there is anecdotal evidence that more permanent ground vegetation underneath and between panels helps to increase holding capacity of the ground, stabilises soil, and reduces silt and water run off which can otherwise be a consequence of cultivated arable land. In relation to infrastructure equipment and buildings, backfilled trenches and swale features are incorporated into the drainage strategy. These measures are intended to intercept and attenuate runoff, thus preventing unrestricted runoff. Notwithstanding, it is recommended that a surface water disposal scheme is secured by condition.

- 8.76** As a point of clarification, the maximum predicted flood level is the same across the entire application site. Equipment is installed across the site at different heights above ground, because of different ground levels, and hence water depths. The maximum predicted flood level takes into account the latest recommended climate change allowances. Equipment is designed to stand at this flood level (design flood level) which in this case is 11.58m above ordnance datum (AOD). This figure is the precautionary worst case design flood level against which the site has been assessed and is accepted by the Environment Agency.
- 8.77** As an additional safeguard, the Environment Agency has recommended the floor levels of all buildings should be designed 300mm above the maximum predicted flood level. All buildings have been designed accordingly. Electrical connections of each solar panel would be at least 300mm above the design flood level thus avoiding the risk of immersion.
- 8.78** All associated buildings would have their base levels and access doors raised above design flood level (ie maximum predicted depth) to ensure equipment is not damaged. This will be achieved by the use of plinths and 'stilts', with access provided by stairways and ramps.
- 8.79** Permeable gravel tracks would ensure that surface water runoff is reduced to acceptable levels.
- 8.80** Drainage systems are likely to remain in private ownership and therefore the site operator will be responsible for the maintenance of drainage equipment.
- 8.81** The FRA concludes:
- Site topography and taking into account of climate change flood levels, it is feasible to design the farm, taking the appropriate flood risks into account, primarily by raising the infrastructure above the design flood level.
 - Analysis of the likely effects on floodplain storage has concluded that the development will have a negligible impact
 - All other forms of flood risk have been considered and assessed as low or very low.
- 8.82** No objections have been received in relation to flooding and access arrangements, by either the Environment Agency, Lead Local Flood Authority, County Council Highways, Tewkesbury Borough Council Emergency Planning Team.
- 8.83** Officers consider that a satisfactory sequential test has been provided, and there are no other appropriate alternative sites where development of this nature could realistically take place. Officers consider the proposed development is essential infrastructure and is in principle appropriate in the functional flood plain. Further, Officers are satisfied the development would:
- remain operational and safe for users in times of flood
 - result in no net loss of floodplain storage
 - not impede water flows
 - not increase flood risk elsewhere
- Accordingly, the flood risk exception test is deemed to have been met.
- 8.84** Officers consider that refusal of the application on drainage and flood risk grounds would be unwarranted, and that the proposed development where relevant complies with the NPPF, its associated Technical Guidance, INF2 of the adopted JCS and ENV2 of the adopted TBP.

Residential Amenity

- 8.85** Policy INF5 of the adopted JCS (Renewable Energy/Low Carbon Energy Development) supports low carbon energy development, provided the benefits are not outweighed by a significant adverse impact on the local environment, taking account of users and residents of the local area in terms of 'emissions, noise, odour and visual amenity'.
- 8.86** Policy SD4 (Design Requirements) of the adopted JCS seeks to avoid visual intrusion, noise, smell, and pollution in development. Policy SD14 (Health and Environmental Quality) goes further to ensure that new development causes no unacceptable harm to local amenity including neighbouring occupants.
- 8.87** Policy HEA 1 (Healthy and Active Communities) of the adopted TBP seeks to ensure that potential impacts to health and wellbeing are considered in new development.
- 8.88** A noise impact assessment has been submitted which explains that 30 noise sensitive receptors (all residential dwellings) were identified within a study area of 500m around the application site.
- 8.89** The noise impact assessment explains a low background noise level of 25dB is appropriate for a typical low noise rural night-time setting. The day-time background noise levels are assumed to be higher than 25dB and therefore the night-time assessment is considered a worst-case scenario. 25dB is considerably less than the Night Noise Guideline value of 40dB as set out in the World Health Organisation Night-time Guidelines.
- 8.90** An assessment of the acoustic impact showed that a low and negligible impacts during night-time periods are anticipated and therefore no mitigation is required.
- 8.91** The planning application had been assessed by the Council's Environmental Health Officer who has raised no objection regarding noise impacts to nearest sensitive receptors during day and night. Only during the construction phase, the Environmental health Officer has requested a method statement as part of the Construction and Environmental Management Plan, which may be secured by condition.
- 8.92** The application is supported by a Glint and Glare Assessment which in part considers impacts to nearby residential properties. The Assessment has found that eight residential properties within 1km of the site could potentially be affected. Taking into account existing vegetation, only three residential properties would be affected by low level impacts. Once proposed additional screening is taken into account, no impacts are predicted to all eight properties. Officer consider there is very low risk of residential properties being affected by glint and glare.
- 8.93** Officers consider the proposed development complies with requirements where relevant of the NPPF, INF5, SD4, SD14 of the adopted JCS and HEA1 of the adopted TBP.

Historic Environment and Archaeology

- 8.94** The NPPF at Chapter 16 (Conserving and Enhancing the Historic Environment) states that when considering impacts, great weight should be given to the asset's conservation.

- 8.95** Policy SD8 (Historic Environment) of the adopted JCS states that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.
- 8.96** Policy HER2 (Listed Buildings) of the adopted TBP states that development within the setting of listed buildings will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest., including their settings.
- 8.97** Policy HER4 of the adopted TBP states that Scheduled Monuments and sites of national archaeological importance will be preserved in situ and provision should be made for excavation and recording.
- 8.98** A Heritage Impact Assessment (HIA and incorporated into the Settings Impact Assessment) has been submitted.
- 8.99** The assessment identifies the following designated heritage assets, due to their proximity to the study site, and potential for intervisibility with the proposed development:
- Wallsworth Hall and gate piers (Grade II*)
 - Twigworth Court
 - Stable Blocks north of Twigworth Court
 - Twigworth Lodge Hotel
 - Bengrove Farm
- 8.100** In addition to the listed buildings the following non-designated historic buildings are identified
- The Church of St Matthew
 - Former Twigworth Primary School (60m north of the A38 substation)
- 8.101** Wallsworth Hall is situated 500m northwest of the nearest edge of field 1. The HIA recognises it is a heritage asset of the highest national significance and its setting comprises several distinct elements. The first element is the experience obtained between the bridge over Cox's Brook and the Hall itself. (280m separation on the approach lane) Here, the architectural interest is best experienced with glimpses of the façade, in conjunction with its gate piers. Secondly, views from the remainder of the approach lane before Cox's Brook are the clock tower, visible over trees. The final element noted in the HIA are the long views of the surrounding landscape, which demonstrates the relationship of the Hall with the surrounding rural area.
- 8.102** Historic England has been consulted and report that visual impacts of the proposed development are limited, though could be further mitigated through augmented hedge/tree planting. The change to the landscape, as historically associated with the Wallsworth Estate, would result in a small degree of harm. It is recommended that more discussion takes place with the Council's landscape Adviser. The formal position adopted by Historic England in respect of Wallsworth Hall and its setting is that development is likely to remain harmful, albeit at the lower end of less than substantial, as defined by the NPPF. Historic England advise that it would be for the Council to weigh any harm against the public benefits of the scheme, as required by the NPPF.
- 8.103** The Conservation Officer has been consulted and reports as follows, and that in his opinion, heritage impacts are limited to the following assets:

8.104 Bengrove Farm (Grade 2 listed)

The farm sits in an area of open countryside north west of the proposed development. Due to distance and topography, it is likely that some distant views of the solar farm will be possible, but not of sufficient magnitude to impact upon the setting of the historic asset.

The Setting of Twigworth Lodge Hotel (Grade 2 listed)

Due to distance and topography, and its position next to the A38, harm to the significance of the building would be limited.

The Approach to Wallsworth Hall (Grade 2*listed)

The Conservation Officer acknowledges the experience of the approach to Wallsworth Hall is particularly sensitive to change and visual intrusion where the private drive passes through open countryside. Accordingly, any views of the solar panels would be unacceptable. In response to the Conservation Officer concerns, Officers point out the following:

- The edge of the approach road to Wallsworth Hall is entirely within the applicant's control and therefore it would be possible to augment existing landscaping proposals where considered necessary. Additional planting along the edge of the approach road and to the northern edge of field 1, could be secured by way of an appropriate landscaping condition. According to the landscaping strategy plan, the hedge on the northern boundary of field 1 is already 6m high and would be maintained at that height. The arboricultural survey confirms the northern boundary currently comprises a group of ash trees, a group of field maple trees, a lime tree as well as the hawthorn/blackthorn field boundary hedge.
- Approximately 80% of solar panels in field 1 would be no higher than 2.3m above ground. Only a small number would be up to 3.3m above ground level. The Conservation Officer appears to have assumed a worst case scenario of 4.3m high in field 1.
- At the point of discharging a landscaping condition, Officers would be entitled to insist on larger transplants, in order to achieve more rapid screening.
- Discussions have taken place between the applicants landscaping Adviser and the Council's Tree Officer. This discussion has led to development of an enhanced illustrative landscaping scheme which will be presented to Members at Committee.

The Setting of the Old School (Location of Substation)

The Conservation Officer has confirmed the Old School House is not listed but is a historic Victorian village school building of stone and brick with neo gothic styled details. The building is in a prominent location and contributes positively to the historic character of the area. The building is considered a non-designated heritage asset. The Conservation Officer's opinion is that the substation buildings would have the potential to appear prominent, dominant, utilitarian and industrial. In response to the Conservation Officer concerns, Officers point out the following:

- Land surrounding the substation forms part of the enhanced illustrative landscaping scheme which will be presented to Members at Committee.
- The substation would be sited on land within the control of the applicant, so a more effective landscaping screen could be planted as required at the point of discharging a landscaping condition.
- The existing road side hedge along the edge of the A38 is well established and for the most part is an effective screen. Where a gap exists, further tree/shrub planting is possible.

8.105 Paragraph 208 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- 8.106** Officers consider there are very significant public benefits from the proposed development by its contribution to addressing the harmful effects of climate change, and the need to meet the government's targets under the Climate Change Act 2008 (2050 Target Amendment) Order 2019 of reducing greenhouse gases. Further, The UK Government published its 'Overarching National Policy Statement for Energy' in November 2023 and came into force in January 2024. Paragraph 3.3.20 states that *Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation).*
- 8.107** Members will also recall that Tewkesbury Borough Council declared a Climate Emergency on 1 October 2019.
- 8.108** For the above reasons, Officers consider the proposed development carries very significant weight in terms of the balancing exercise required by Paragraph 208.
- 8.109** In terms of the significance of Wallsworth Hall, it should be noted that Historic England has assessed the level of harm as the lower end of less than substantial. Concerns have been raised by the Conservation Officer, though clarification has been provided against the consultation response. Further, additional mitigation can be secured by way of an appropriate condition. No concerns have been raised by the Council's Tree Officer regarding the means to achieve this mitigation.
- 8.110** Officers consider there are clear public benefits from the proposed development and the balancing exercise required by Paragraph 208 of the NPPF weighs in favour of the application.
- 8.111** Paragraph 209 of the NPPF requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account. For these assets, a balanced judgement will be required having regard to the scale of harm and the significance of the asset.
- 8.112** For the same reasons which apply to Paragraph 208, Officers consider there are very considerable public benefits in favour of development. The Conservation Officer has expressed concerns about level of harm to the significance of the Old School building. However, Officers consider the substation facility should be viewed in its immediate context which includes the A38 and large electricity pylons very close by. Officers also refer to the Landscape Character Type 'Floodplain Farmland' which includes in its character (amongst others) 'urban and industrial land uses in the vicinity of Gloucester'. Accessible alternative sites which would avoid either landscape, environmental, and heritage harms appear very limited. On balance and taking into account that harm can be further mitigated by additional landscaping and by controlling colour of buildings and equipment, Officers consider the balanced judgement lies in favour of development. For this reason, there is no conflict with associated legislation, namely the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.113** In terms of archaeology, a desk-based assessment, geophysical survey, and trial trenching evaluation have been carried out and results submitted in accordance with Paragraph 200 of the NPPF. Three areas of interest have been found, two dating from the Roman period and one of Medieval origins. Assessments have been carried out under the supervision of the County Council archaeologist who has advised that in these areas of interest, works are limited in depth to avoid damage to archaeological assets. Elsewhere, targeted trial trenching has been completed.

8.114 Further to trial trenching, an archaeological management plan has been completed and its scope has been agreed with the County Council archaeologist who has no objections, subject to development proceeding in accordance with the management plan.

8.115 Subject to the above procedures being followed, Officers consider the development complies with the NPPF and Policy HER4 of the adopted TBP.

Access and Highways

8.116 The NPPF at Chapter 9 seeks to promote sustainable transport.

8.117 Policy INF 1 (Transport Network) requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Chapter 10 of the adopted TBP states that an efficient and safe transport system is critical to the success of the Borough and the quality of life of its residents and visitors.

8.118 The application is supported by a:

- Draft construction traffic management plan,
- Code of construction practice,
- Technical note comprising an access study and personal injury collision review (updated following initial Highways holding objection)
- Delivery route plan

8.119 In relation to access and highways, the application concludes that construction is expected to last six months. Deliveries would approach from the south only, according to the submitted delivery route plan. Access to the main site would be by an existing field entrance adjacent to the filling station/store/car sales garage at Twigworth, and opposite St Matthews Church. Access to the substation facility would be from the A38, in a position between the bridge crossings of the Broadboard Brook and Horsbere Brook.

8.120 During construction, (and decommissioning) an average of 6-10 HGV delivery vehicles would arrive at the site per day. Where possible, deliveries would be made outside of typical network peak hours and only between daytime hours Monday to Friday and Saturday mornings. Officers recommend a further control to preclude any activity on Sundays and public/bank holidays. There would be approximately 50 workers on site during construction with up to 30 associated vehicle trips involving smaller car and minibus movements.

8.121 The layout of a temporary construction compound has been provided, which would be situated at the western end of the access track, immediately outside of the main solar site. The compound measuring approximately 30m x 30m would comprise a storage area, drying room, canteen, offices, car park, wheel wash area, and turning area within for articulated vehicles.

8.122 National Highways has been consulted and has raised no objections.

- 8.123** Gloucestershire County Council Highways has been consulted and initially expressed some concerns with the following, leading to holding objection.
- Concerns that approaching HGVs to the access on the A38 would have to cross the centreline of the highway without additional clarification on access dimensions and visibility
 - Clarification required on speed surveys
 - Clarification required on car and vehicle parking arrangements
 - Clarification required on road surfacing proposals
- 8.124** Following the initial concerns, the applicant has submitted a revised highways technical note which has been reviewed by the Highways team. Additional access drawings have been provided and additional explanation provided to the satisfaction of the Highways team. Conditions are recommended to secure a finalised Construction Management Plan, access treatment and confirmation of visibility splays, to be secured prior to the commencement of development.
- 8.125** In terms of Glint and Glare impacts to Highways receptors, 21 locations have been identified where solar reflection could be visible. Taking into account existing built form and vegetation, solar reflection would only be experienced at three highways locations, and to a low level. Once landscaping is established, there would be no impact.
- 8.126** Where other travel modes are considered, there would be no impact to train drivers. The Glint and Glare Assessment has also addressed potential aviation impacts. The approach paths of Gloucestershire Airport have been investigated and impacts are deemed acceptable. There are no views of the development from the Air Traffic Control Tower. The impact to aviation assets is deemed not significant. The Airport Safety Officer has been consulted and has confirmed there would be no adverse effects from the proposed solar farm.
- 8.127** Subject to recommended conditions, Officers consider the proposed development complies with relevant aspects of the NPPF and Policy INF1 of the adopted JCS.

Ecology and Trees

- 8.128** Chapter 15 of the NPPF seeks to conserve and enhance the natural environment, in part by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, and minimising impacts on and providing net gains for biodiversity.
- 8.129** Policy SD9 of the adopted JCS (Biodiversity and Geodiversity) states amongst other things that the biodiversity and geological resource of the JCS area will be protected and enhanced in order to establish and reinforce ecological networks that are resilient to current and future pressures. Similarly, the adopted TBP Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features) requires amongst other things that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals.
- 8.130** Policy INF3 (Green Infrastructure) of the adopted JCS states that Development proposals that will have an impact on woodlands, hedges and trees will need to include a justification for why this impact cannot be avoided and should incorporate measures acceptable to the Local Planning Authority to mitigate the loss.

- 8.131** Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features) requires amongst other things that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals.
- 8.132** The application is supported by
- Ecological Impact Assessment (EclA)
 - Draft Landscape and Ecological Management Plan
 - Shadow Habitat Regulation Assessment (sHRA)
 - Wintering Bird Scoping Report Assessment
 - Breeding Bird Survey
- 8.133** The submitted sHRA concludes that two potential sites could be affected by development, namely Severn Estuary Special Protection Area (SPA) and secondly the River Severn Special Area of Conservation (SAC), together with the nearby watercourses Cox's Brook and Hatherley Brook. The applicant has reviewed Natural England documents regarding wintering and passage roosts of functionally linked land and concluded the application site is not of particular importance to bird species associated with the Severn Estuary. Where wetland birds fly over solar panels, there is very low anecdotal evidence that wetland birds mistake solar panels for water. The sHRA explains that there are no pathways for adverse impact on qualifying species of the SPA as a result of development. Equally, and subject to the implementation of a Construction and Environmental Management Plan, the development would not have an adverse impact on the River Severn and its tributaries.
- 8.134** Natural England has been consulted and agree with the conclusions of the sHRA. There are no objections to development, subject to the imposition of appropriate ecological and environmental conditions.
- 8.135** The EclA has identified three SSSIs and one Local Nature Reserve within 5km of the application site. Innsworth Meadow SSSI is within 1km.
- 8.136** The ecological survey has included investigations for the presence of badger, great crested newts, bats, otter, dormouse, water vole and breeding birds. A summary of impacts is set out in the EclA, which concludes that in terms of existing habitats, bats, birds and reptiles, impacts would be 'not significant' in each case, though plainly there is scope for considerable enhancement as required by Biodiversity Net Gain policies and legislation through the production of a Landscape and Environmental Management Plan (LEMP).
- 8.137** The wintering bird scoping report concludes there are no species cited in the Severn Estuary SPA designation were recorded during the survey.
- 8.138** Submitted ecological information has been assessed by the Council's own ecological Adviser, who has raised no objection to the development subject to conditions to secure an updated Code of Construction Practice, and a revised Landscape and Environmental Management Plan. The submitted Biodiversity Net Gain Assessment Results metric indicates that development would be expected to achieve an 11% increase in hedgerow units and a 56% increase in habitat units in accordance with required policy and legislation.

- 8.139** In terms of trees, an arboricultural impact assessment has been provided. The assessment confirms no individual trees would be removed in order to facilitate development. Only small sections of six hedgerows (Category C, low quality) are proposed to be removed to create gaps to route the access track through or to enable the construction of the security/deer fencing. One lime tree on the eastern boundary would be subject to a 2.5m crown lift in order to construct the security/deer fence. The group of trees opposite St Matthew's Church protected by a Tree Preservation Order are sufficiently distant from the access and set back from the A38 that they would be unaffected by development.
- 8.140** Officers consider appropriate biodiversity net gain would be secured. Ecological harm is not considered significant. Subject to appropriate conditions the development complies with Chapter 15 of the NPPF, Policies SD9, INF3 of the JCS and NAT1 of the TBP.

9. Conclusion

- 9.1** The application states that with the assumed output of 16MW, it is estimated the solar farm would produce enough electricity to supply the average annual electricity needs of around 4955 households. The generation of renewable energy supports the UK's transition to a low carbon economy.
- 9.2** Officers consider that policies of the Development Plan which support renewable energy attract very significant weight.
- 9.3** Against the benefits of development, harms have been identified in terms of landscape character and visual amenity impacts. However, these harms are localised and affect relatively flat land where existing and enhanced landscaping would further screen solar arrays and infrastructure. New hedgerow and tree planting is likely to persist beyond 40 years at which time the development would be decommissioned and the land restored to agricultural condition.
- 9.4** The development is proposed in a functional floodplain, though in this case Officers consider the sequential and exception tests required by the NPPF and adopted JCS have been met. It has been sufficiently demonstrated there are no realistic alternative sites available, and by appropriate design, development would not impede water flows or increase flood risk elsewhere.
- 9.5** Subject to further details to confirm detailed aspects, Officers consider development would not cause significant harm to residential amenity, heritage or ecological assets or the transport network.
- 9.6** On balance, the harms of development are not considered to outweigh the very significant benefits of renewable energy generation. Officers consider the proposal would accord with relevant policies as outlined above. Therefore, it is recommended that planning permission be granted subject to the recommended conditions.

10. Recommendation

- 10.1** The proposal accords with relevant policies as outlined above, it is therefore recommended the application be **permitted** subject to the following conditions:

11. Conditions

- 1 The development hereby permitted shall not be begun after the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out other than in accordance with the following approved documents:

Received 3 May 2023

Location Plan 1.1 PLA01

General Layout 2.1 PLA01

Overhead line details 2.13 PLA01

Deer Fence and gates 2.11 PLA01

Security Camera Details 2.10 PLA01

Received 24 July 2023

Array details amended 2.2 PLA02

Mounted Panel Dimensions amended 2.3 PLA02

Access Track amended 2.12 PLA02

Received 22 March 2024

Inverter Station 1 amended 2.5 PLA03

Inverter Station 2 amended 2.6 PLA03

Inverter Station 3 amended 2.7 PLA03

Inverter Station 4 amended 2.8 PLA03

DNO Customer Substation amended 2.14 PLA02

Control Room amended 2.9 PLA02

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

Prior to commencement conditions

- 3 Notwithstanding the submitted details, prior to commencement of the development hereby permitted details of a revised construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Details of daily, hourly and total vehicle movements types with scheduling and management arrangements.
- Routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Pre and post construction highway condition surveys with photographic evidence based on evidenced start and finish dates immediately before and after works;

- Method Statement for the installation of PV mounting frames and substation to include noise assessment
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of maintaining highway safety, residential amenity and to protect the environment.

- 4** The development hereby approved shall not be commenced until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 109 metres north and 116 metres south measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of maintaining highway safety, residential amenity and to protect the environment.

- 5** The development hereby approved shall not be commenced until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway where existing shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

- 6** Notwithstanding submitted details, an amended Code of Construction Practice (CCP) shall be submitted prior to the commencement of works. The CCP shall not be implemented other than in accordance with approved details.

Reason: In the interests of safeguarding and enhancing ecological assets.

- 7** The development hereby approved shall not be commenced until the existing and any temporary access gates have been removed and set back over 20 metres from the adjoining carriageway edge and made to open inwards only.

Reason: In the interests of highway safety to ensure no waiting vehicles obstruct the highway.

- 8** No development including demolition, site clearance, materials delivery or erection of site buildings, shall start until measures to protect trees/hedgerows on and adjacent to the site have been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

These measures shall include:

1. Temporary fencing for the protection of all retained trees/hedgerows on and adjacent to the site whose Root Protection Areas (RPA) fall within the site to be erected in accordance with BS 5837(2012) or subsequent revisions (Trees in Relation to Design, Demolition and Construction). Any alternative fencing type or position not strictly in accordance with BS 5837 (2012) shall be agreed in writing by the Local Planning Authority prior to the start of development. The RPA is defined in BS5837(2012).

2. Construction Exclusion Zone (CEZ): The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the CEZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, cabins or other temporary buildings, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the CEZ, unless agreed in writing by the Local Planning Authority.

The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area.

- 9 No development shall take place (including demolition, ground works, vegetation clearance) until a construction and environmental management plan (CEMP: Biodiversity) has been submitted to and approved by the Local Planning Authority. The approved CEMP shall not be implemented other than as approved by the Local Planning Authority.

Reason: In the interests of protecting and enhancing ecological assets.

- 10 The site access points onto the highway shall be widened with surfaced hardstanding in accordance Rappor Technical Note 22-0469 Issue 02 received 8th April 2024 to allow for swept path HGV turning with bound hardstanding within 15 metres of the highway and drainage within the site.

Reason: In the interests of highway safety to ensure no vehicles waiting obstructing the highway.

- 11 Prior to commencement of the development a management and maintenance plan to ensure surface water flows across the site are not unduly impeded during the operational phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of regular management measures and specific measures to be incorporated following a flood event, to be undertaken by a suitably qualified party, including inspection and cleaning of backfilled trenches and swales and clearance of vegetation debris. The development shall thereafter be undertaken in accordance with the approved plan.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Prior to First Operation conditions

- 12 Prior to first operation of the development, a SuDS management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

- 13** Notwithstanding the submitted details, no above ground development shall take place until a Biodiversity Net Gain Assessment using the Defra Biodiversity Metric (or any updated or replacement metric used as the industry standard) including a schedule for implementation of works has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include details to demonstrate the development would secure measurable net gains for biodiversity and its future maintenance. The development shall be implemented in accordance with the approved details and thereafter be similarly maintained.

Reason: To ensure the development would deliver a biodiversity net gain across the local and landscape scales.

- 14** Prior to first operation of the development, a Flood Evacuation Management Plan shall be submitted to the Local Planning Authority for approval. The approved management plan shall not be implemented other than as approved, and for the lifetime of development.

Reason: In the interests of safe operation of the development.

- 15** The development shall not become operational until details of the landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented in accordance with the approved details no later than the first planting season following the development becoming operational. The landscaping shall thereafter be maintained as approved for the lifetime of development. If during this time any trees, shrubs or other plants are removed, die, or are seriously diseased these shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of visual amenity.

- 16** Prior to first operation of the development a landscape and ecological management plan (LEMP) shall be submitted to, and approved by the Local Planning Authority. The LEMP shall be written in accordance with BS42020. The LEMP shall also include details by which the long-term implementation of the plan will be secured and who is responsible for its delivery. The plan will detail how habitats on site will be managed including remedial actions where necessary, to ensure that that the development meets its aims and objectives. The LEMP should also detail how a positive net gain in biodiversity habitat units can be achieved and maintained in the long term. The LEMP is to include details set out within the Ecological Impact Assessment (Environmental Solutions Ltd, April 2023). The LEMP shall not be implemented other than as approved by the Local Planning Authority.

Reason: In the interests of protecting and enhancing ecological assets.

- 17** Prior to their installation, a colour finishing specification for PV mounting panels, control room, inverters, substation containers, platforms, supporting frames and fencing shall be submitted to the Local Planning Authority for approval. Development shall not take place other than in accordance with the approved colour specification, and shall be maintained as approved for the lifetime of development.

Reason: In the interests of maintaining visual amenity

- 18** The bottom of solar panels shall be set no lower than 11.88mAOD. This level is 300mm above the design flood level of 11.58mAOD.

Reason: To allow freeboard to protect the development from flooding and ensure it remains operational over its lifetime

- 19** Voided areas underneath buildings, containers and equipment shall be kept free from additional obstruction for the lifetime of development, other than where and to the extent permitted by approved plans in Condition 2.

Reason: To ensure flood water flows are not obstructed.

- 20** Not less than 12 months before the end of life of the development hereby permitted, or not less than 12 months from the cessation of electricity production by the development, whichever is the sooner, a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Decommissioning Method Statement (DMS) shall include details of the removal of the solar PV equipment and all associated cabling, buildings, infrastructure and access tracks, together with a timetable for these works. The DMS shall also include details of the proposed site restoration. The site shall be decommissioned, and the site restored in accordance with the approved DMS and timetable within 6 months of the expiry of the 40 year period of planning permission, or within 18 months of the cessation of electricity production by the development, whichever is the sooner.

Reason: In the interests of visual amenity and to return the site to agricultural land.

- 21** Development shall not proceed other than in full accordance with the Landgag Heritage Archaeological Management Plan (2nd issue dated 6 December 2023).

Reason: In the interests of preserving and recording archaeological assets on the site.

- 22** No removal of trees/scrub/hedgerows shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the nature conservation interest of the site is protected

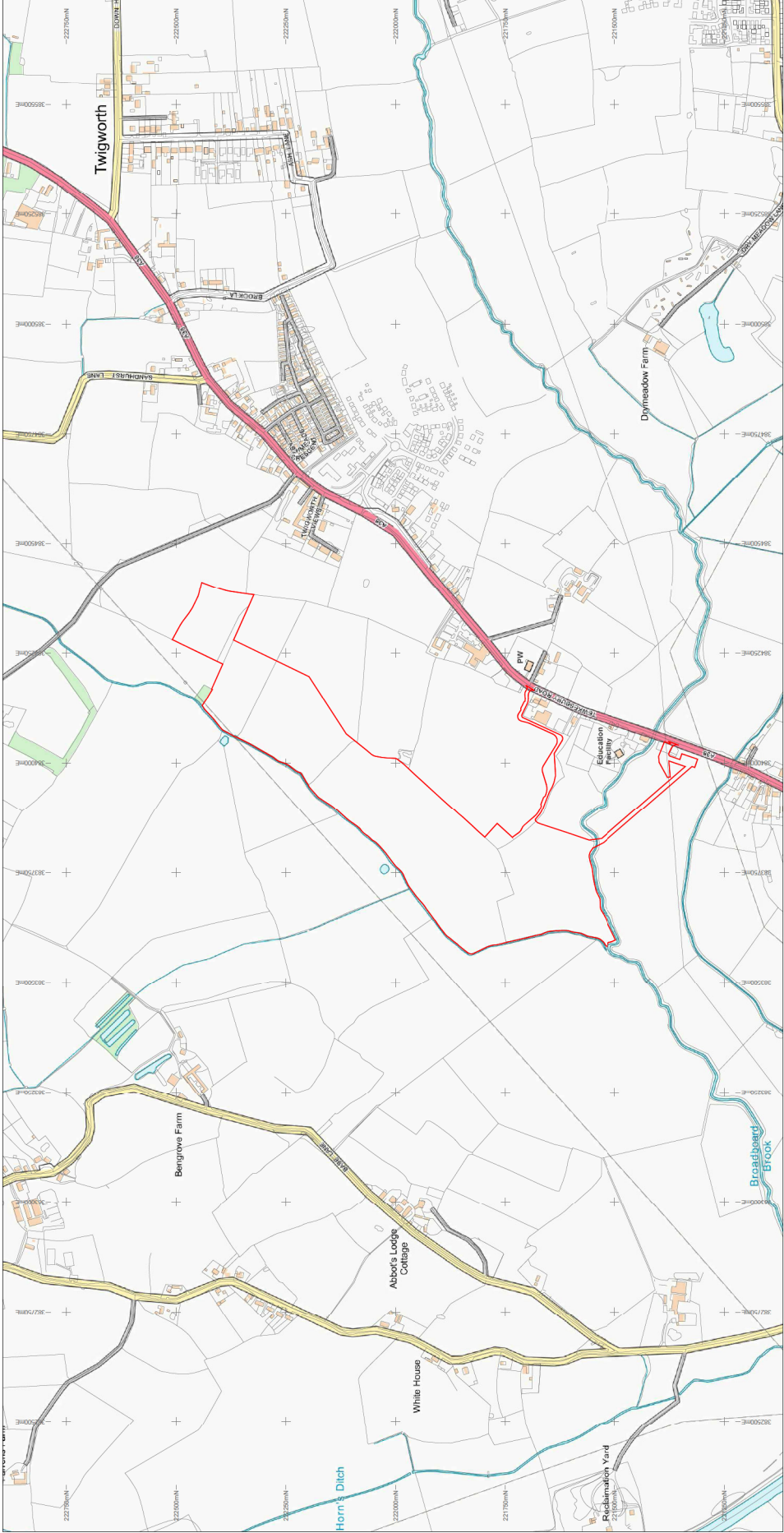
12.1 Informatives

- 1** In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2** The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of an access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk .

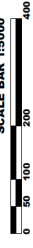
- 3 The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
- 4 The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.
- 5 Construction Management Plan (CMP) It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says: Constructors should give utmost consideration to their impact on neighbours and the public
 - Informing, respecting and showing courtesy to those affected by the work;
 - Minimising the impact of deliveries, parking and work on the public highway;
 - Contributing to and supporting the local community and economy; and
 - Working to create a positive and enduring impression, and promoting the Code.The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

Site Location
Scale 1:5000



Scale 1:5000



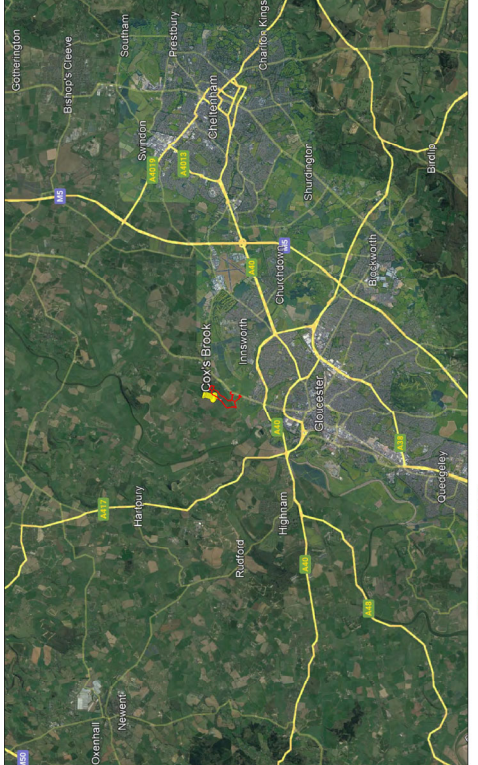
LEGEND
APPLICATION BOUNDARY

PLAN	REV	DATE	BY	CHKD



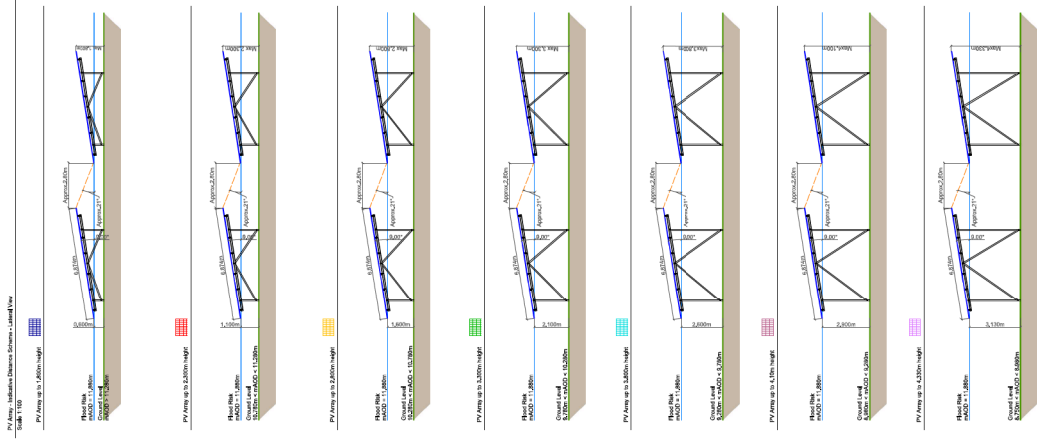
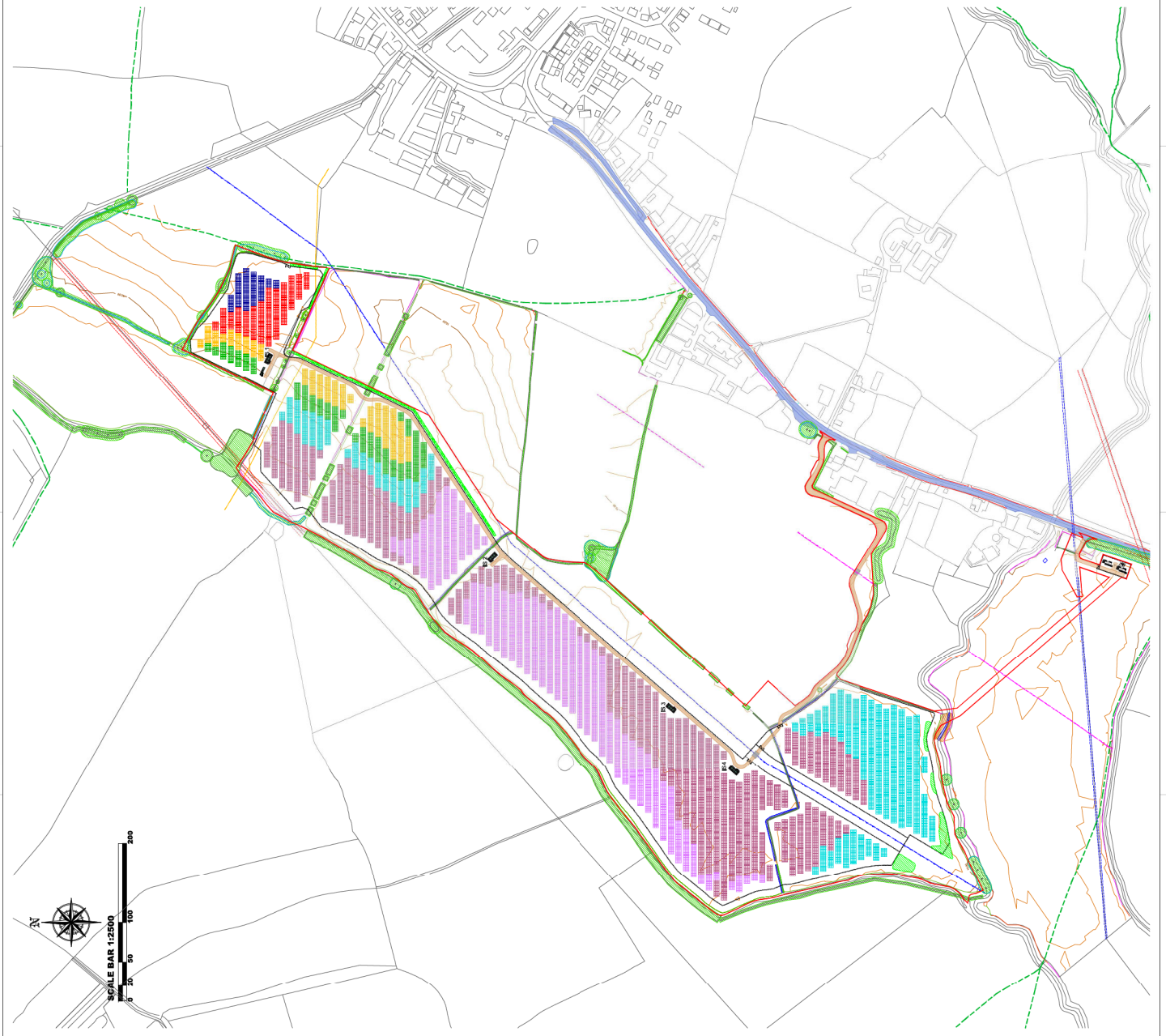
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COMPANY:	PS Renewables
LAYOUT:	SITE LOCATION
DRAWN:	NAHJ/LAM
CHECKED:	NAHJ/LAM
DATE:	25/03/2023
SCALE:	1:1
PROJECT:	COXS BROOK

Google Earth
Scale 1:100000



Google Earth
Scale 1:10000





LEGEND	
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[Symbol]	PROPOSED FENCE
[Symbol]	300V OH LINE
[Symbol]	ON-SITE LINE
[Symbol]	OFF-SITE LINE
[Symbol]	GAS PIPE
[Symbol]	EXCAVATOR PATH
[Symbol]	DRAINAGE
[Symbol]	PIPING
[Symbol]	CONTROL ROOM
[Symbol]	PROPOSED ELECTRIC SUBSTATION (P1)
[Symbol]	PROPOSED ELECTRIC SUBSTATION (P2)
[Symbol]	AUXILIARY TRANSFORMER
[Symbol]	GRID PAVEMENT
[Symbol]	GRAVEL ROAD
[Symbol]	EXISTING UNPAVED ROAD
[Symbol]	CONCRETE DRIVEWAY CROSSING
[Symbol]	HEDETS TOP BANK OF BROOK
[Symbol]	TREES / HEDGES
[Symbol]	EXISTING PAVED SURFACES
[Symbol]	NEW ASPHALT PAVING
[Symbol]	PLANTED TREES / HEDGES
[Symbol]	PROPOSED PAVED SURFACES

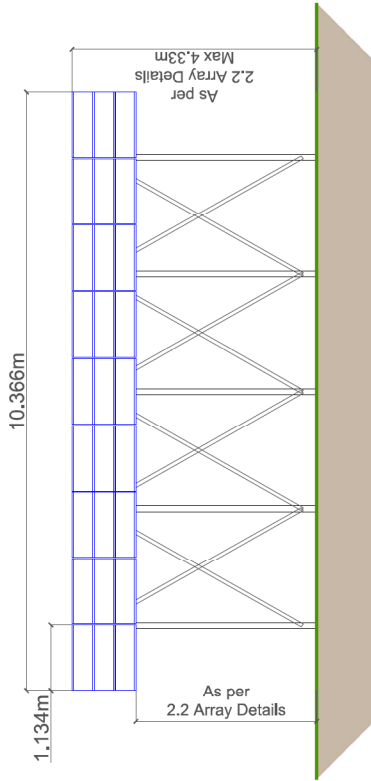
DATE:	15/10/2024	DRAWN BY:	MD
PROJECT NO:	2400001	CHECKED BY:	MD
REVISIONS:		DATE:	

PS Renewables
Green Energy Partners

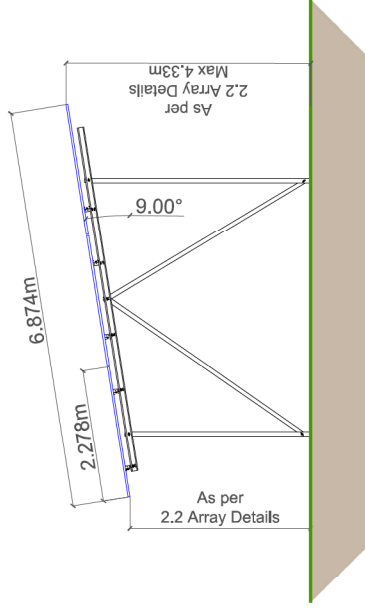
PROJECT:	COX'S BROOK
COMPANY:	PS Renewables
CLIENT:	PS Renewables
SCALE:	AS SHOWN
DATE:	15/10/2024
DRAWN BY:	MD
CHECKED BY:	MD

PV ARRAY DETAILS

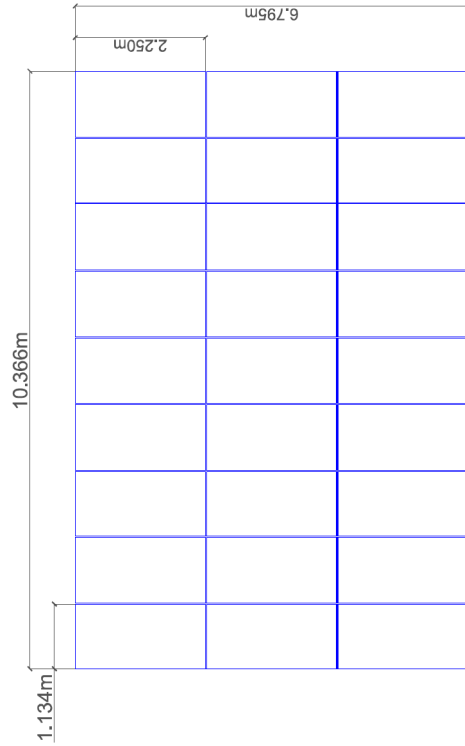
FRONT VIEW



LATERAL VIEW



TOP VIEW



PLA22	PS Renewables	Project title increased to 11.58mAO	28/06/2023	NU
PLA21	PS Renewables	Final Issue	09/04/2023	NU
REVISION	MODIFICATION	DATE	DATE	NAME



PROJECT: COX'S BROOK

COMPANY: PS Renewables

LAYOUT: INDICATIVE MOUNTED PANEL DIMENSIONS

DRAWN BY: Nisho Usada

DESIGN BY: Nisho Usada

CHECK BY: Jeremy Wilson and Chialde Peacock

DATE: 28/06/2023

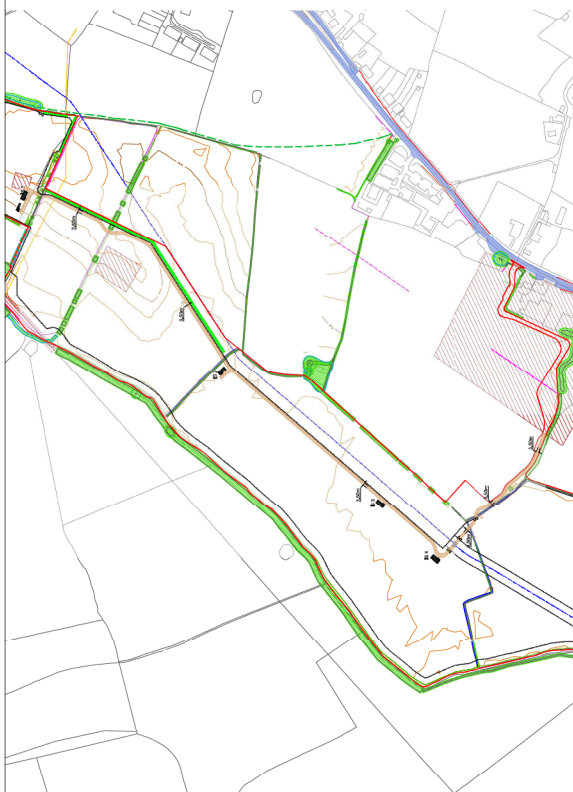
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SIZE: A2

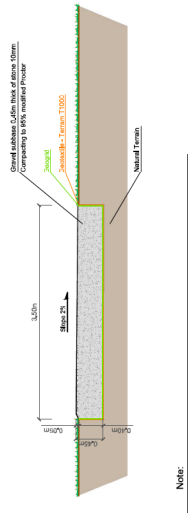
NUM: 2/3

REV: PLA22

Access Road to PV Plant (Outside Archaeological Area) and PV Plant Internal road
Scale: 1:3500

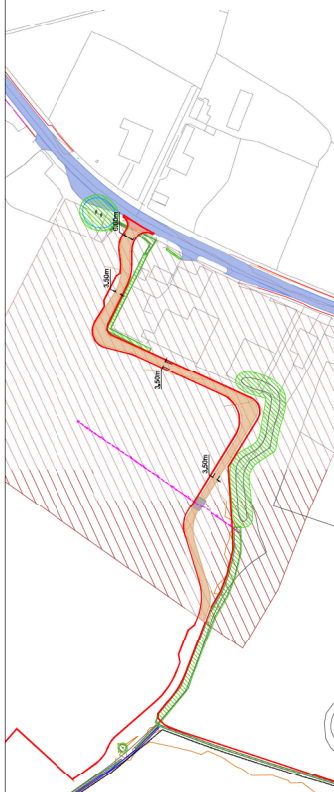


Details
Scale: 1:40

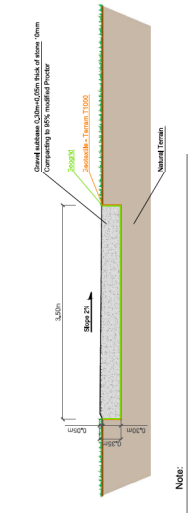


Note:
PV Plant internal road (3.50m width): 1100m

Access Road to PV Plant (In Archaeological Area)
Scale: 1:1600

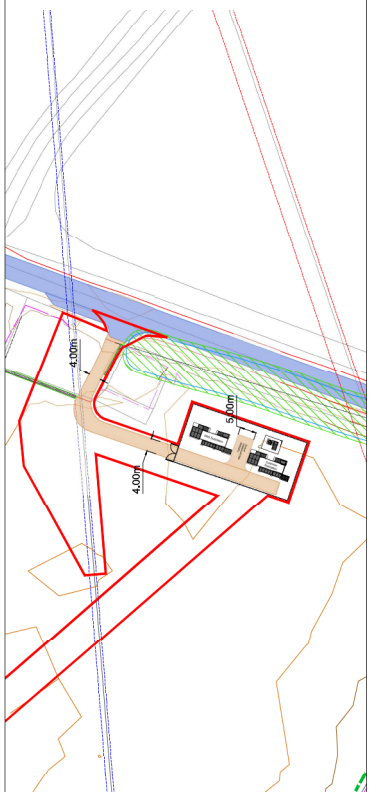


Details
Scale: 1:40

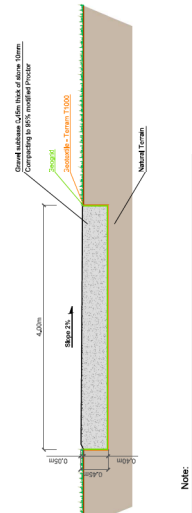


Note:
Access Road to the PV Plant (3.50m width): 310m

Access Road to the DNO/Customer Substation
Scale: 1:750



Details
Scale: 1:40



Note:
Access Road to the DNO/Customer Substation (4.00m width): 105m

LEGEND

[Red line]	SITE BOUNDARY
[Dashed red line]	PROPOSED FENCE
[Green line]	ARCHAEOLOGICAL AREA
[Blue line]	WATER MAIN
[Orange line]	HIGH PRESSURE GAS PIPE
[Purple line]	EXCLUM PIPE
[Yellow line]	BR/RAINAGE
[Black line]	PROXY
[Green square]	CONTROL ROOM
[Black square]	INVERTER STATION (Inverter+Transformer+RKY)
[Black square]	DNO SUBSTATION
[Black square]	CUSTOMER SUBSTATION
[Black square]	AUXILIARY TRANSFORMER
[Black square]	RAVEL ROAD
[Black square]	EXISTING ROAD
[Black square]	EXISTING HARDSTANDING AREA
[Black square]	CONCRETE ROAD/CAS CROSSING
[Black square]	ARCHAEOLOGICAL AREA
[Black square]	EDGE / TOP BANK OF BROOK
[Black square]	TREES / HEDGES
[Black square]	NEW REDBROW PLANTING (PLANTED WITHIN 15% SPACES)

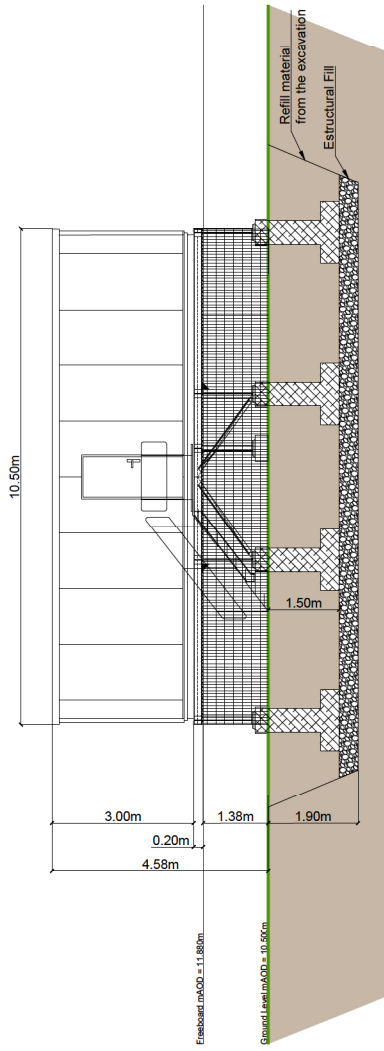
PROJECT:	COXS BROOK
COMPANY:	PS Renewables
CLIENT:	ACCESS TRACE PERMITS (DRAWS: ROAD)
DATE:	15/03/2023
SCALE:	A1
PROJECT NO.:	1000000000
DATE:	15/03/2023
SCALE:	A1
PROJECT NO.:	1000000000
DATE:	15/03/2023
SCALE:	A1



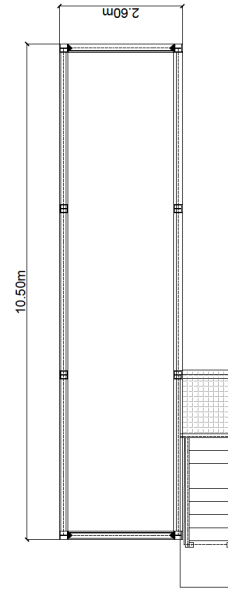
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COMPANY:	PS Renewables
CLIENT:	ACCESS TRACE PERMITS (DRAWS: ROAD)
DATE:	15/03/2023
SCALE:	A1
PROJECT NO.:	1000000000
DATE:	15/03/2023
SCALE:	A1
PROJECT NO.:	1000000000
DATE:	15/03/2023
SCALE:	A1

Control Room

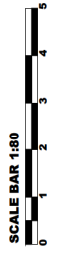
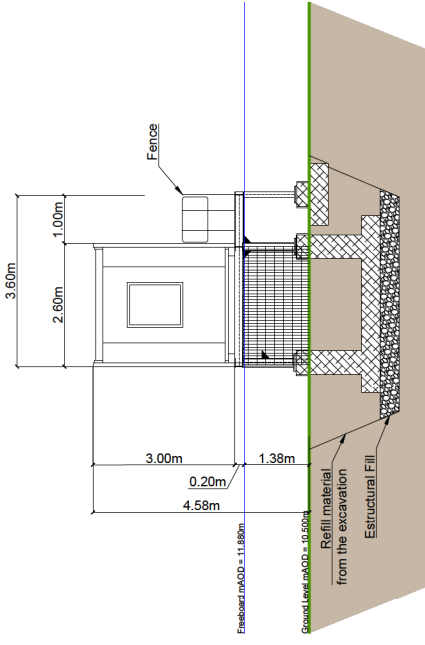
Indicative Front View
Scale 1:80



Indicative Top View
Scale 1:80



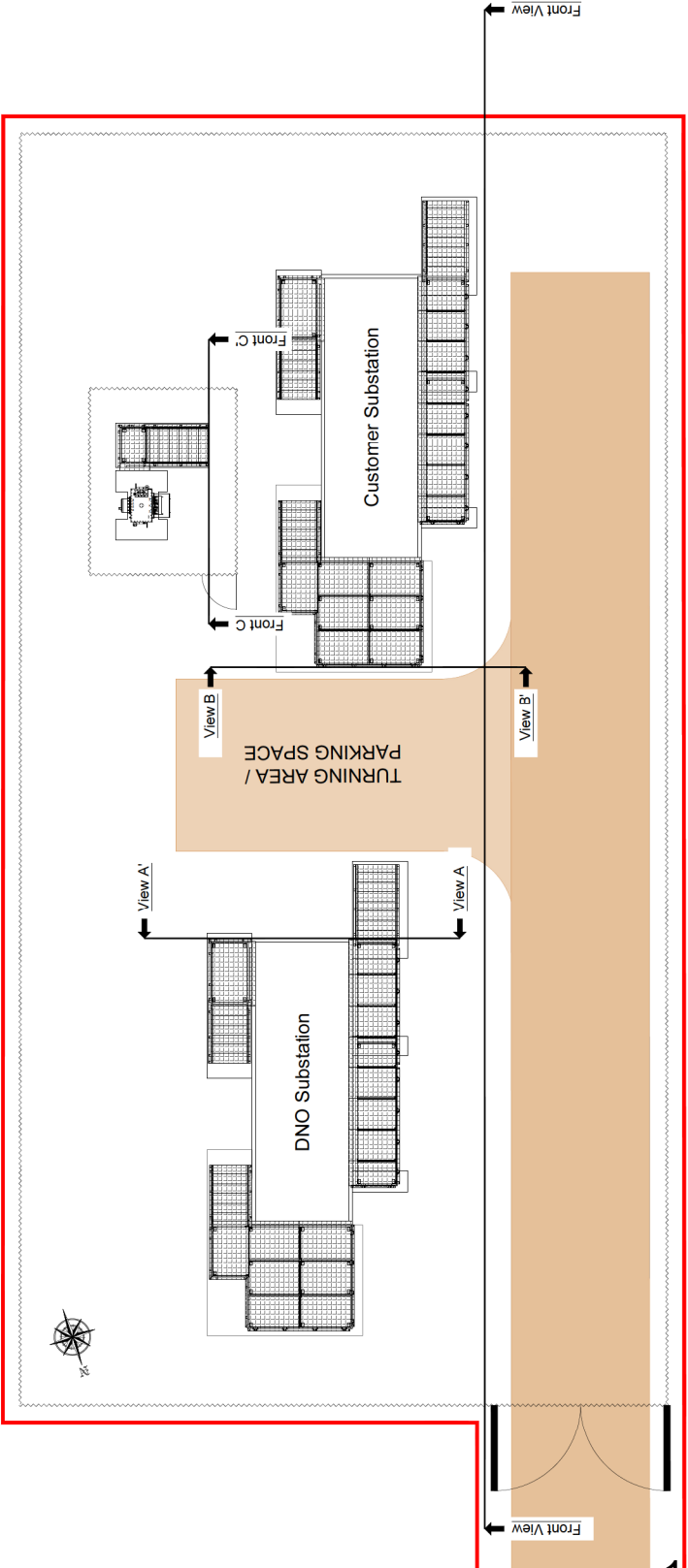
Indicative Right View
Scale 1:80



REVISION:	MODIFICATION:	DATE:	NAME:
PLA02	Electrical building structure raised to 11.88m finished floor	22/02/2014	NU
PLA01	Final Issue	21/04/2013	NU



PROJECT:	COXS BROOK
COMPANY:	PS Renewables
LAYOUT:	CONTROL ROOM
DRAW BY:	Nazro Lioda
DESIGN BY:	Nazro Lioda
CHECK BY:	Jeremy Hixon and Charlotte Pascock
DATE:	22/02/2014
SCALE:	1:80
SIZE:	A2
NUM:	2.9
REV:	PLA02



LEGEND

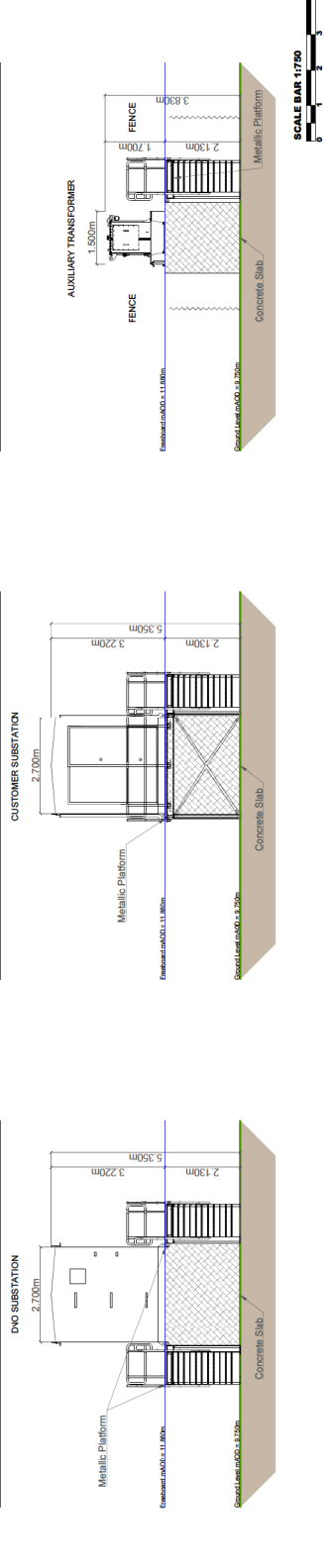
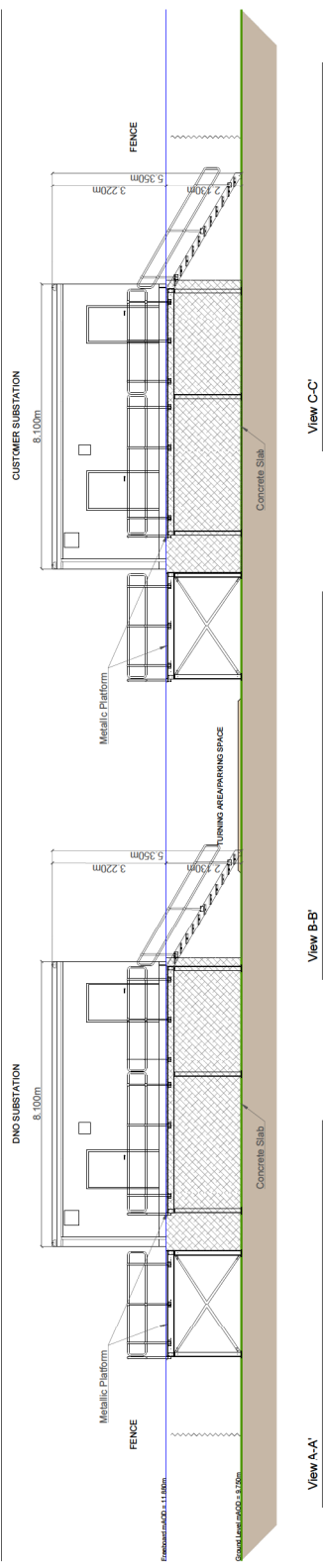
- SITE BOUNDARY
- - - PROPOSED FENCE
- DNO SUBSTATION
- CUSTOMER SUBSTATION
- AUXILIARY TRANSFORMER
- GRAVEL ROAD

PLAN	Electrical Substation and related 11kV from Boundary to DCS	DATE	2020/04/04	SCALE	1:75	NO. OF SHEETS	2/14
PLAN	PROPOSED FENCE	DATE	2020/04/04	SCALE	1:75	NO. OF SHEETS	2/14
REVISION	NO. / DATE	DESCRIPTION	DATE	SCALE	1:75	NO. OF SHEETS	2/14

PROJECT:	COXS BROOK
COMPANY:	PS Renewables
LAYOUT:	DNO/CUSTOMER SUBSTATION
DRAWN BY:	NADIA LALANI
CHECKED BY:	NADIA LALANI

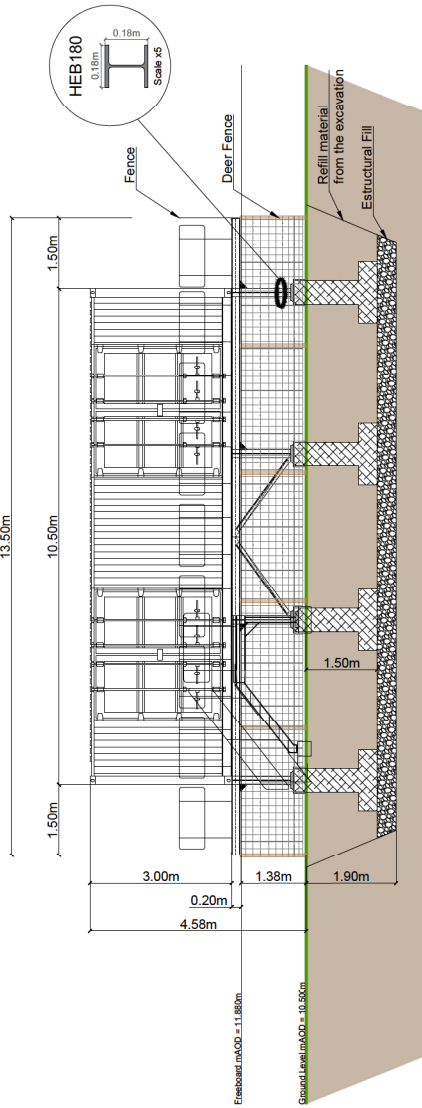
PS Renewables	DATE:	20/04/2020	NO. OF SHEETS:	2/14
CONTRACT NO:	PROJECT NO:	SCALE:	1:75	NO. OF SHEETS:
PROJECT NAME:	CLIENT NAME:	DATE:	20/04/2020	NO. OF SHEETS:

DNO / Customer Substation details
Scale 1:75
Front View

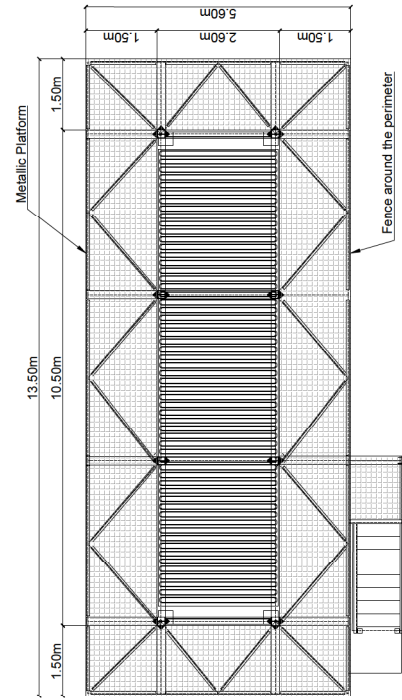


Inverter Station 1

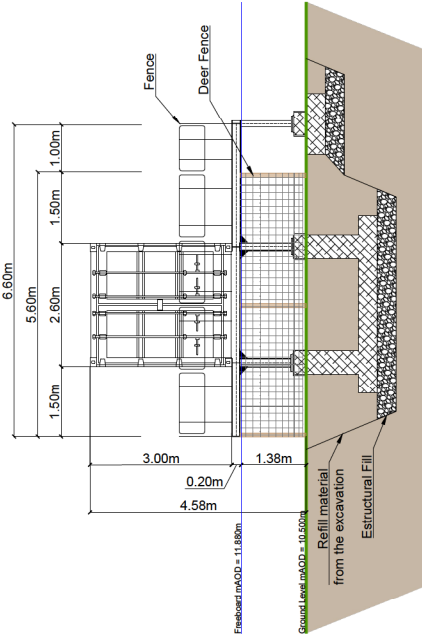
Indicative Front View
Scale 1:80



Indicative Top View
Scale 1:80



Indicative Right View
Scale 1:80



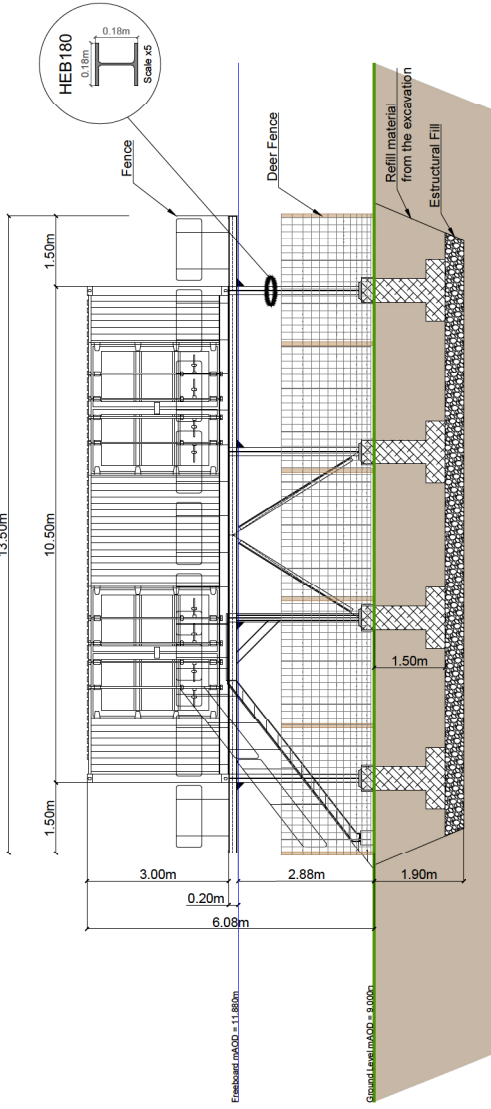
PLA03	Electrical building structure raised to 11.88m fireboard m.A.O.D.	22/02/2024	NU
PLA02	Fence updated and metallic structure details added	27/02/2023	NU
PLA01	Final base	20/04/2023	NU
REVISION:	MODIFICATION:	DATE:	NAME:



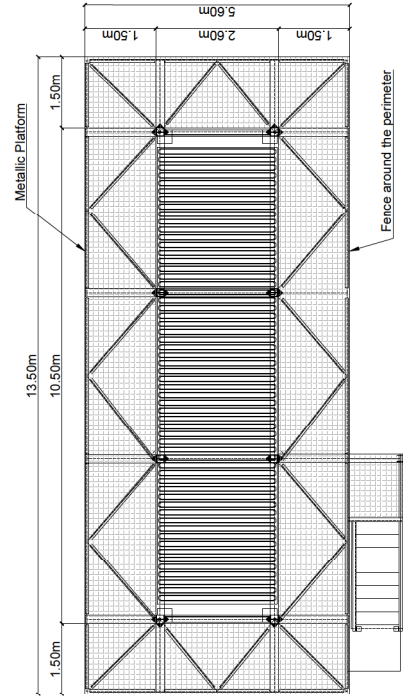
PROJECT:	COXS BROOK
COMPANY:	PS Renewables
LAYOUT:	INVERTER STATION 1
DRAWN BY:	Nazro Lioda
DESIGN BY:	Nazro Lioda
CHECK BY:	Jenny Hixon and Charlotte Pascock
DATE:	22/02/2024
SCALE:	1:80
SIZE:	A2
NUM:	2.5
REV:	PLA03

Inverter Station 2

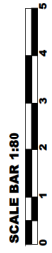
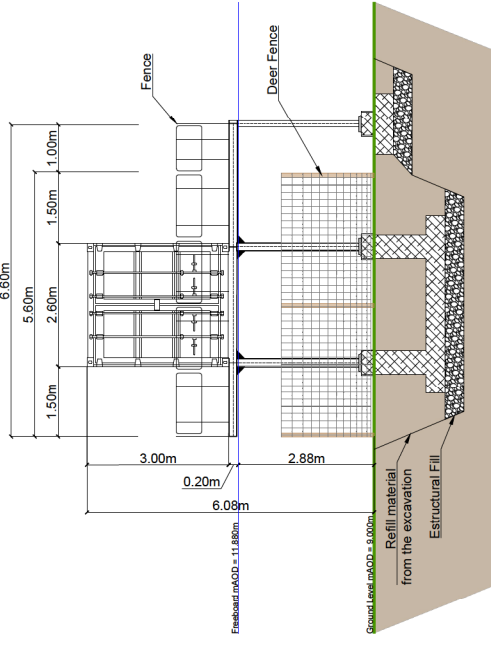
Indicative Front View
Scale 1:80



Indicative Top View
Scale 1:80



Indicative Right View
Scale 1:80



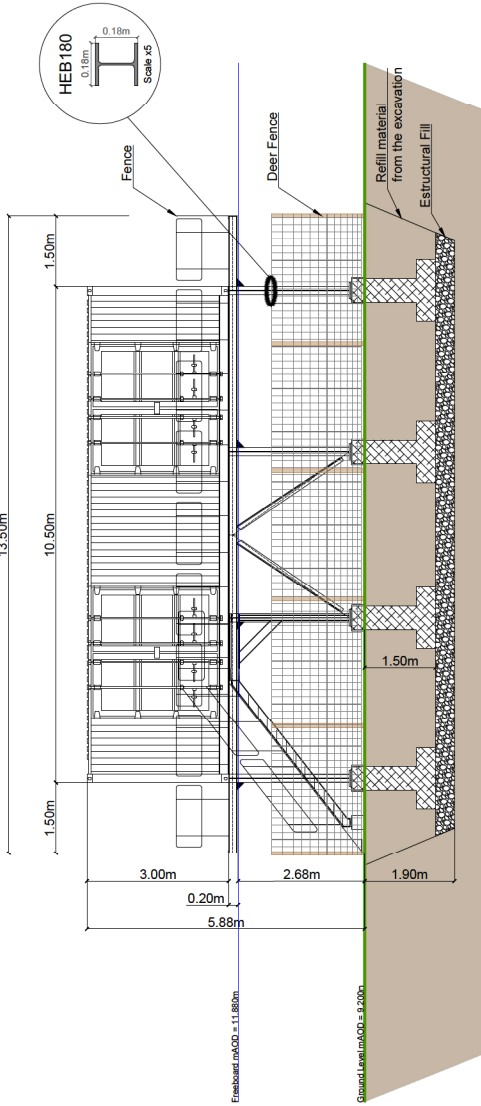
PLA03	Electrical building structure raised to 11.88m embankment mAAD	22/02/2024	NU
PLA02	Fence updated and metallic structure details added	27/02/2023	NU
PLA01	Final Issue	20/04/2023	NU
REVISION:	MODIFICATION:	DATE:	NAME:



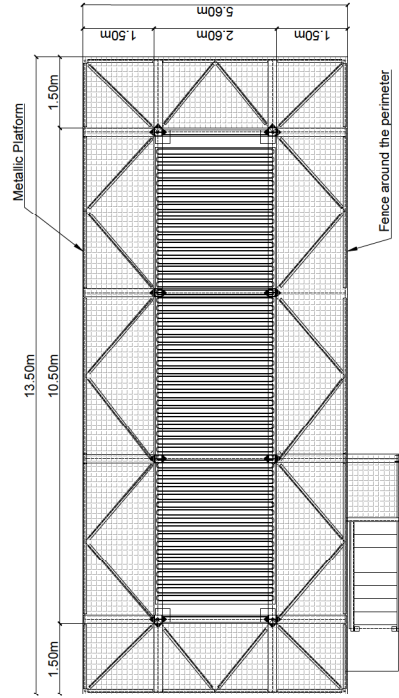
PROJECT:	COXS BROOK	DATE:	22/02/2024	NUM:	2.6
COMPANY:	PS Renewables	SCALE:	1:80	REV:	PLA03
LAYOUT:	INVERTER STATION 2	PS RENEWABLES:	James Hinton, Benjamin Rott MA		
DRAW BY:	Nazro Lioda	CHECK BY:	Jenny Hinton and Charlotte Pascock		
DESIGN BY:	Nazro Lioda				
CHECK BY:	Jenny Hinton and Charlotte Pascock				

Inverter Station 3

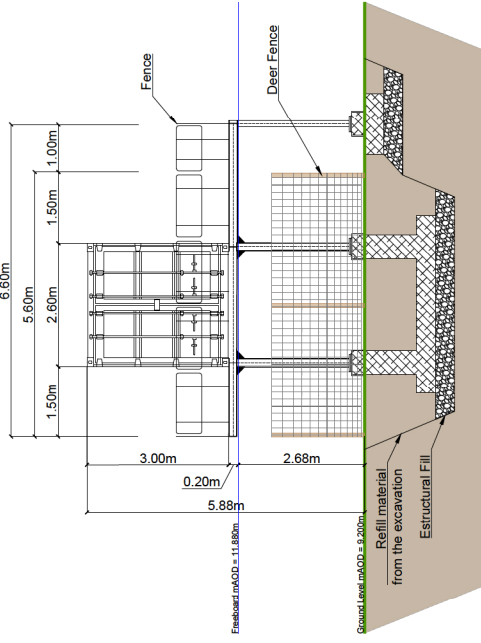
Indicative Front View
Scale 1:80



Indicative Top View
Scale 1:80



Indicative Right View
Scale 1:80



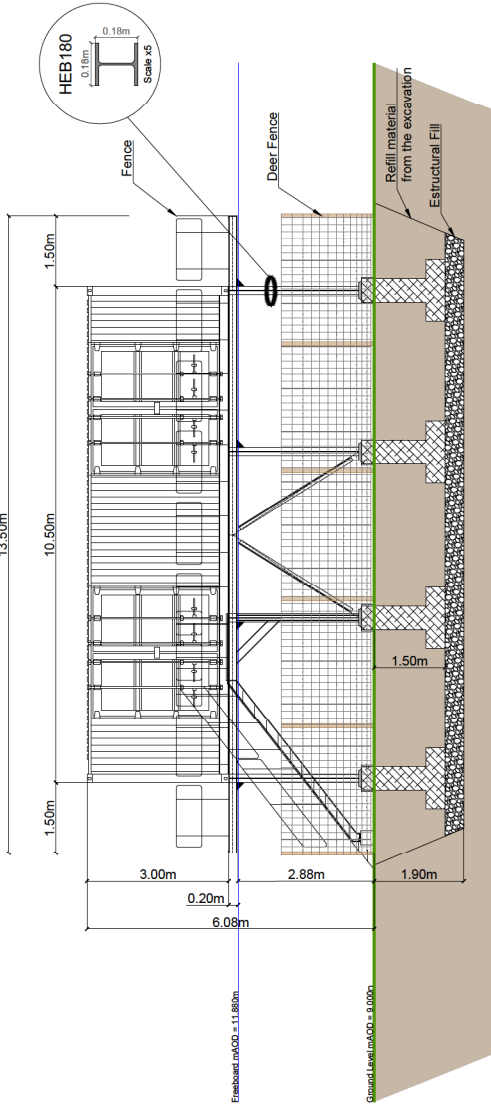
PLA03	Electrical building structure raised to 11.80m fireboard m.A.O.D.	22/03/2024	NU
PLA02	Fence updated and metallic structure details added	27/02/2023 <th>NU</th>	NU
PLA01	Final Issue	20/04/2023 <th>NU</th>	NU
REVISION:	MODIFICATION:	DATE:	NAME:



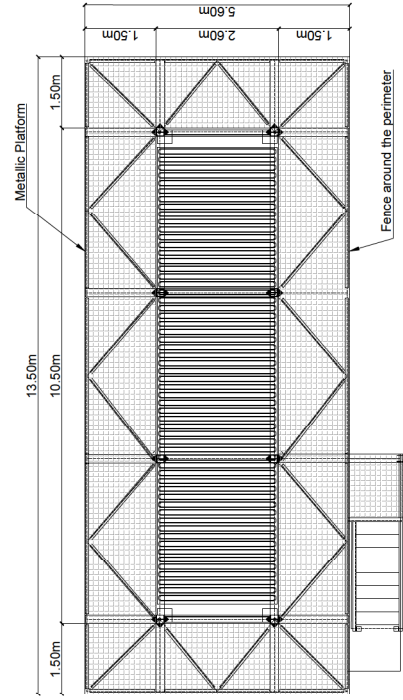
PROJECT:	COXS BROOK
COMPANY:	PS Renewables
LAYOUT:	INVERTER STATION 3
DRAWN BY:	Nazro Lioda
DESIGN BY:	Nazro Lioda
CHECK BY:	Jenny Hixon and Charlotte Pascock
DATE:	22/03/2024
SCALE:	1:80
SIZE:	A2
NUM:	2.7
REV:	PLA03

Inverter Station 4

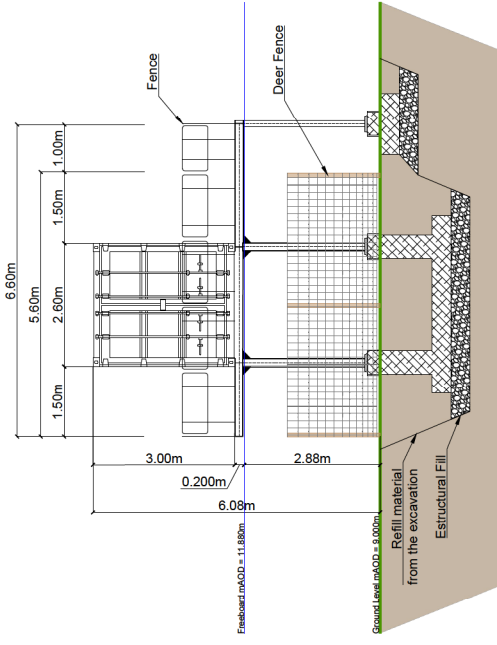
Indicative Front View
Scale 1:80



Indicative Top View
Scale 1:80



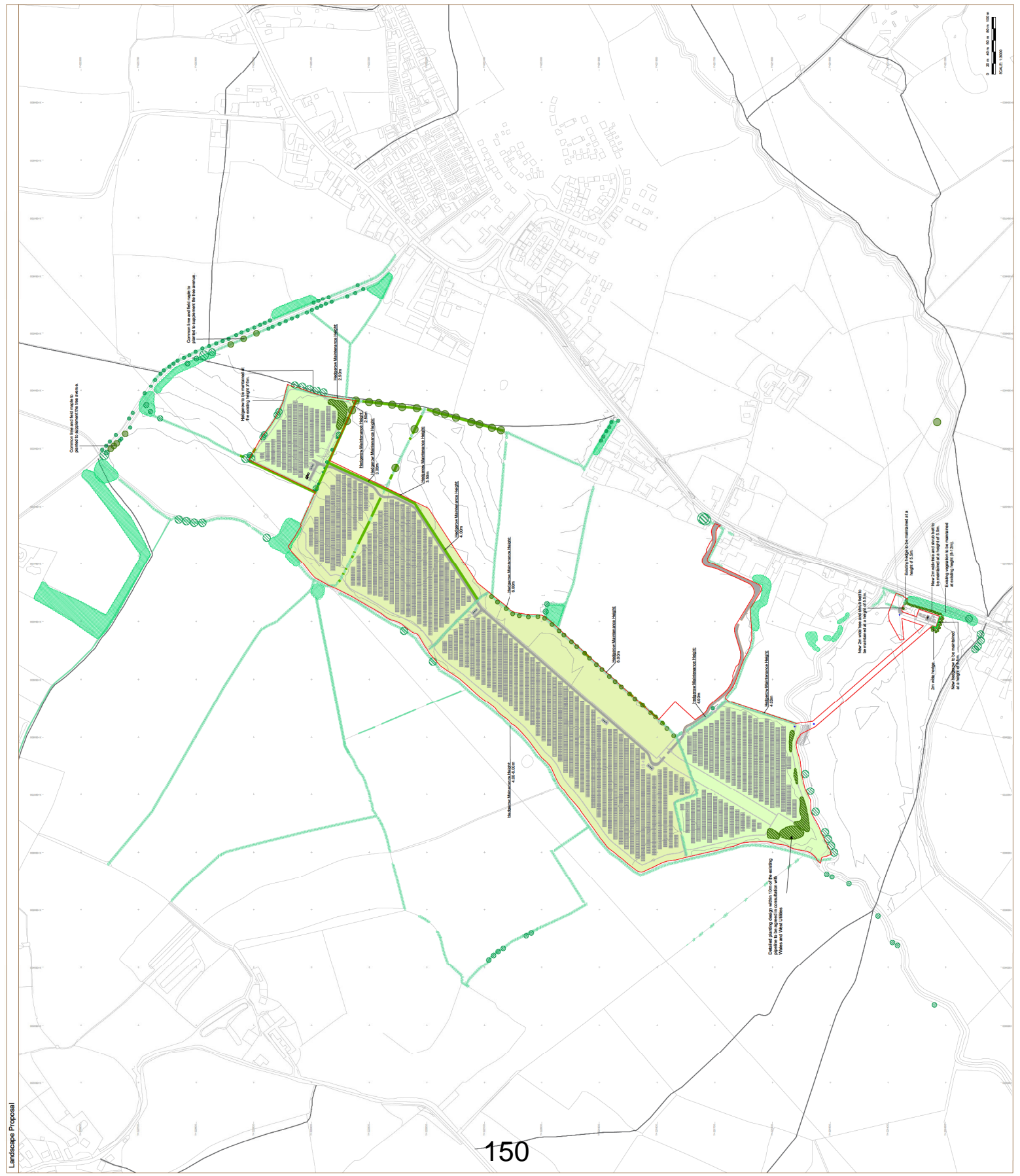
Indicative Right View
Scale 1:80



PLA03	Electrical building structure raised to 11.88m freeboard m.A.O.D.	22/02/2024	NU
PLA02	Fence updated and metallic structure details added	27/02/2023	NU
PLA01	Final Issue	20/04/2023	NU
REVISION:	MODIFICATION:	DATE:	NAME:



PROJECT:	COXS BROOK	DATE:	22/02/2024	NUM:	2.8
COMPANY:	PS Renewables	SCALE:	1:80	REV:	PLA03
LAYOUT:	INVERTER STATION 4	PS RENEWABLES:	James Hinton, Benjamin		
DRAW BY:	Nazro Lioda	DESIGN BY:	James Hinton, Benjamin		
CHECK BY:	Jenny Hinton and Charlotte Pascock				



Key

- Site Boundary
- Existing Trees / Shrub
- Existing Hedge
- Existing Grassland
- Proposed Native Mixed Hedge
- Acer campestre (field maple) 10%
- Cornus sanguinea (dogwood) 10%
- Crataegus monogyna (hawthorn) 50%
- Malus sylvestris (crab apple) 5%
- Prunus spinosa (blackthorn) 15%
- Proposed Native Trees / Shrub
- Native Tree Plots
- Ailurus glaberrimus (red maple)
- Ailurus glutinosus (ash)
- Carpinus betulus (hornbeam)
- Quercus robur (oak)
- Salix fragilis (crack willow)
- Tilia x europaea (common lime)
- Native Shrub Plantings
- Salix caprea (goat willow) 50%
- Salix cinerea (grey willow) 30%
- Salix viminalis (pear) 20%
- Proposed Wet Meadow Grassland

To be planted as bare rooted 90-120cm whip @ 4m in a double staggered row and protected with spiral rabbit guards.

The proposed planting accords with the recommended guidance for hedge planting widths, spacing and heights set out in the Tree Council's Tree and Hedge Planting Guidelines (2015) and the 'Hedge Planting Guidelines' which advise 'for a thick hedge, plant a double row of trees in a zig zag pattern. Space your rows 50cm apart, with 40-45cm between each tree in a row. The trees should be planted in a double staggered pattern. The proposals have now been updated to exceed this guidance by providing a triple row for an extra thick hedge with rows spaced at 50cm apart.

(To be planted as bare rooted 90-120cm whip @ 1m and protected with spiral rabbit guards.)

Emorgate Seeds E48 Mix Meadow Mixture for Wetlands (or similar) To be sown at 40m². Ground to be prepared by first removing weeds by hand, then mowing and then rolling. Sowing to be undertaken in early autumn or in spring once the land has dried. Meadow grassland seeding to be used in the wetting areas. Where existing grasslands present, no further changes would be made.

Additional tree planting and changes to hedge specification:
 A Additional trees
 B Additional hedges
 C Addition of planting to substitution and notes
 Amended to suit client's layout
 Amendment to site plan

Revision	Number	By	Date
F	GF	26-03-2024	
E	GF	20-11-2023	
D	GF	20-11-2023	
C	GF	14-11-2023	
B	RB	26-04-2023	
A	GF	24-04-2023	

the landscape partnership

Woodley 01232 361155
 Woodley 01934 380096
 London 020 7252 0002
 Norwich 01603 227771

JOB No: BZ2073
 Dwg No: BZ2073.100WF
 Scale: 1:3000@A1
 Drawn: RB
 Checked: GF
 Date: 21-04-2023

Project: Cox's Brook, Twigworth
 Drawing: Landscape Proposal

Status: ISSUE

North

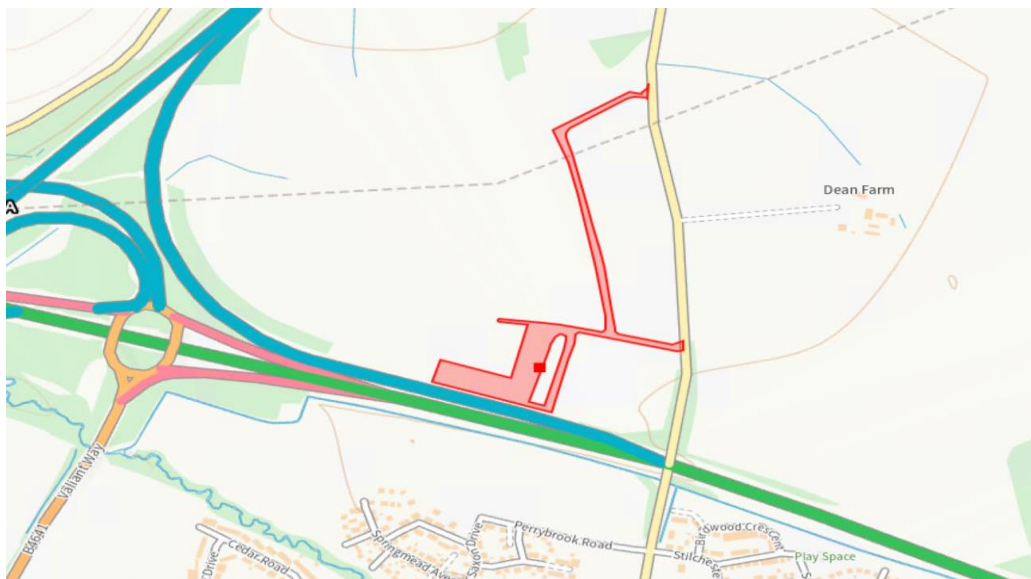
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Planning Committee

Date	23 April 2024
Case Officer	Frank Whitley
Application No.	23/01078/FUL
Site Location	Land North Of A417, Brockworth Road, Churchdown
Proposal	Construction and operation of an Energy Reserve comprising Battery Energy Storage System (BESS) together with associated infrastructure, access, landscaping and cabling, for a temporary period of 40 years (amended description).
Ward	Brockworth East
Parish	Brockworth
Appendices	<ul style="list-style-type: none"> Site Location Plan Site Layout Plan Landscape Mitigation Plan Section Views Through Site Layout Battery container elevations Large Substation Building elevations Small Substation Building elevations Transformer Elevations Inverter Unit Elevations Container Elevations Palisade Fence and access CCTV and Lighting
Reason for Referral to Committee	Parish Council Objection
Recommendation	Permit

Site Location



1. The Proposal

- 1.1 Full application details are available to view online at:
<https://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S4MWUGQDMGJ00>
- 1.2 The application seeks planning permission for the Construction and operation of an Energy Reserve comprising Battery Energy Storage System (BESS) together with associated infrastructure, access, landscaping and cabling, for a temporary period of 40 years (amended description).
- 1.3 The proposed facility would have a capacity of approximately 20MW and would connect by an underground cable to the existing 33kV overhead electricity distribution line which crosses the western end of the site.
- 1.4 The energy reserve facility would comprise:
- 16 containerised lithium-ion battery units housed in containers (each 2.5m wide x 6.1m long, x 3.1m high)
 - 8 x inverter units housed in containers (each 2.5m wide, x 6.1m long, x 3.1m high)
 - 2 auxiliary transformers, (each 2.1m wide, x 3m long, x 2.6m high)
- 1.5 Ancillary buildings/works include:
- Applicant and District Network Operator (DNO) Substation and switchgear building measuring 7m wide, x 13m long x 5m high. and
 - Smaller substation measuring 7m wide, x 7.5m long, x 5m high
 - Spare Parts Container 2.5m wide, x 6.1m long, x 2.6m high
 - Permeable surfaced access 4m wide track and vehicle parking
 - Palisade security fencing for substation compound 2.4m high
 - 4 x Pole mounted CCTV cameras 5m high
 - Access track measuring 4m wide
 - Perimeter fence and entrance gates 2.4m high
 - Landscaped bund on eastern and southern boundary (outside of perimeter fence)
- 1.6 The application is supported by:
- Transport Assessment
 - Statement of Community Engagement
 - Site Selection Justification Report
 - Shadow Habitats Regulation Assessment
 - Design and Access Statement
 - Surface Water Drainage Strategy
 - Battery Safety Management Plan
 - Landscape and Visual Impact Assessment
 - Historic Environment Impact Assessment including Archaeology
 - Geophysical Survey
 - Ecological Impact Assessment
 - Flood Risk Assessment
 - Construction Management Plan
 - Noise Impact Assessment
 - Air Quality Assessment
 - Land Classification Report
 - Tree Survey

- 1.7** The proposal follows pre-application advice, issued by Tewkesbury Council on 18 September 2023. Based on the pre-application submission at the time, Officers advised a follow-on application would unlikely be supported. Members should note that the proposal was for a Battery Energy Reserve Facility in the Green Belt of approximately 50MW comprising 20 battery containers. No Very Special Circumstances (VSCs) were advanced in the pre-application submission, to counter the presumption against inappropriate development in the Green Belt (see explanation of VSCs at Para 8.40 below).

2. Site Description

- 2.1** The application site is approx. 2.3ha of agricultural land immediately north of the A417 and between the M5 Junction 11a which is 800m to the west and the Brockworth Road 260m to the east. The slip road from the M5 leaves at Junction 11a and then runs parallel to the A417, before joining the carriageway approximately under the Brockworth Road overpass.
- 2.2** The site is on the southern edge of the Cheltenham/Gloucester Green Belt. The Green Belt boundary is the A417 which also defines the edge of the built up area of Gloucester and Brockworth. The Green Belt area extends north from A417 covering a large area of relatively undeveloped land, wrapping around Churchdown and Shurdington up to the southwestern edge of Cheltenham. The site does not fall within any landscape designations.
- 2.3** The nearest residential properties on the north side of the A417 are Pressmead Farm (710m) directly to the north, and Dean Farm (550m) to the north east. Woodlands Farm is 1.2km to the north. Henley Bank Community Wood is 760m to the east.
- 2.4** A public footpath runs between the A417 and the application site.
- 2.5** Immediately to the south of the A417 is the settlement of Brockworth and land approved for new residential development in 2016 under 12/01256/OUT, known as Perrybrook. In periods of phased development, a number of reserved matters applications followed. Residential development has been approved up to the southern edge of the A417, albeit outside of a significant landscaping amenity buffer through which runs the Horsbere Brook.
- 2.6** The application site is entirely within Flood Zone 1 which represents the lowest risk of flooding.
- 2.7** The land is classified entirely as Grade 3b which is described by the Agricultural Land Classification System (ALC) as being of 'moderate' quality. The ALC does not recognise Grade 3b land as being 'Best and Most versatile'.
- 2.8** The proposed energy reserve facility is more commonly known as a battery energy storage site and is referred hereafter as a 'BESS'.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
23/00005/SCR	Screening Opinion: Development of a battery energy storage project to be known as Brockworth Road Energy Reserve including a Battery Energy Storage System (BESS), comprising of battery containers, inverters and transformers, and substation allowing a connection into the existing 33kV overhead powerline which crosses the western part of the Site.	EIA not required	21.12.23
23/00014/PRE	A Battery Energy Storage System with associated infrastructure and equipment, including fencing, security cameras, cabling, and access tracks. The proposed development would have a storage capacity of approximately 50 megawatts. The proposed development would be temporary with an operational period of 40 years.	completed	10.10.23

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.
A site notice has been displayed.

4.1 Brockworth Parish Council- objection

Following consideration of this application at our Planning and Highways Committee on 20th December it was proposed to OBJECT to this application on the following grounds: Whilst council appreciate the efforts made to limit the effects of this installation to the local community council still feel it is yet another development eating into the precious little green space left around Brockworth. The large Perrybrook estate has been built on what was previously Green Belt land. The border for this was moved to allow for this development. It is not acceptable that yet more development is being allowed on the green belt. We feel this will have a detrimental and negative impact on the village. Despite assurances about the limited highway impact, we have learnt from the Perrybrook development that construction traffic will still come through the village whether by accident or on purpose. Other concerns which were raised at the consultation were the proximity of the new housing development to the site, the proximity of the road. The fact that this will mean a loss of prime agricultural land in an area where we have limited agricultural space left. Concerns over the ecology, wildlife and environmental impact of such a development both during the construction phase and also during the normal operation and functioning of the site.

4.2 Natural England- no objection

4.3 Environment Agency- no objection

- 4.4 **National Highways-** no objection
- 4.5 **Gloucestershire Fire and Rescue-** no objection
- 4.6 **County Council Highways-** no objection
- 4.7 **Lead Local Flood Authority-** no objection
- 4.8 **Cotswolds National Landscapes-** no objection
- 4.9 **County Archaeology-** no objection
- 4.10 **Environmental Health-** no objection
- 4.11 **Conservation Officer-** no objection
- 4.12 **Trees Officer –** no objection
- 4.13 **Ecology-** no objection
- 4.14 **Severn Trent Water-** no objection
- 4.15 **County Council Minerals and Waste –** no objection
- 4.16 **Public Rights of Way-** no objection

5.0 Third Party Comments/Observations

- 5.1 No objections have been received.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP2 (Distribution of New Development)
Policy SD4 (Design Requirements)
Policy SD8 (Historic Environment)
Policy SD14 (Health and Environmental Quality)
Policy INF1 (Transport Network)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy HER2 Listed Buildings
Policy GRB4 Cheltenham- Gloucester Green Belt
Policy HER4 Archaeological Sites and Scheduled Monuments
Policy NAT1 Biodiversity, Geodiversity and Important Natural Features
Policy ENV2 Flood Risk and Water Management

6.5 There is no Neighbourhood Plan relevant to the application.

7. **Policy Context**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans

7.3 The relevant policies are set out in the appropriate sections of this report.

7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG).

8. **Evaluation**

Main Issues

- Principle of Development
- Green Belt
- Site Selection and Very Special Circumstances
- Effect on Landscape Character and Visual Amenity
- Flooding and Drainage
- Residential Amenity
- Historic Environment
- Ecology and Trees
- Highways
- Fire and Pollution Risk

Principle of Development

8.1 Under the Climate Change Act 2008, the government seeks to promote renewable energy production in order to reduce greenhouse emissions. Planning Practice Guidance states that renewable and low carbon energy technology will assist climate change mitigation.

- 8.2** The proposed development is not directly associated with the production of renewable energy, such as for example, a solar farm. Even so, it is recognised that battery storage facilities are a key component of energy facilities in the UK, since they are able to store excess electricity generated by renewable energy facilities when demand is low and release energy to the grid at periods of high demand, or when electricity generated by renewable sources is low.
- 8.3** The UK requires electricity storage facilities in order to balance demand without resorting to fossil fuel generation.
- 8.4** The UK Government published its updated 'Overarching National Policy Statement for Energy' in November 2023. Para 3.3.25 states that:
Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated.
- 8.5** In achieving its vision for a 'good quality of life', the Tewkesbury Borough Plan incorporates the environment into the three dimensions of sustainable development. The Plan recognises that addressing climate change contributes to achieving its vision.
- 8.6** Tewkesbury Borough Council declared a Borough-wide climate emergency in 2019, and furthered this commitment in May 2023 by (amongst other things), committing to doing everything possible to make Tewkesbury Borough Council carbon-neutral by 2030.
- 8.7** According to the submitted planning statement, the benefits of the proposed development will make a significant contribution to support the delivery of renewable and low carbon energy to achieve targets set locally and nationally.
- 8.8** The NPPF encourages Local Planning Authorities to promote renewable energy development and identify appropriate sites for it. In meeting the challenge of climate change, flooding and coastal change, the NPPF states the planning system should support transition to a low carbon future.
- 8.9** Chapter 14 of the NPPF seeks to meet the challenge of climate change, flooding and coastal change. Para 154 states that new development should be planned for in ways (in part) that can help to reduce greenhouse gas emissions. The NPPF also states (Para 155) that plans should consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure.
- 8.10** Planning Practice Guidance (PPG) was updated in August 2023 to reflect that BESS is considered to be categorized within 'Renewable and low carbon energy' noting the benefits of BESS developments as being 'flexibility and decarbonisation of the energy system through grid balancing and maximising solar and wind output'. The Development would support the achievement of nationally set renewable energy targets and contribute to the Council's commitments to achieving 'Net Zero'.
- 8.11** Policy INF5 (Renewable Energy/Low Carbon Energy Development) of the adopted JCS states:
Proposals for the generation of energy from renewable resources, or low carbon energy development (with the exception of wind turbines), will be supported, provided the wider environmental, social or economic benefits of the installation would not be outweighed by a significant adverse impact on the local environment.

8.12 Subject to further determining criteria below, in principle, the development is supported by national, local policies and associated guidance.

Green Belt

8.13 According to the NPPF, Green Belt serves five purposes:

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

8.14 The NPPF states that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' (known as VSCs) will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

8.15 In relation to renewables, the NPPF states its position at Para 156:

When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

8.16 Policy SD5 (Green Belt) of the adopted Joint Core Strategy (JCS) seeks to ensure the Green Belt continues to serve its key functions, namely its protection from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated.

8.17 Policy GRB4 (Cheltenham – Gloucester Green Belt) of the adopted Tewkesbury Borough (TB) Plan states development on land designated as Green Belt will be severely restricted. The essential characteristics of Green Belts are their openness and their permanence. Substantial weight will be given to any harm to the Green Belt when assessing planning applications.

8.18 Officers' position is that the proposed development would be, by definition inappropriate unless the application demonstrates:

- very special circumstances (VSCs), and;
- the wider environmental benefits associated with increased production of energy from renewable sources.

Site Selection Justification and Very Special Circumstances

8.19 The application is supported by a Site Selection Justification Report (SSJR). Section 9 of the Design and Access Statement includes an explanation of Green Belt and Very Special Circumstances. Although a separate document, the Design and Access Statement should be read in conjunction with the SSJR.

- 8.20** The SSJR explains the land requirements for BESS development, and the rationale for the need of development of this type. The SSJR outlines the process which has been followed to identify a suitable location for the development in the context of NPPF guidance, relevant opportunities and constraints. The SSJR seeks to demonstrate that the site has been chosen with proper consideration of all relevant factors.
- 8.21** The SSJR explains the key criteria which have led to the site being selected for BESS development as follows:
- 8.22**
- Proximity to an available grid connection;
 - Avoiding statutory landscape, heritage, and ecological designations;
 - Separation from residential areas and designated heritage assets;
 - Suitable access for construction;
 - Agricultural land classification, avoiding the use of BMV land;
 - Minimising impacts on sensitive landscapes by focusing on landscapes of lower sensitivity and benefiting from existing woodland and hedgerow screening;
 - Minimising development in areas of flood risk; and
 - Avoiding areas of ecological sensitivity and looking for enhancement opportunities
- 8.23** The SSJR has sought to demonstrate there are no suitable alternatives within categories
- 'Previously Developed Land' (PDL) and land within an existing industrial area
 - Non-Green Belt greenfield land.
- 8.24** In terms of PDL and existing industrial areas, the applicant has reviewed the brown-field registers of Tewkesbury, Gloucester, Cheltenham and Stroud Councils. Three alternative sites have been considered:
- 8.25** 1: An area north of Gloucester Airport has been discounted for reason that it is a major employment site, allocated under the adopted TBP (policy EMP1).
- 8.26** 2: 2.1ha area of brownfield land but falling under Policy A2 of the adopted JCS as a strategic allocation for approximately 1100 new homes and 17 ha of employment land. Further, the site is also 1.9km from the nearest suitable overhead power line, so has been discounted.
- 8.27** 3: A site within Gloucester Business Park which also contains the Brockworth Substation. However, the land is allocated as a major employment site under the adopted TBP (EMP1) and also is designated under Policy RET1 which seeks to maintain the vitality and viability of the town, borough and local centres. The development would be incompatible with RET1. For these reasons, alternative site 3 has been discounted.
- 8.28** In terms of non-green belt greenfield land, six alternative sites have been considered, all outside of the Green Belt and previously undeveloped.
- 8.29** 1: The site is immediately west of Down Hatherley. Large areas of the site are in Flood Zones 2/3, it is 1.75km from the nearest suitable overhead power line, designated under the TBP as an 'Area of Restraint Safeguarded Area (Policy SD5 7), and mostly classified as Grade 2 agricultural land.

- 8.30** 2: The site is immediately north and Gloucester Airport and adjacent to Ashville Business Park. The land has been released from the Green Belt, but likely would be prioritised for employment uses. The site was approved in 2016 for use by Spectrum Medical and Stratstone Landrover and more recently for a warehouse with ancillary office and staff facilities. The site is also very limited in size and over 500m from the overhead power line, creating difficulties to achieve a viable connection.
- 8.31** 3: The site is west of Badgeworth Road, and immediately south of the A40 within Cheltenham Borough Council's area. The site has sensitive receptors nearby, and a portion of the site has been approved for a commercial hybrid unit and is 1.6km from the nearest suitable overhead power line.
- 8.32** 4: The site lies between Cheltenham Rd East (B4063) and the A40 and to the west of Pirton Lane. The site is proposed for a residential development of 145 dwellings by an undetermined planning application and is within Policy A2 Strategic allocation South Churchdown under the adopted JCS. It is 1.6km from the nearest suitable overhead power line.
- 8.33** 5: The site is immediately south of the A40, positioned opposite No.4 above. It is immediately adjacent to a designated 'Special Landscape Area' according to the adopted TBP and within the strategic allocation Policy A2 South Churchdown, where a future use of housing and/or retail would be preferred. It has more sensitive receptors, and part of the site has been approved for a 'Park and Ride' facility. It is 1.15km from the nearest suitable overhead power line.
- 8.34** 6: The site is immediately south of the application site, on the far side of the A417 on the edge of Brockworth. The site is close to the overhead power line, but has already been approved for significant mixed development by Tewkesbury Borough Council in 2015. The site would therefore have sensitive nearby receptors.
- 8.35** The SSJR concludes there are no alternative locations for development within proximity to the point of connection which are outside of the Green Belt designation, or on brownfield (previously developed) land.
- 8.36** The Design and Access Statement (Section 9.1) acknowledges that development would disrupt the 'openness' of the Green Belt in a field and in an area north of the A417 which has generally been protected from harmful development by Green Belt designation. The operational phase would be for a fixed period of 40 years, at the end of which time, development would be removed and the site returned to its agricultural use. Officers accept that while restoration would be secured by condition, the openness would still be disrupted for a significant period of time. The 'non-permanent' nature of development attracts some, though limited weight.
- 8.37** The Design and Access Statement explains the development should be seen in its context, which includes the A417 and the built up area of Brockworth immediately to the south.
- 8.38** The development is proposed within a 4.6ha field, bounded by established hedgerow. Overall, Officers consider that localised inward views would be limited due to the relatively flat topography.. Through mitigation and site enhancements, the existing eastern field boundary would be strengthened, and new hedgerow would be planted outside the perimeter palisade fence.

8.39 Officers consider the development should be viewed in the context of the A417 which at the point of passing the application site, comprises eight traffic lanes, including the slip road for the M5. Illustrative cross sections have been submitted which demonstrate only glimpses of the upper sections of the containers would likely be viewed from passing traffic. Agricultural land beyond would remain open in character. Although the existing settlement of Brockworth and additional approved housing is outside of the Green Belt boundary, the combined effect of existing development and the dominant feature of the A417 is considered to mitigate the additional impact of BESS development on the openness of the Green Belt.

8.40 Notwithstanding the impact upon openness VSCs need to be demonstrated. In this regard the application seeks to demonstrate the following VSCs, to which Officers respond.

- The urgent need to secure renewable energy to be deployed at a scale to support the UK's legally binding commitment to achieve 'Net Zero' target. Officers attribute significant weight to this VSC.
- The declared climate emergency of the UK government and Tewkesbury Borough Council. Officers attribute significant weight to this VSC.
- Proximity to an existing grid connection with capacity. As has been explained above, the need for proximity to an appropriate overhead power line has resulted in alternative sites being discounted. Officers attribute significant weight to this VSC.
- The delivery of Biodiversity Net Gain (BNG). Officers note the development is expected to achieve a net gain of 37% in habitats and 22% in hedgerows. Officers attribute some, though limited weight as a VSC. Although welcomed, additional BNG over and above the required gain of 10% does not justify development in itself.
- Temporary and Reversible Impact. Officers attribute some, though limited weight as a VSC due to the 40 year lifespan of development.
- Localised and Limited Landscape Impact. Officers generally consider that harm to the openness of the Green Belt is limited given the close proximity of the A417 trunk road and new residential development in Brockworth. Harm is further limited by proposed additional screening and mitigation.
- Limited scale of Development. Officers generally consider that the BESS development of 16 battery containers/20MW output (with additional infrastructure) is of moderate scale.

8.41 Given site requirements for BESS development, and constraints which would preclude development from taking place elsewhere in the wider Tewkesbury area, Officers consider that sufficient justification for selection of the Brockworth site have been demonstrated. Officers acknowledge the presumption against inappropriate development in the Green Belt. However, in this case, there are very special circumstances, which have been sufficiently demonstrated. Officers do not consider the development would conflict with the purposes of the Green Belt, as set out in the NPPF and at Paragraph 8.13 above.

Layout

8.42 The 16 battery containers would be laid out in a row, side by side from south to north. To their side would be the 8 inverter units, laid out end to end. Nearest to the southern boundary would be 3 substation units. At the northern end would be a spare parts container. All the units would be sited on a crushed aggregate base, and enclosed within a track, outside of which would be a palisade security fence measuring 28m x 137m. A secure gate would be installed in the perimeter.

- 8.43** Save for the gated access, the palisade fence would be enclosed entirely within a new native hedgerow, scrub, wildflower grassland, and improved habitat areas. The existing field boundary hedgerow to the east of the battery containers would be retained and strengthened. The space between the development and the eastern field boundary is excluded from the application site because this land is committed to a Countryside Stewardship Scheme agreement and cannot form part of the proposed development.
- 8.44** The part of the application site connecting to the 33kW Overhead power line (130m approximately) would be retained as arable land.
- 8.45** The public right of way would pass between the new hedge on the southern end of the site and existing scrub below the M5 slip road. The route of the footpath would not be altered.
- 8.46** BESS units would be 3.1m high, and two substation buildings would be 5m high. There would be a palisade security fence of 2.4m. Four security and monitoring cameras would be mounted on 5m poles. BESS units would be coloured green, and would be secured by condition.
- 8.47** The site would be accessed from Brockworth Road to the east. There are two proposed access points:
1. A new access track would be installed 500m north of the BESS. The access track would be used during the period of construction only and removed when no longer required for this purpose. Officers recommend a condition is imposed to secure a method statement for the restoration of the land to its previous condition.
 2. The closest access point would make use of the existing 200m farm track immediately to the east. This route is designated for emergency vehicles during the period of construction, and for maintenance of the site once it becomes operational. The Highways Officer has commented that whilst the closer access point would be acceptable for occasional use by maintenance vehicles, it would be unsuitable for construction vehicles.

Effect on Landscape Character and Visual Amenity

- 8.48** The NPPF at Paragraph 130 states amongst other things that decisions should ensure that developments are sympathetic to local character and history. At Paragraph 174, the NPPF states that decisions should protect and enhance valued landscapes and sites of biodiversity in a manner commensurate with their statutory status or identified quality in the development plan. The NPPF also states in Para 174 that decisions should recognise the intrinsic beauty of the countryside. and the wider benefits from natural capital and ecosystem services – including trees and woodland.
- 8.49** Policy SD6 (Landscape) of the adopted JCS in summary:
- seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.
 - states proposals will have regard to the local distinctiveness and historic character of the different landscapes in the JCS area, drawing, as appropriate, upon existing Landscape Character Assessments and the Landscape Character and Sensitivity Analysis.
 - applications for development will consider landscape and visual sensitivity, supported by a Landscape and Visual Impact Assessment as appropriate. Proposals should

include appropriate mitigation and enhancement.

Policy LAN2 (Landscape Character) of the adopted JCS states all development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting. Relevant landscape features and characteristics must be conserved and where possible enhanced.

- 8.50** A Landscape and Visual Impact Assessment (LVIA) has been submitted and assessed by Officers.
- 8.51** The nearest boundary of the Cotswolds National Landscape is 1.5km to the east. Chosen Hill/Churchdown Hill Special Landscape Area extends within 700m of the site to the northwest where it adjoins Junction 11a of the M5 motorway.
- 8.52** The majority of the site falls within the National Character Area Severn and Avon Vales, summarised in character by '*The lower valleys of the rivers Severn and Avon dominate this low-lying open agricultural vale landscape made up of distinct and contrasting vales*'.
- 8.53** At a local level, the Joint Core Strategy Landscape Characterisation Assessment and Sensitivity Analysis is relevant (LCASA). The LCASA divides the landscapes of the County into Landscape Character Types (LCTs). The application site falls within LCT 18, namely Settled Unwooded Vale, though Chosen Hill/Churchdown Hill falls within LCT17, Wooded Outlier. Key characteristics of Settled Unwooded Vale which are particularly relevant to the site are:
- *Soft, gently undulating to flat landscape, but with intermittent locally elevated areas that project above the otherwise flatter landform.*
 - *Mixed arable and pastoral land use enclosed by hedgerow network, in places forming a strong landscape pattern.*
 - *Limited woodland cover with mature hedgerow trees and occasional orchards*
 - *Rural areas bordered by large urban and suburban areas and interspersed with commercial and industrial premises*
 - *Varied mix of building materials*
 - *Proliferation of modern 'suburban' buildings styles and materials.*
 - *Major transport corridors pass through the Vale.....beyond which is a network of local roads and lanes linking villages and hamlets.*
 - *Widespread network of pylons and transmission lines.*
- 8.54** In terms of susceptibility to change and value, the LVIA attributes low to medium sensitivity to change on the Severn and Avon Vales. The Settled Unwooded Vale (LCT18) is graded medium, and the Wooded Outlier (LCT 17) is graded high sensitivity.
- 8.55** The overall landscape sensitivity of the site to the proposed change is judged to be low to medium.
- 8.56** Fifteen viewpoints have been selected within a 'Zone of Theoretical Visibility' covering near, middle and long distance views from around the site. Visual receptors with a high sensitivity are those within the AONB, Chosen Hill, and residential dwellings, though generally, the resulting visual harm significantly diminishes as distance increases. Equally, other visual receptors may be very close but have low sensitivity, eg A and B Class roads.

- 8.57** Of the viewpoints examined, the highest level of adverse effect would be experienced by users of the public footpath where it follows the southern boundary of the site. Initially, the level of harm would be up to moderate to major, though would decrease to minor to moderate once screening is established. Users of footpaths on Chosen Hill would experience minor to moderate adverse harm, at a distance of approximately 1.6km, though partial views and glimpses from this area would also include in the foreground the M5 and its junction 11a.
- 8.58** Residential receptors are sufficiently distant such that any partial views of the development are likely to cause insignificant harm.
- 8.59** The LVIA concludes that inevitably, the development would result in some adverse effects on the landscape character and visual amenity. However, the LVIA also explains that effects would largely be limited to the site and its immediate setting, within 500m. Visitors to Churchdown Hill and the Cotswold escarpment would also experience some impacts. However over time as mitigation screening becomes established, the level of harm would diminish.
- 8.60** Officers are satisfied that the LVIA process has been followed correctly in accordance within established guidelines. Officers agree with the conclusions that the level of harm to the character of the landscape would be no greater than moderate. Similarly, visual harm would be no greater than moderate, and is largely confined to within the immediate setting of development due to topography. Visual harm, especially from the public footpath would likely diminish over time as new planting matures. Further, the proposed development would have to be considered in the context of new residential and transport related development in the immediate vicinity.
- 8.61** Officers conclude that landscape impacts resulting from the development are acceptable. Proposed hedgerow and tree planting around the perimeter and field boundaries would provide additional mitigation, and would be secured by condition. For these reasons there is no conflict with relevant paragraphs of the NPPF, Policy SD6 (Landscape) of the adopted JCS, or Policy LAN2 (Landscape Character) of the adopted TBP.

Flooding and Drainage

- 8.62** The NPPF states that inappropriate development at risk of flooding should be avoided by directing development away from areas at highest risk.
- 8.63** Policy INF2 (Flood Risk Management) of the adopted JCS states that development proposals must avoid areas at risk of flooding, in accordance with a risk-based sequential approach.
- 8.64** Policy ENV2 (Flood Risk and Water Management) of the adopted TBP seeks to manage the risk of flooding to and from new development.
- 8.65** The application site is in Flood Zone 1 (lowest risk). The application is supported by a Flood Risk Assessment and Surface Water Drainage Strategy which has been reviewed by the Lead Local Flood Authority. No concerns have been reported.

- 8.66** The BESS compound would be laid on top of an impermeable membrane to protect groundwater. As ground infiltration rates are low, shallow cellular storage will be used for attenuation storage of high intensity rainfall. Cellular storage has capacity for 1 in 100 year rainfall events, plus an additional margin for climate change. As required, discharge water would be pumped to an unnamed tributary of the Horsebere Brook (to the north of the site). The cellular storage would also store fire suppression water in the unlikely event of a battery fire.

Residential Amenity

- 8.67** Policy INF5 of the adopted JCS (Renewable Energy/Low Carbon Energy Development) supports low carbon energy development, provided the benefits are not outweighed by a significant adverse impact on the local environment, taking account of users and residents of the local area in terms of 'emissions, noise, odour and visual amenity'.
- 8.68** Policy SD4 (Design Requirements) of the adopted JCS seeks to avoid visual intrusion, noise, smell, and pollution in development. Policy SD14 (Health and Environmental Quality) goes further to ensure that new development causes no unacceptable harm to local amenity including neighbouring occupants.
- 8.69** Policy HEA 1 (Healthy and Active Communities) of the adopted TBP seeks to ensure that potential impacts to health and wellbeing are considered in new development.
- 8.70** A Noise Impact assessment has been submitted which explains that the development site is in a semi-urban location where noise levels in the area are dominated by road traffic from both the A417 and the M5. Noise monitoring taking into account predicted levels took place both adjacent to the site and in a position the same distance north as Pressmead Farm (710m). The assessment concludes that predicted noise levels would be at least 6dB below the existing background (taking into account quieter night time periods) noise levels resulting in a low noise impact. The development would not change the character of the existing acoustic environment.
- 8.71** Subject to the submission of a Construction and Environmental Management Plan and limitation of construction hours, the Environmental Health Officer has raised no concerns.
- 8.72** Officers consider the proposed development complies with requirements where relevant of the NPPF, INF5, SD4, SD14 of the adopted JCS and HEA1 of the adopted TBP.

Historic Environment

- 8.73** The NPPF at Chapter 16 (Conserving and Enhancing the Historic Environment) states that when considering impacts, great weight should be given to the asset's conservation. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.74** The NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 8.75** Policy SD8 (Historic Environment) of the adopted JCS states that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.
- 8.76** Policy HER4 of the adopted TBP states that Scheduled Monuments and sites of national archaeological importance will be preserved in situ and provision should be made for excavation and recording.
- 8.77** A Historic Impact Assessment (HIA) has been submitted which has identified 15 designated assets within a 1km search area, and most of these associated with Brockworth Court on the south side of the A417. There are no listed buildings within 400m. The HIA concludes there would be no impact to the historic setting of any listed buildings. The Conservation Officer has been consulted and agrees with the conclusions.
- 8.78** The HIA does acknowledge however there is potential for significant archaeological remains in the area of the application site. In this regard, further trial trenching has been completed, under the supervision of the County Council archaeologist. An interim archaeological evaluation has been submitted and assessed. The County Council archaeologist has concluded that details submitted are sufficient to establish that the Roman remains previously identified on the south side of the A417 at Perrybrook do not continue into the application area. No further investigation or recording need be secured by condition.
- 8.79** Officers consider the development complies with the relevant requirements of the NPPF, Policy SD8 of the adopted JCS and Policy HER4 of the adopted TBP.

Ecology and Trees

- 8.80** Chapter 15 of the NPPF seeks to conserve and enhance the natural environment, in part by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, and minimising impacts on and providing net gains for biodiversity.
- 8.81** Policy SD9 of the adopted JCS (Biodiversity and Geodiversity) states amongst other things that the biodiversity and geological resource of the JCS area will be protected and enhanced in order to establish and reinforce ecological networks that are resilient to current and future pressures. Similarly, the adopted TBP Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features) requires amongst other things that proposals will, where applicable, be required to deliver a biodiversity net gain across local and landscape scales, including designing wildlife into development proposals.
- 8.82** An ecological impact assessment (EclA) has been completed which identifies the following ecological assets: proximity (2.5km) to the Cotswolds Beechwoods Special Area of Conservation, nearby trees and hedgerows, and habitats which could support amphibians, bats, birds, dormouse and reptiles, though none were found during the survey.
- 8.83** A Shadow Habitats Regulation Assessment (sHRA) has been submitted which concludes no impacts are anticipated during operation, and any impacts during construction can be mitigated by Management Plans. No impacts are anticipated to Hucclecote Meadows SSSI. Natural England has responded to consultation and expressed no concerns.

- 8.84** The EclA explains that habitats of negligible importance would be lost to development (arable crop fields and margins) which requires no specific mitigation. Habitat would be more than compensated by replacement tree, hedge planting and formation of grassland.
- 8.85** An Arboricultural Assessment has been submitted which explains no trees would be felled to facilitate development, though the installation and upgrading of access tracks would result (to a limited extent) in incursion into the root protection areas (RPAs) of 7 existing trees, four of which are categorised as of moderate 'B' quality. Some root compaction may occur, though the Trees Officer has raised no objection. Approximately 10-15m hedgerow would be lost to facilitate installation of the northern access track.
- 8.86** Overall, the biodiversity net gain assessment predicts a gain of 37% in habitat units, and 22% in hedgerow units.
- 8.87** Ecological mitigation and enhancement is illustrated on the Landscape Mitigation Plan. This includes the creation of a new native species hedge which would fully enclose the BESS perimeter palisade fence, leaving aside the entrance gate. There would be new native tree planting along the northern and eastern field boundaries, and along the edge of the access tracks. A new hedgerow of approximately 150m would be formed for the first section of the northern access route, to connect with the existing field boundary hedge.
- 8.88** The Council's ecologist and Tree Officer have been consulted with no concerns raised. Notwithstanding the submitted landscape plan, hedgerow and tree planting details, together with protection measures would be finalised by means of an appropriate landscaping condition. Officers consider the development accords with Chapter 15 of the NPPF, Policy SD9 (Biodiversity and Geodiversity) of the adopted JCS, and Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features) of the adopted TBP.

Highways

- 8.89** The NPPF at Chapter 9 seeks to promote sustainable transport.
- 8.90** Policy INF 1 (Transport Network) requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Chapter 10 of the adopted TBP states that an efficient and safe transport system is critical to the success of the Borough and the quality of life of its residents and visitors.
- 8.91** A Transport Statement has been submitted. The application proposes to use two accesses from Brockworth Road via existing field entrance gates. During the period of construction, and after installation of the new track, the northern primary access would be used, which provides safe visibility on Brockworth Road for construction vehicles. The secondary existing southern access would be available for emergency vehicles only.
- 8.92** The Transport Statement proposes that HGV traffic would be routed to avoid congestion and highway weight restrictions in Brockworth. HGV vehicles would exit from the M5 and travel west on the A417 where they would exit onto Cheltenham Road East (B4063), and then onto Pirton Lane, Barrow Hill, and Brockworth Road. The site would be accessed from the north only by HGVs.

- 8.93** The period of construction would be approximately 6 months which would equate to approximately eight two way HGV movements per day. It is likely there would be 30 non-HGV movements per day. There would be no construction activity on Saturday afternoons or on Sundays (nor Bank/Public holidays as recommended by condition to secure the Construction and Traffic Management Plan)).
- 8.94** In the interests of reducing harm to the openness of the Green Belt, it has been agreed with the applicant the new access track would be removed when no longer required for construction purposes. It is proposed that the method of reinstatement and timing of work would be secured by condition. After reinstatement the secondary access would be used during the operational phase of development. According to the Transport Statement, traffic movements during the operational phase would be up to eight two way LGV/4x4 vehicles per month. The Highways Officer considers there would be no risk to Highway safety. Accordingly, the development complies with the NPPF, Policy INF1 (Transport Network) of the adopted JCS.

Fire and Pollution Risk

- 8.95** The applicant confirms that lithium-ion batteries will be used within the development. It is stated that these are extremely safe with the technology well developed. Each system will be designed with both automatic fire detection and suppression systems. Neither National Highways (in relation to proximity to the adjacent trunk road) or the Environmental Health Officer have raised concerns. A condition is recommended which would require details of this to be submitted to and approved by the Local Planning Authority, and implemented, prior to first operation of the development.
- 8.96** The Environment Agency has been consulted and has commented on pollution risk. Whilst not objecting, the development has raised the potential of pollution and the responsibilities of the developer/operator to deal with any incident. Similarly, Gloucestershire Fire and Rescue has raised concerns, though has not objected. Officers recommend that should the application be permitted, the decision notice refers to the Environment Agency and Gloucestershire Fire and Rescue consultation response by way of an informative. Officers consider this is a reasonable and proportionate safeguard.

9. Conclusion

- 9.1** Battery energy storage is fully recognised as a key component of the UK's transition to a low carbon economy and the supply of renewable energy. Batteries of the type proposed are able to store energy when electricity demand is low, and also during periods when electricity generation exceeds demand. Officers consider that policies of the Development Plan which support renewable energy attract very significant weight.
- 9.2** The development is proposed in a countryside location and in the Green Belt. However, in this case Officers consider that very special circumstances have been demonstrated, which counter the limited harm to the openness of the Green Belt. The application site should be viewed in the context of the adjacent major trunk road which bounds existing and approved development in Brockworth.
- 9.3** Harms to landscape character, amenity and ecological assets are not significant. Further mitigation and enhancements would be delivered by hedgerow and tree planting.

- 9.4 On balance, the identified harms of development are not considered to outweigh the very significant benefits of energy storage.

10. Recommendation

- 10.1 The proposal accords with relevant policies as outlined above, it is therefore recommended the application be **permitted** subject to the following conditions:

11. Conditions

- 1 The development hereby permitted shall not be begun after the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out other than in accordance with the following approved documents:

Received 24 Nov 23:

Location Plan K001 P01

Site Layout Plan K001 P02

Received 18 Mar 24:

Medium Inverter Unit K002 P02

Spare Parts Container K008 P02

Site Fence and Access K006 P02

Auxiliary Transformer Building K005 P02

Small Substation Building K004 P02

Large Substation Building K003 P02

Battery Container K001 P02

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

Prior to Commencement Conditions

- 3 Prior to the commencement of development, a Construction and Traffic Management Plan (CMTP) shall be submitted to and approved by the Local Planning Authority.

The approved plan shall be adhered to throughout the construction period. The plan shall include but not be limited to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes and management of construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey to include Brockworth Road, Barrow Hill, Pirton Lane, B4063 (Cheltenham Road East). The highway condition survey shall be carried out immediately prior to the works commencement date and following works completion which shall be

notified to the Local Planning and Highway Authorities at least a month in advance of the evidenced start date. Highway conditions surveys shall include photographic records of current road condition and verges/kerbs with any existing issues. The developer/contractor shall rectify any damage caused, recorded and reported as soon as possible to the satisfaction of the Local Highway Authority.

- Lighting during construction;
- Working days and hours of construction
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of maintaining highway safety, residential amenity and to protect the environment.

- 4 No development including demolition, site clearance, materials delivery or erection of site buildings, shall start until measures to protect trees/hedgerows on and adjacent to the site have been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

These measures shall include:

1. Temporary fencing for the protection of all retained trees/hedgerows on and adjacent to the site whose Root Protection Areas (RPA) fall within the site to be erected in accordance with BS 5837(2012) or subsequent revisions (Trees in Relation to Design, Demolition and Construction). Any alternative fencing type or position not strictly in accordance with BS 106 5837 (2012) shall be agreed in writing by the Local Planning Authority prior to the start of development. The RPA is defined in BS5837(2012).

2. Construction Exclusion Zone (CEZ): The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the CEZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, cabins or other temporary buildings, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the CEZ, unless agreed in writing by the Local Planning Authority.

The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area.

- 5 Prior to the commencement of development, a specification of the temporary northern construction access track (as set out on Plan Ref K001 P02 received 24 Nov 23) shall be submitted to the Local Planning Authority for approval. The temporary access track shall not be installed other than as approved.

Reason: In the interests of safeguarding visual amenity in the Green Belt.

- 6 Prior to the commencement of development, a scheme for the installation of CCTV cameras and lighting shall be submitted to the Local Planning Authority for approval. The scheme shall not be installed other than as approved. No additional CCTV cameras or external lighting shall be installed without prior consent from the Local Planning Authority.

Reason: In the interests of protecting ecological assets.

- 7 No development shall take place (including demolition, ground works, vegetation clearance) until a construction and environmental management plan (CEMP: Biodiversity) has been submitted to and approved by the Local Planning Authority. The approved CEMP shall not be implemented other than as approved by the Local Planning Authority.

Reason: In the interests of protecting and enhancing ecological assets.

- 8 Prior to the commencement of development, details of a system for fire detection and suppression including the management of contaminated water shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The approved system shall be implemented in full prior to first operation of the development and shall be retained thereafter during operation of the development.

The submitted details shall include the following:

- evidence of discussions with the fire service to confirm the expected volume and nature of contaminated water which would need to be managed in the event of a fire on site;
- evidence of how the surface water drainage system will be isolated in the event of a fire or leak;
- further details of the nature of any contaminants which could be present from a failure and leak from the batteries and/or transformer on site;
- evidence that a plan is in place to remove and safely dispose of any contaminated water stored on site in the event of an incident.

Reason: In the interests of public safety, security, and to protect the surrounding natural environment.

Prior to Operation Conditions

- 9 The development hereby approved shall not be brought into use or commenced until visibility splays are provided as illustrated in the Transport Statement and Construction Traffic Management Plan from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 215 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway including the inside bend of the highway north of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety according to INF1 of the Local Plan Core Strategy, PD 0.1 and 0.4 of the Local Transport Plan and paragraphs 114 and 116 of the National Planning Policy Framework.

- 10** Prior to first operation of the development, a SuDS management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

- 11** The development shall not become operational until details of the landscaping have been submitted to and approved in writing by the Local Planning Authority. The Landscaping shall be implemented in accordance with the approved details no later than the first planting season following the development becoming operational. The landscaping shall thereafter be maintained for a period of 5 years. If during this time any trees, shrubs or other plants are removed, die, or are seriously diseased these shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason: In the interest of visual amenity

- 12** Prior to first operation of the development a landscape and ecological management plan (LEMP) shall be submitted to, and approved by the Local Planning Authority. The LEMP shall be written in accordance with BS42020. The LEMP shall also include details by which the long-term implementation of the plan will be secured and who is responsible for its delivery. The plan will detail how habitats on site will be managed including remedial actions where necessary to ensure that that the development meets its aims and objectives. The LEMP should also detail how a positive net gain in biodiversity habitat units can be achieved and maintained in the long term. The LEMP is to include details set out within the Ecological Impact Assessment (Tyler Grange, November 2023). The LEMP shall not be implemented other than as approved by the Local Planning Authority.

Reason: In the interests of protecting ecological assets.

- 13** Containerised battery units, medium voltage inverter units, spare parts container, perimeter palisade fence and entrance gate shall not be finished in colour other than in Moss Green (RAL6005).

Reason: In the interests of maintaining visual amenity of the area.

- 14** Not later than three months of the development becoming operational, a scheme for removal of the northern construction access track (as set out on Plan Ref K001 P02 received 24 Nov 23) shall be submitted to the Local Planning Authority for approval. The scheme shall also include details of reinstatement of associated agricultural land and timescales of reinstatement. The approved scheme shall not be implemented other than as approved.

Reason: In the interests of safeguarding visual amenity in the Green Belt.

- 15** If, during the course of development, any contamination is found which has not been identified in the site investigation, measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved measures.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

- 16** Not less than 12 months before the end of life of the development hereby permitted, or not less than 12 months from the cessation of energy storage, whichever is the sooner, a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Decommissioning Method Statement (DMS) shall include details of the removal of the battery equipment and all associated cabling, buildings, infrastructure and access tracks, together with a timetable for these works. The DMS shall also include details of the proposed site restoration. The site shall be decommissioned, and the site restored in accordance with the approved DMS and timetable within 6 months of the expiry of the 40 year period of planning permission, or within 18 months of the cessation of energy storage, whichever is the sooner.

Reason: In the interests of visual amenity and to return the site to agricultural land.

- 17** Notwithstanding the submitted details, no above ground development shall take place until a Biodiversity Net Gain Assessment using the Defra Biodiversity Metric (or any updated or replacement metric used as the industry standard) including a schedule for implementation of works has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include details to demonstrate the development would secure measurable net gains for biodiversity and its future maintenance. The development shall be implemented in accordance with the approved details and thereafter be similarly maintained.

Reason: To ensure the development would deliver a biodiversity net gain across the local and landscape scales.

- 18** No removal of trees/scrub/hedgerows shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the nature conservation interest of the site is protected

12. Informatives

- 1** In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

- 2** Construction Management Plan (CMP) It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says: Constructors should give utmost consideration to their impact on neighbours and the public

 - Informing, respecting and showing courtesy to those affected by the work;
 - Minimising the impact of deliveries, parking and work on the public highway;
 - Contributing to and supporting the local community and economy; and
 - Working to create a positive and enduring impression, and promoting the Code. The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues. Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.

- 3** The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new accesses will require the extension of a verge crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

- 4** The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

- 5** Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

- 6** The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

- 7 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic. Before any work is commenced upon the development hereby approved representatives of Gloucestershire County Council, as the Highway Authority and the applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Notes:
 View in conjunction with all relevant documents.
 All areas are approximate and indicative only.
 Any discrepancies to be reported in writing to Exagen Development Limited 2023. Registered in England & Wales Number 1169603.

Key Planning Application Boundary

Rev	Date	Description



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 21-24 Millbank
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 info@exagen.co.uk
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Client
 Exagen Development Limited

Drawing title
 Site Location Plan

Project
 Brockworth Road Energy Reserve

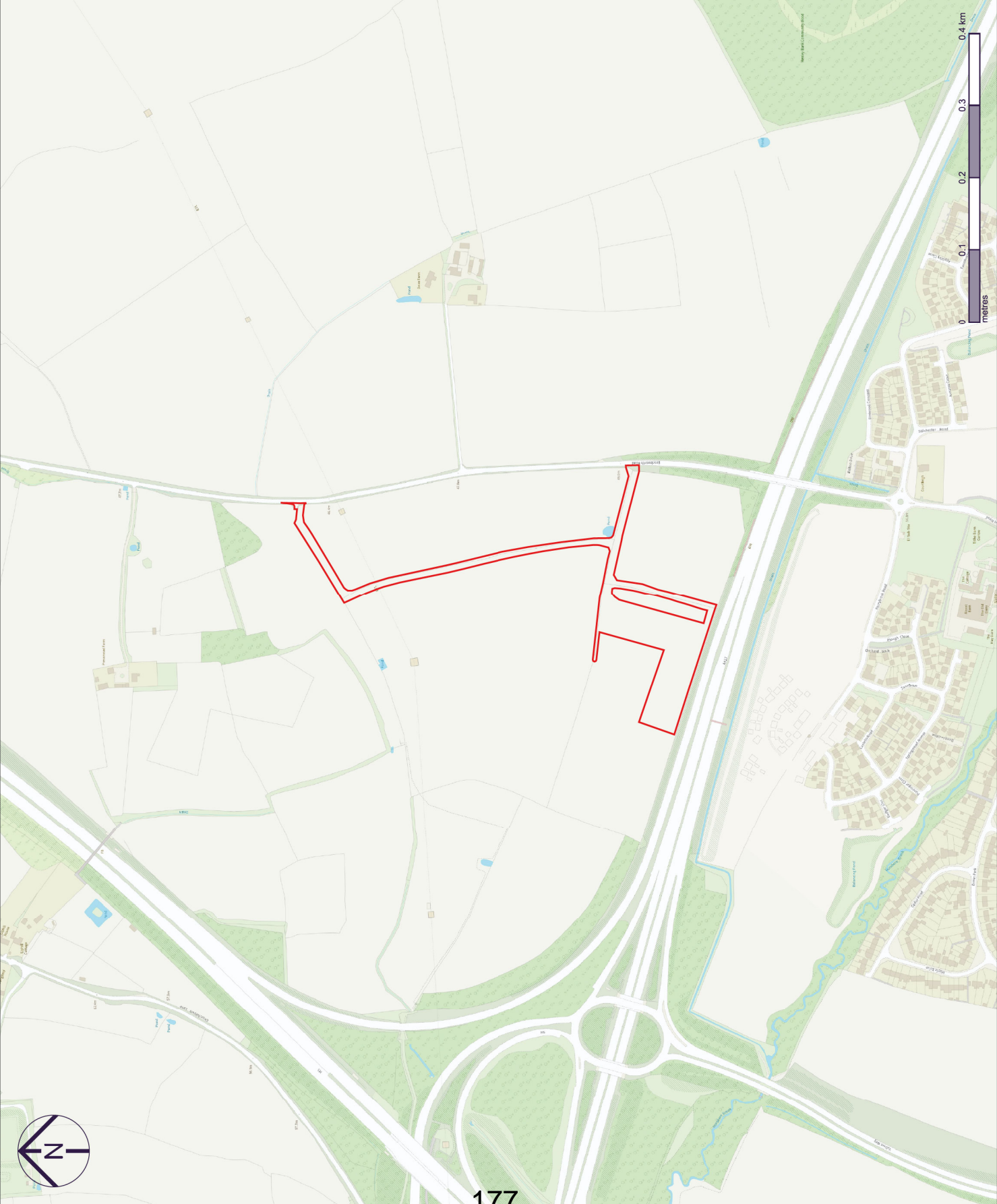
Status
 Planning Application

Date
 20/11/2023

Scale at A3
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Status code
 S4

Revision
 P01



Notes:
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- Key
- Planning application boundary
 - Existing trees and woodland
 - Existing hedgerow
 - Existing grassland to be retained
 - Existing public road
 - Existing access track to be upgraded
 - Existing access track to be removed
 - Existing 33KV overhead electricity line
 - Proposed battery storage container
 - Proposed inverter unit
 - Proposed auxiliary transformer
 - Proposed substation buildings
 - Proposed storage container
 - Proposed access tracks
 - Proposed palisade fence
 - Proposed CCTV / lighting post
 - Proposed fence gate
 - Proposed point of connection infrastructure
 - Proposed cable to point of connection
 - Public right of way
 - Root Protection Area
 - 5m buffer from hedges
 - 10m buffer from trees
 - 15m buffer from trees (high bat roost potential)

Rev	Date	Description
P02	31.10.23	Realigned infrastructure, narrow



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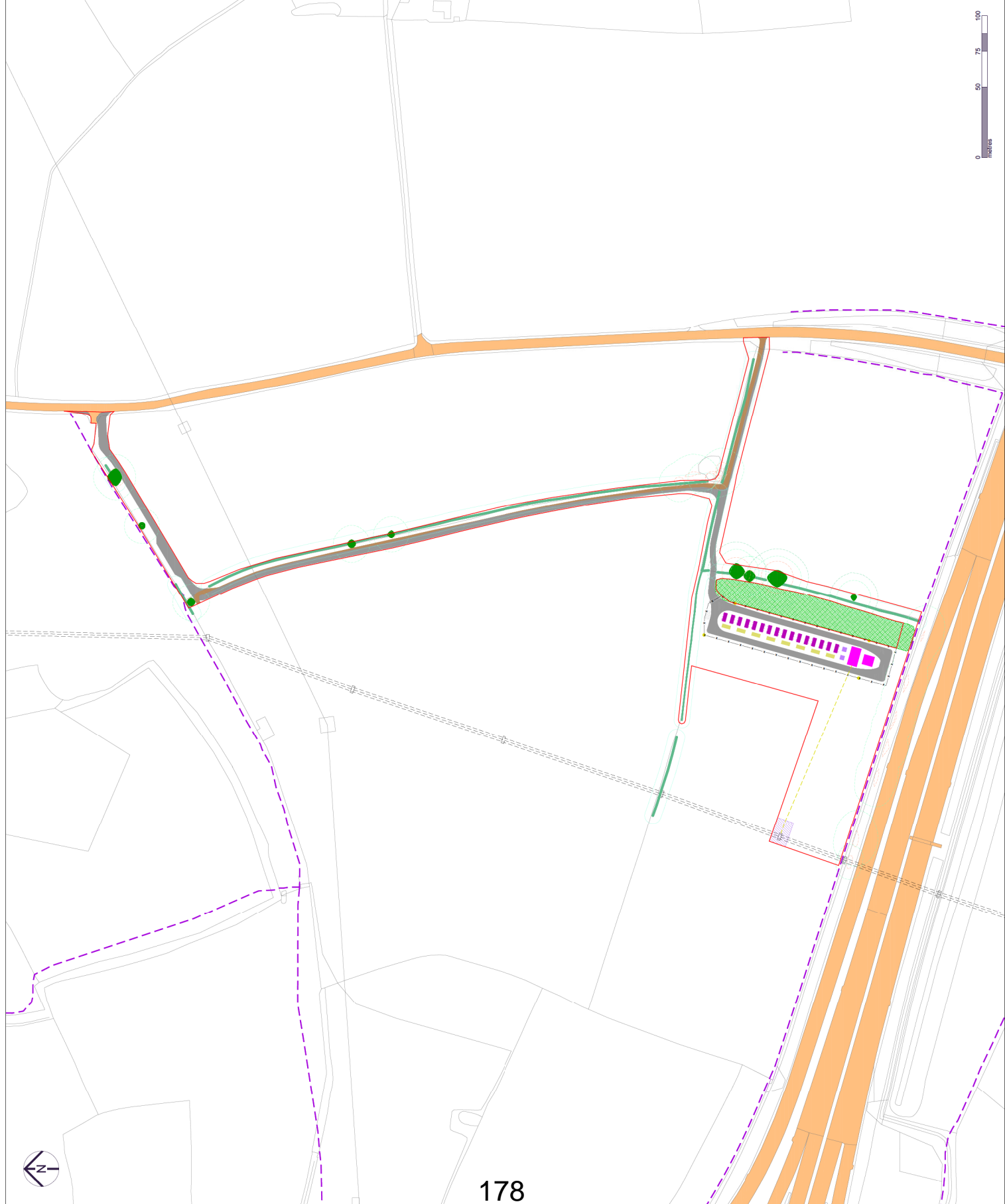
Client
 Exagen Development Limited

Drawing title
 Site Layout Plan

Project
 Brockworth Road Energy Reserve

Status
 Planning Application

Date	Scale at A3	Status code
30/05/2023	1:1250	S4
Drawing number	Revision	
GLC01A-EXG-04-00-D-K001	P02	



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Key

	Planning application boundary
	Existing public road
	Existing 33kV overhead electricity line
	Retained scrub/vegetation
	Retained trees
	Retained hedgerow
	Retained arable field and margin
	Retained improved habitat area
	Retained pond
	Retained wet and partially culverted ditch
	Retained Public Right of Way (indicative)
	Retained/upgraded dirt access track
	Proposed battery compound infrastructure
	Proposed storage container
	Proposed access tracks
	Proposed substation buildings
	Proposed fence gate
	Proposed palisade fence
	Proposed native hedgerows
	Proposed wildflower grassland (mix to be specified by an ecologist)
	Proposed scrub
	Proposed neutral grassland underlain by impermeable membrane (compound only)
	Proposed native hedgerow trees
	Removed hedgerow

Additional notes:
1. Proposed Blackthorn (*Prunus spinosa*) species shall not be planted within 10m of National Highways land.
2. Proposed specimen trees shall be set back a minimum of 25m from the boundary with National Highways land.
3. Where tree planting is shown to the west of the fenced compound, species planted will be Crab Apple (*Malus sylvestris*) or similar.

Native Hedgerow Trees
Plant adjacent to existing hedgerow using light standard trees supplied 250-300cm high. Evenly distribute species:

Species	%
Acer campestre (Field Maple)	25%
Malus sylvestris (Crab Apple)	15%
Quercus robur (Oak)	60%

Native Hedgerow Mixes
Plant as a double staggered row 300 mm apart, with plants spaced at approximately 500 mm centres (5 plants per linear metre) using forestry transplants supplied 40-60 cm high. Plant in a random mix of groups with each group containing 5-10 number of the same species. All species to be evenly distributed along each length of hedgerow.

Species	%
Acer campestre (Field Maple)	5%
Corylus avellana (Hazel)	10%
Crataegus monogyna (Hawthorn)	70%
Ilex aquifolium (Holly)	2.5%
Prunus spinosa (Blackthorn)	6%
Rosa canina (Dog Rose)	2.5%
Viburnum opulus (Guelder Rose)	5%

Existing hedgerows adjoining the site to be gapped-up / infilled as required using native hedgerow plants specified above planted as double staggered row.

Rev	Date	Additional notes and tree plants	Description
P02	14.02.24		



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Client
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Drawing title
Landscape Mitigation Plan

Project
Brockworth Road Energy Reserve

Status
Planning Application

Date
12/10/2023

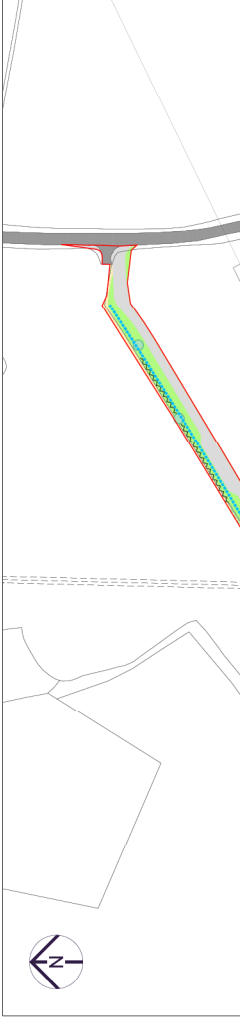
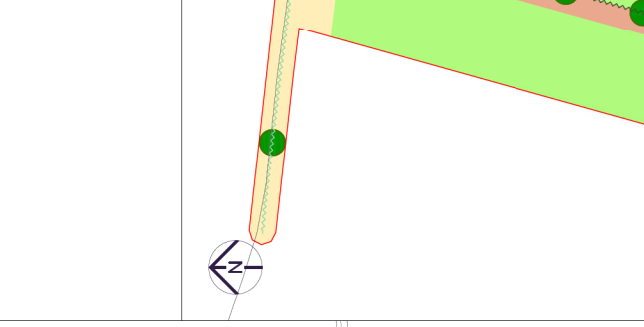
Scale at A3
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Status code
S4

Drawing number
GLC01A-EXG-04-00-D-K001

Revision
P02

Additional notes:
1. Proposed Blackthorn (*Prunus spinosa*) species shall not be planted within 10m of National Highways land.
2. Proposed specimen trees shall be set back a minimum of 25m from the boundary with National Highways land.
3. Where tree planting is shown to the west of the fenced compound, species planted will be Crab Apple (*Malus sylvestris*) or similar.



Notes:
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Key (Inset 1)

	Planning application boundary
	Existing trees and woodland
	Existing hedgerow
	Existing grassland to be retained
	Existing public road
	Existing access track to be upgraded
	Existing 33kV overhead electricity line
	Proposed battery storage container
	Proposed inverter unit
	Proposed auxiliary transformer
	Proposed substation buildings
	Proposed storage container
	Proposed access tracks
	Proposed palisade fence
	Proposed CCTV / lighting post
	Proposed fence gate
	Proposed cable to point of connection
	Public right of way



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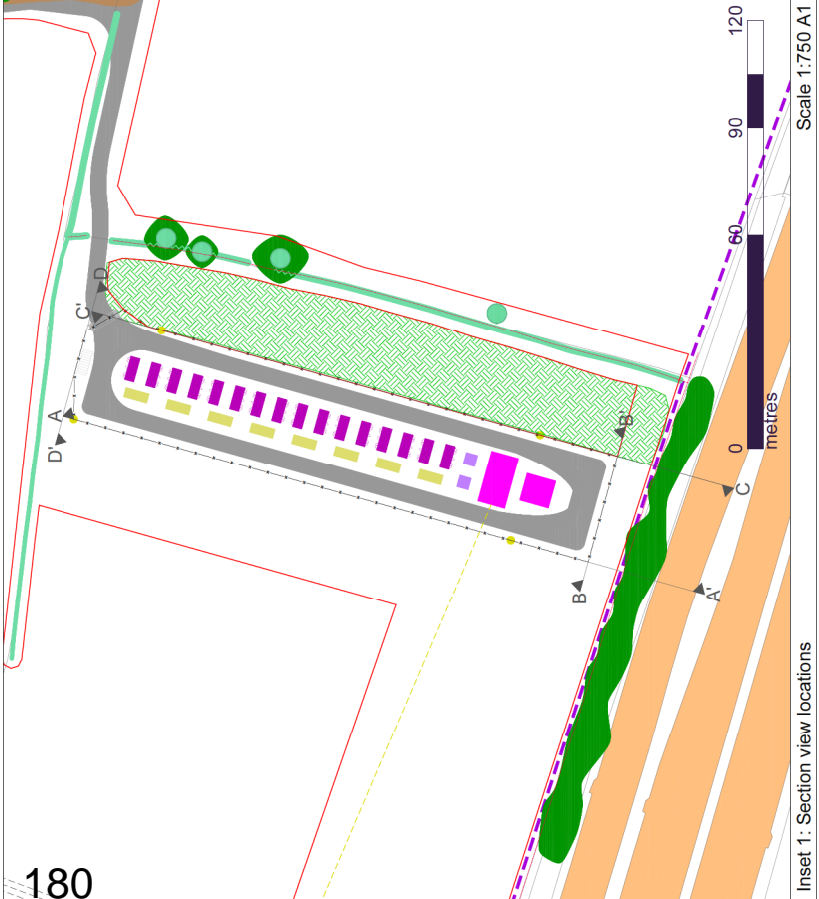
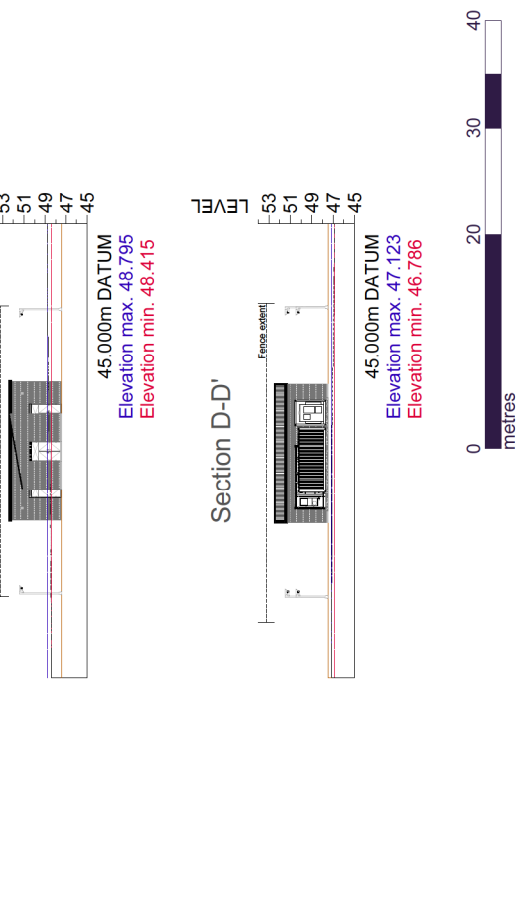
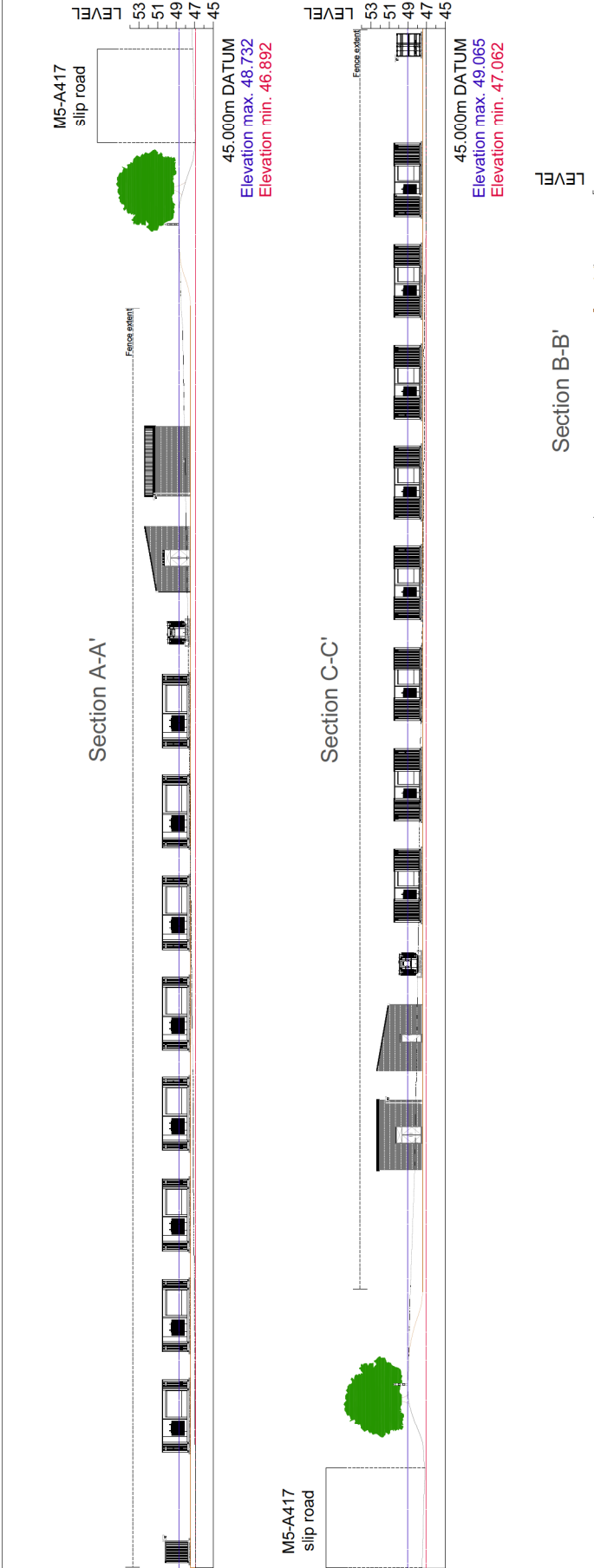
Client
 Exagen Development Limited

Drawing title
 Section Views A-A', B-B', C-C', D-D'
 Through Site Layout (no fencing)

Project
 Brockworth Road Energy Reserve

Status
 Planning Application

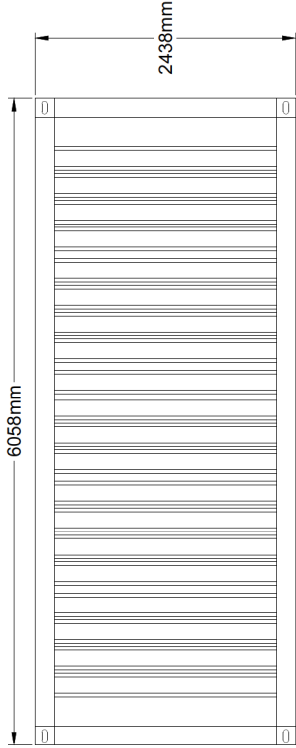
Date	28/03/2024	Scale at A1	1:250	Status code	S4
Drawing number	GLC01A-EXG-06-S1-D-K002	Revision	P01		



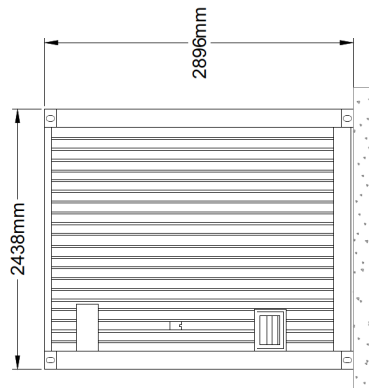
- Notes:
- Detailed component section views found at drawings GLC01A-EXG-05-ZZ-D-K001-K008 and should be viewed in conjunction with this plan.
 - Sections based on Site Layout Plan drawing GLC01A-EXG-04-00-D-K001-P02 as submitted.
 - Existing topographic levels on site from site-specific topographic survey.
 - Existing topographic levels off site from Environment Agency LIDAR DTM dataset 2022 edition with 1m precision.
 - All proposed levels shown are indicative only are subject to final civil design.
 - Any colours shown are representative of a similar colour, the exact specification of which is to be agreed prior to construction works.
 - Extent of A417 slip road junction from Ordnance Survey Master Mapping.
 - Existing vegetation indicative of species detailed within the arboricultural survey, such as field maple.

Notes:

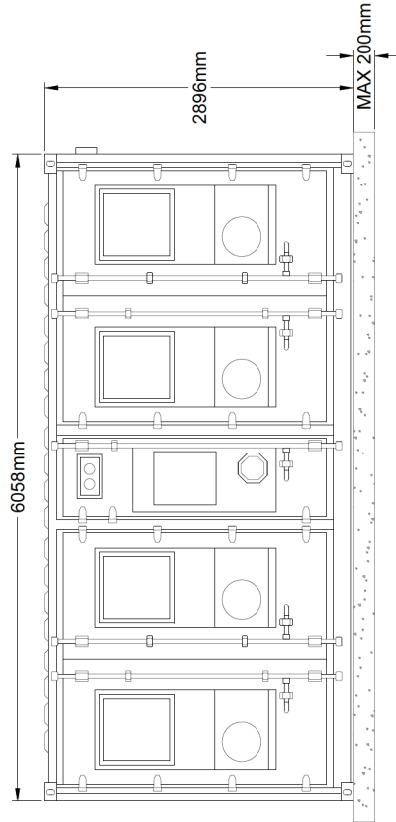
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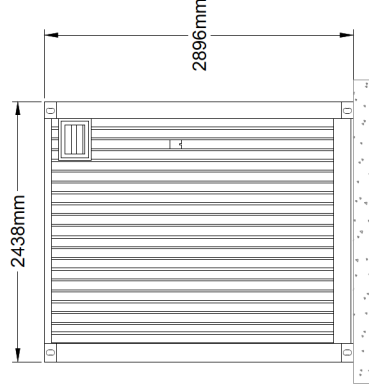
PLAN VIEW



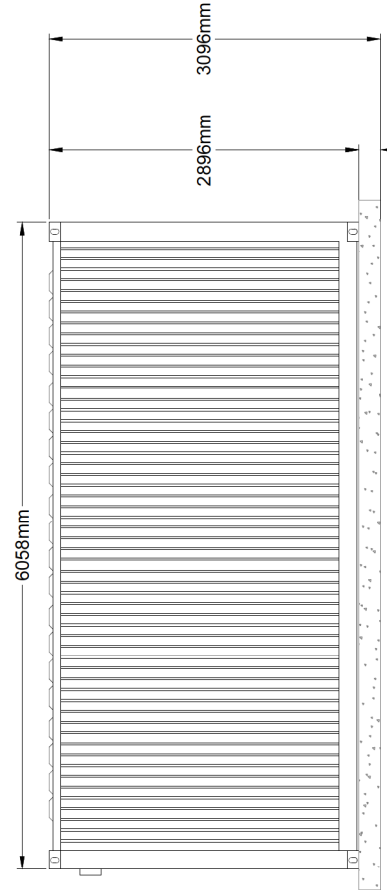
SIDE ELEVATION - 1



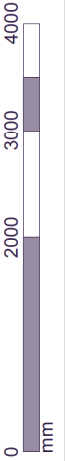
FRONT ELEVATION



SIDE ELEVATION - 2



BACK ELEVATION



Rev	Date	Removed typical wording	Description
P02	15.03.24		



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Drawing title
 20t Battery
 Container Elevations

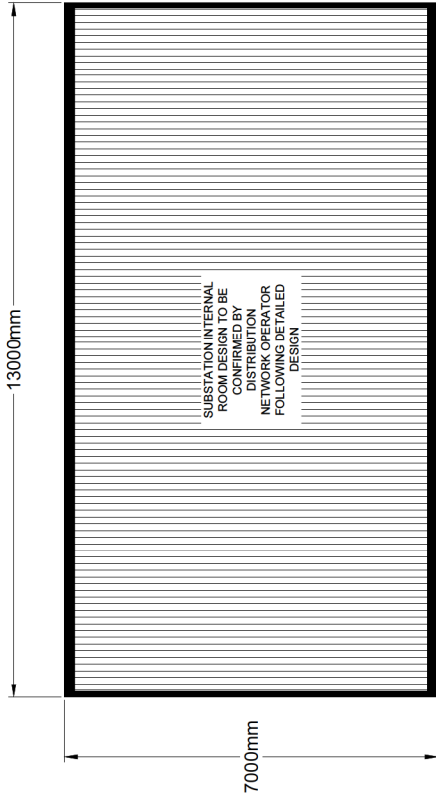
Project
 Brockworth Road Energy Reserve

Status
 Planning Application

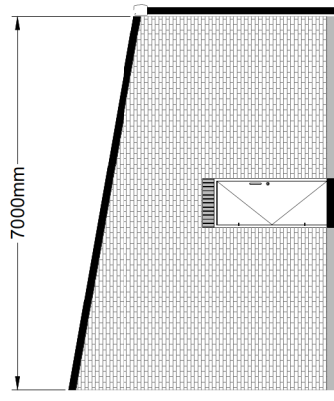
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20/11/2023	1:50	S4
Drawing number		Revision
GLC01A-EXG-05-ZZ-D-K001		P02

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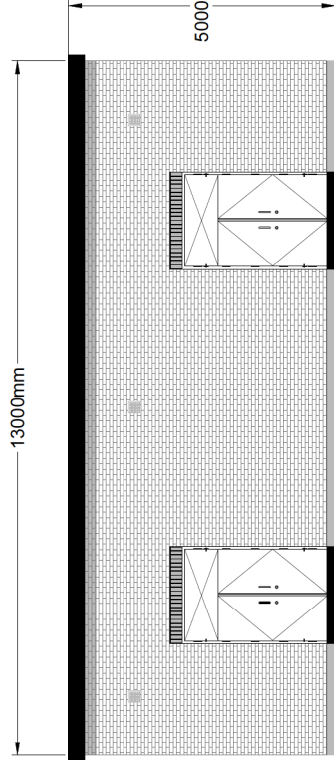
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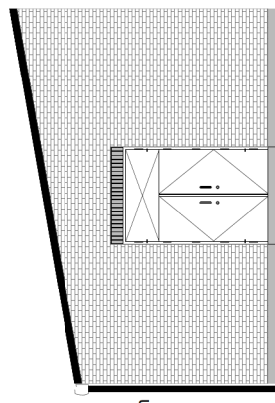
PLAN VIEW



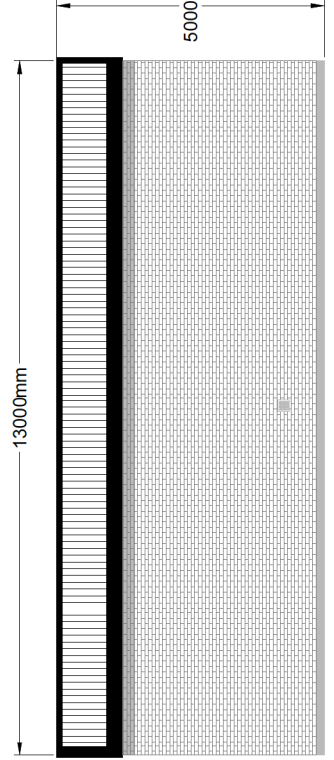
SIDE ELEVATION - 1



FRONT ELEVATION



SIDE ELEVATION - 2



BACK ELEVATION



Rev	Date	Description
P02	15.03.24	Removed typical wording



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Drawing title
 Large Substation Building
 Elevations

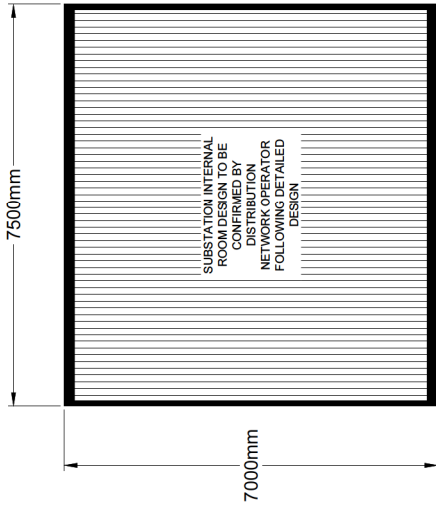
Project
 Brockworth Road Energy Reserve

Status
 Planning Application

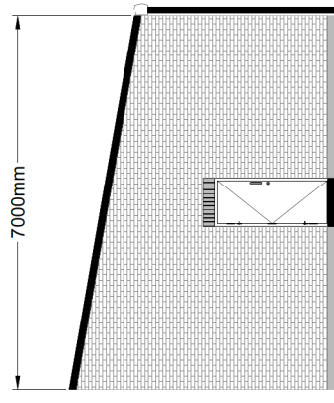
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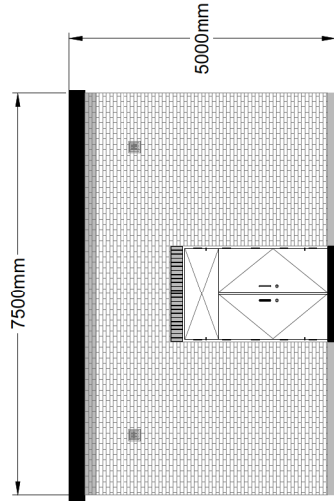
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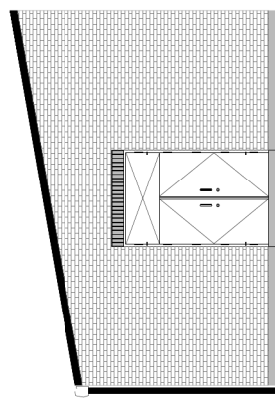
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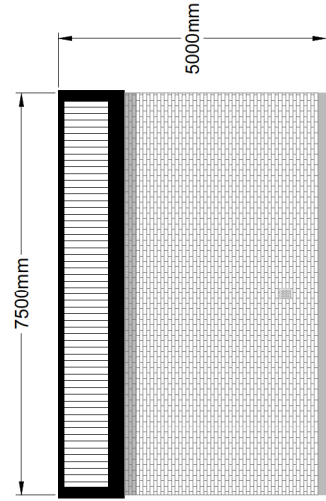
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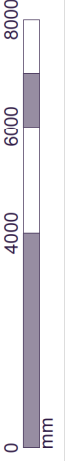
FRONT ELEVATION



SIDE ELEVATION - 2



BACK ELEVATION



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P02	15.03.24		



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Drawing title
 Small Substation Building Elevations

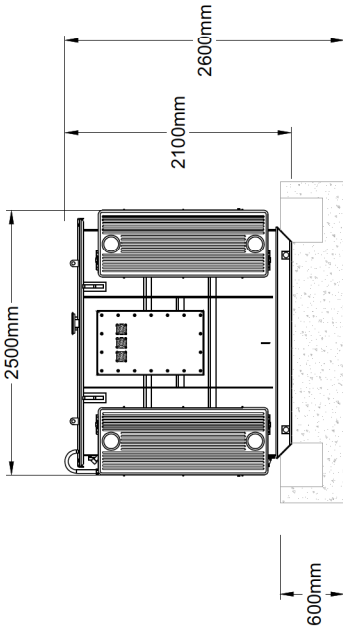
Project
 Brockworth Road Energy Reserve

Status
 Planning Application

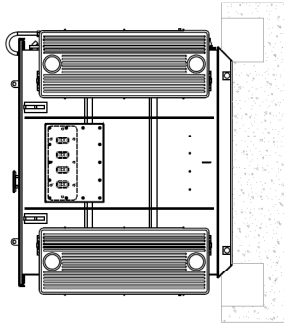
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 Revision
 P02

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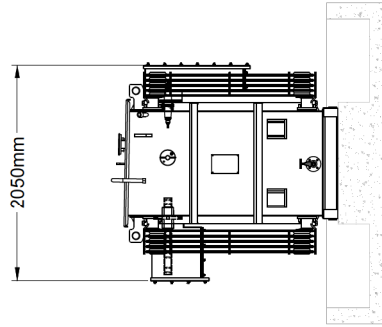
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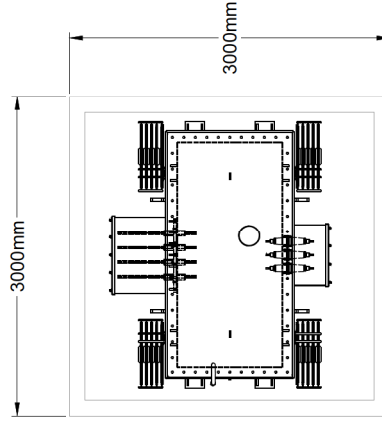
FRONT ELEVATION



BACK ELEVATION



SIDE ELEVATION



PLAN VIEW



Rev	Date	Removed typical wording	Description
P02	15.03.24		



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Drawing title
Auxiliary Transformer Elevations

Project
Brockworth Road Energy Reserve

Status
Planning Application

Date	20/11/2023	Scale at A3	1:50	Status code	S4
Drawing number	GLC01A-EXG-05-ZZ-D-K005	Revision			P02

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Client
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Drawing title
 Medium Voltage Inverter Unit Elevations

Project
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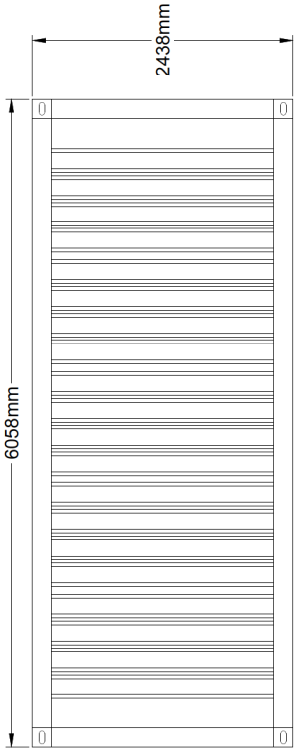
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Date
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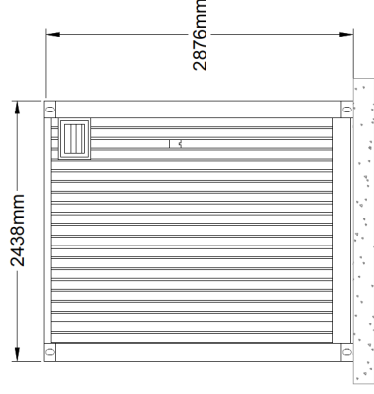
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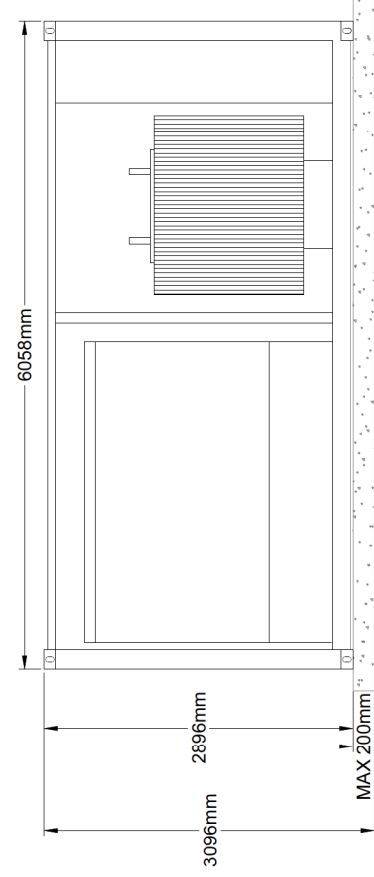
Revision
 P02



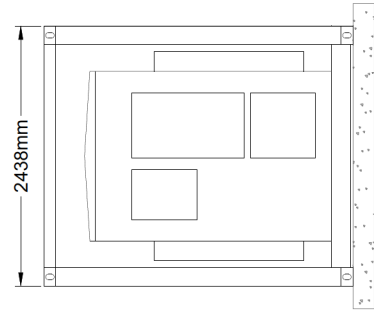
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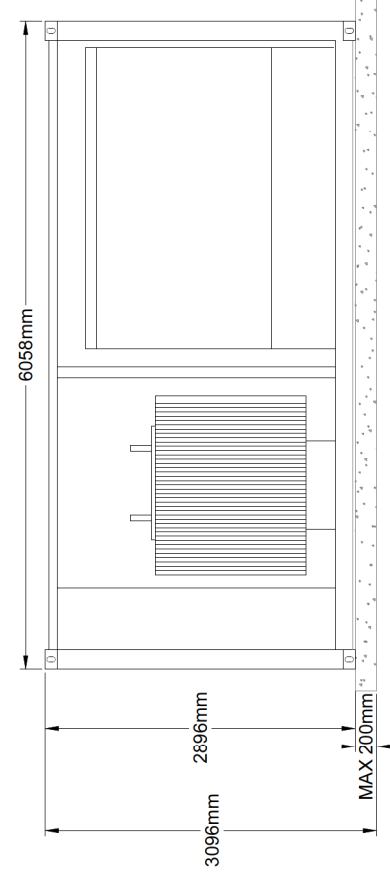
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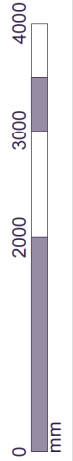
FRONT ELEVATION



SIDE ELEVATION - 1

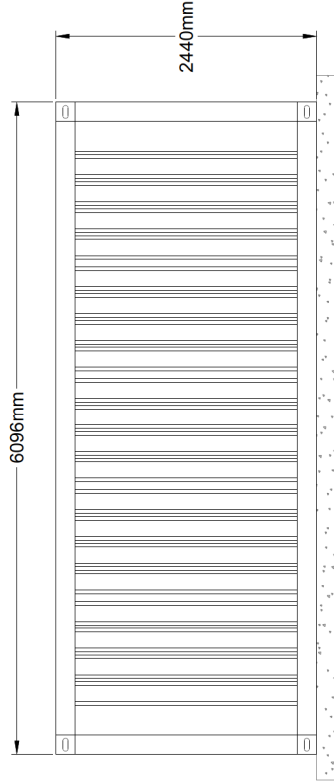


BACK ELEVATION

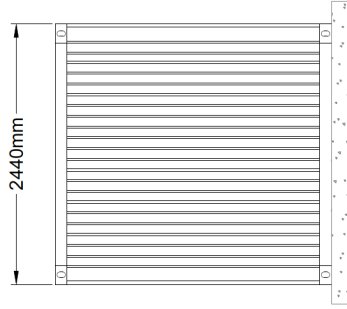


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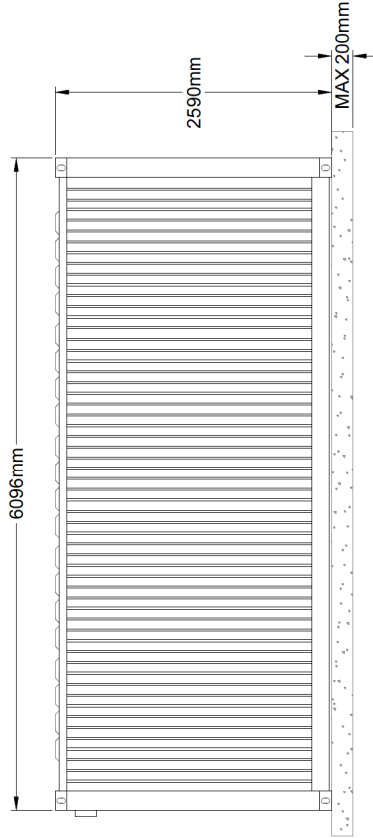
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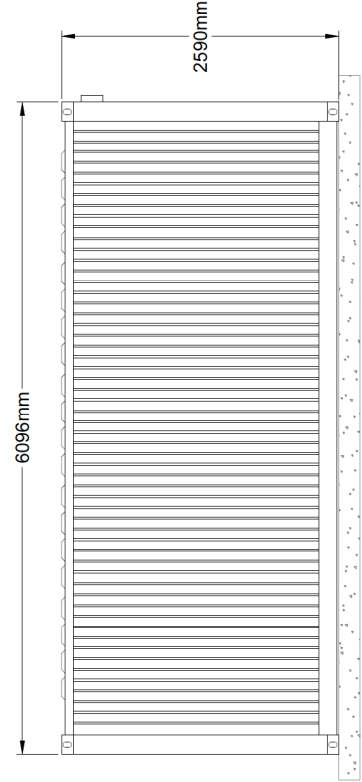
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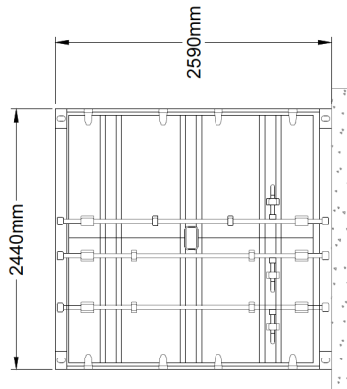
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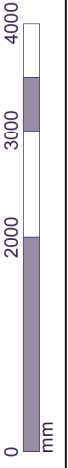
FRONT ELEVATION



BACK ELEVATION



SIDE ELEVATION - 1



Rev	Date	Description
P02	15.03.24	Removed typical wording



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Drawing title
**Spare Parts Storage
 Container Elevations**

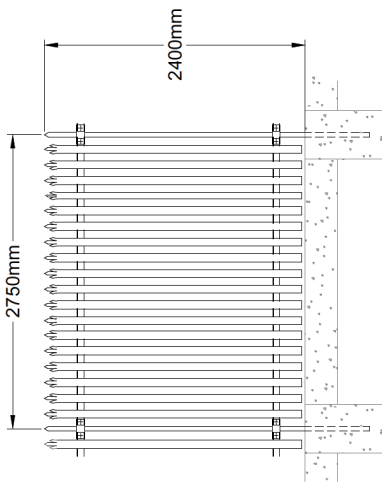
Project
Brockworth Road Energy Reserve

Status
Planning Application

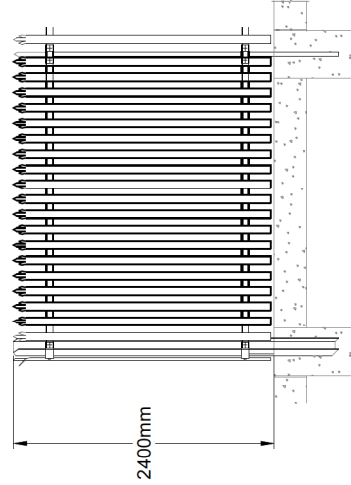
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Drawing number	Revision	
GLC01A-EXG-05-ZZ-D-K008	P02	

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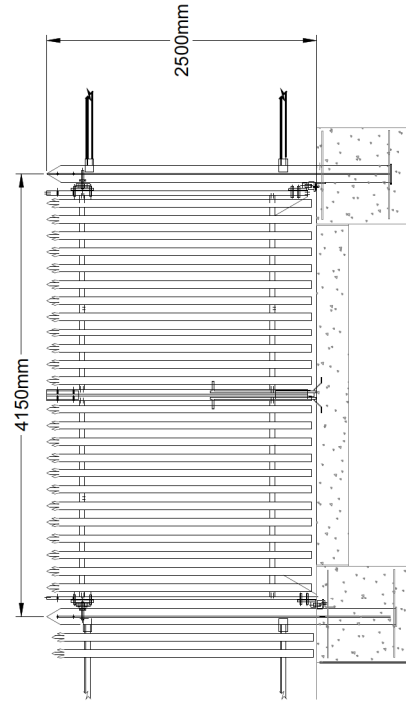
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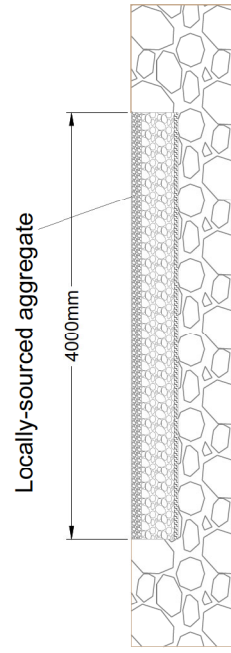
FENCE ELEVATION



FENCE CORNER ELEVATION



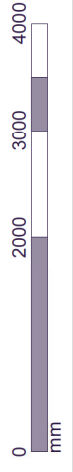
GATE ELEVATION



TYPICAL ACCESS ROAD DETAIL



ACCESS TRACK EXAMPLE (NTS)



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P02	15.03.24		



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Drawing title
 Pallisade Fence and Access

Project
 Brockworth Road Energy Reserve

Status
 Planning Application

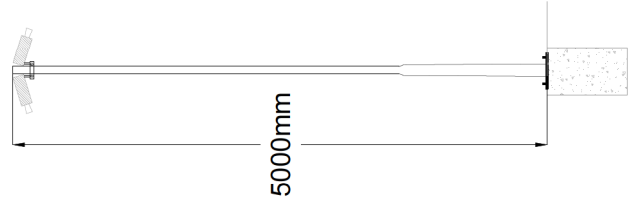
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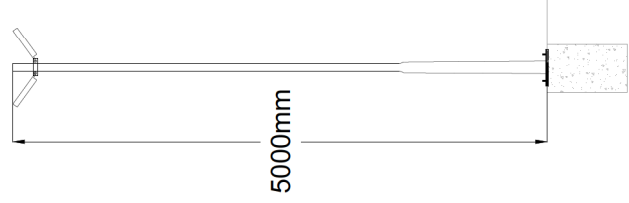
Status code
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Revision
 P02

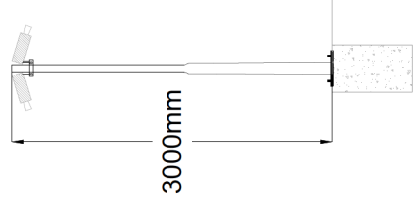
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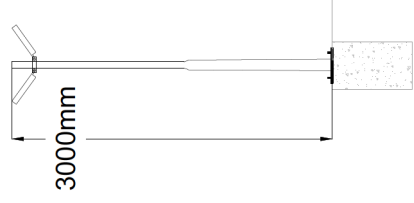
CCTV POST
 ELEVATION
 (SUBSTATION)



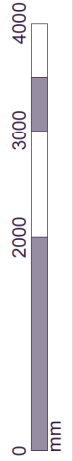
LIGHTING POST
 ELEVATION
 (SUBSTATION)



CCTV POST
 ELEVATION
 (BATTERIES)



LIGHTING POST
 ELEVATION
 (BATTERIES)



Rev	Date	Removed typical wording	Description
P02	15.03.24		



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Drawing title
 BESS CCTV and Lighting Posts

Project
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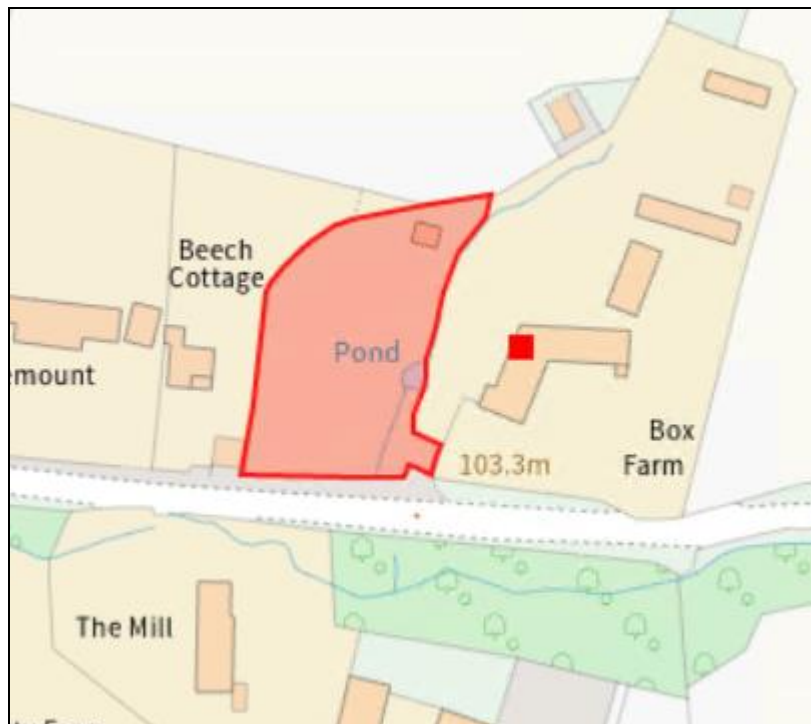
Status
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Date	20/11/2023	Scale at A3	1:50	Status code	S4
Drawing number	GLC01A-EXG-05-ZZ-D-K007	Revision			P02

Planning Committee

Date	23 April 2024
Case Officer	Sarah Barnes
Application No.	23/00673/FUL
Site Location	Box Farm Stockwell Lane Woodmancote
Proposal	Technical Details Consent for the construction of one self-build dwelling following approval of Permission in Principle ref: 21/00144/PIP
Ward	Cleeve Hill
Parish	Woodmancote
Appendices	Existing Site location plan and block plan Existing topographical site plan Existing street scene Proposed block plan Proposed site plan Proposed floor plans Proposed elevations Proposed street scene
Reason for Referral to Committee	Parish Council objection
Recommendation	Permit

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RY52OWQD0PB00>

- 1.1 The latest proposal is for the Technical Details Consent for the construction of one self-build dwelling following the approval of Permission in Principle ref: 21/00144/PIP (plans attached).

2. Site Description

- 2.1 The application site is located to the north side of Stockwell Lane in Woodmancote which is in an elevated position above the highway (site plan attached). The site is located within the Cotswolds National Landscapes (formerly AONB).
- 2.2 The site measures approximately 0.15 hectares and comprises part of the farm complex of Box Farm which lies to the east. The land within the site rises towards the north. There are residential dwellings to the west of the site and the Mill and Liberty Farm are located to the south side of Stockwell Lane.
- 2.3 The site has a boundary hedge to the south, and a lower managed hedge towards the west and north boundaries. To the north of the site and east of Box Farm lies open countryside.
- 2.4 A Public Right of Way (PROW) runs from Stockwell Lane to the west of the farm to approximately 90m to the north of the site.
- 2.5 There is a new replacement dwelling immediately to the west of the site which has nearly been completed (as shown on the proposed block plan).

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
91/96422/FUL	Demolition of existing single storey flat roofed extension and construction of new two storey extension,	PER	06.03.1992
92/00093/FUL	Conversion of existing barn into a dwelling (revised scheme).	PER	23.09.1992
97/00795/FUL	Conversion of existing redundant barn to form a self contained unit of accommodation.	PER	09.12.1997
98/00339/FUL	Variation of access conditions (7 & 8) attached to planning permission 97/0245/0795/FUL which related to the residential conversion of a redundant barn.	PER	23.06.1998
04/01339/FUL	Erection of 4 bay storage and garage building in place of existing sheds and garaging.	PER	08.03.2005

08/00262/FUL	Erection of 2 no. loose boxes.	PER	30.04.2008
21/00144/PIP	Application for Permission in Principle for the Construction of 1 Dwelling	PER	21.04.2021

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Parish Council – supports the application in principle but not the detail. The reasons are summarised as follows:

- The design is not compliant with the Woodmancote Neighbourhood Development Plan especially in matching the special qualities of the AONB in the immediate area.
- Suburban contemporary aspects with a lack of traditional materials to help the dwelling assimilate into the local character.
- The proximity to Beech Cottage and the fact that it would be at a higher level introduces a very unwelcome overpowering suburban impact on the street scene in this part of Stockwell Lane.
- Too close to the road.
- The third storey roof ridge is too high and roof windows are unnecessary.
- There is a need for clear clarification of the proposed materials and colours.
- Box Farm would share the driveway access with the new dwelling which would create additional transport movements.
- Detrimental impact on the AONB
- Requests that all vegetation indicated as 'optional' is retained and therefore the existing landscape is enhanced. Mitigation of harm to the AONB is paramount.
- Drainage is a major issue. The submitted report has not been prepared in accordance with SPD 2018.

4.2 Ecology – An update Preliminary Ecological Appraisal (Focus Environmental Consultants, October 2023) and Ecological Mitigation and Enhancement strategy (Focus Environmental Consultants, October 2023) has been submitted following initial consultation. Overall, no objections subject to the specified conditions being attached to the decision.

4.3 Gloucestershire Highways Officer – no objections.

4.4 Landscape Officer – no objections.

4.5 Tree Officer – no objections.

4.6 Drainage Officer – no objections.

4.7 Natural England - not able to provide specific advice on this application and therefore has no comment to make on the details.

4.8 Conservation Officer – no objections.

4.9 Environmental Health – no objections subject to the specified conditions.

- 4.10 Cotswolds National Landscapes** - The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the Board publications.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1** Two letter of objection has been received from local residents. The reasons for objection are summarised as follows:
- This stretch of the lane is characterised by detached dwellings in a scattered, sporadic ribbon development. Two large new dwellings of a similar design, located within 3 metres of one another could appear almost as a pair of semi-detached houses. Such a development is more typically found inside of the main part of Woodmancote.
 - Impact on the AONB
 - Impact on nearby heritage assets
 - Impact on the light into the neighbours lower ground bedroom and nursery room
 - Potential noise from the 2 air source heat pumps that would be located on the west side of the new dwelling
 - Agrees with the objections raised by Woodmancote Parish Council.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP1
Policy SP2
Policy SD4
Policy SD6
Policy SD7
Policy SD9
Policy SD10
Policy INF1

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy RES3
Policy RES4
Policy RES5
Policy NAT1
Policy ENV2
Policy DES1

6.5 Neighbourhood Plan

Woodmancote Neighbourhood Development Plan – 2020-2031

Policy 1
Policy 3
Policy 5
Policy 6
Policy 7
Policy 8
Policy 9

7. Policy Context

- 7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2023 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Principle of development

- 8.1** The overall principle of siting a single dwelling on this piece of land has already been established by the PIP application (21/00144/PIP) and this application is for the approval of the technical details.

Layout and appearance

- 8.2** Section 12 of the NPPF sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is echoed in JCS policy SD4 and Policy RES5 of the Tewkesbury Borough Plan which states that new development should respond positively to, and respect the character of, the site and its surroundings, enhance local distinctiveness and the grain of the locality.
- 8.3** The proposed layout includes one detached, two storey dwelling plus detached garage. The dwelling would create four bedrooms plus a study. The bedrooms would meet the space standards as set out in Policy DES1 of the Tewkesbury Borough Plan. Given the nature of the site and the context of the surrounding area, the layout is considered to be logical and acceptable. It would be very similar to the neighbouring property to the west which is a new replacement dwelling.
- 8.4** The Parish Council have raised objections on the grounds that the proposed dwelling would be of an unsuitable design and wouldn't be in-keeping with the character of this part of Woodmancote. The Woodmancote Neighbourhood Development Plan (WNDP) Policy 9 states that "Development proposals that are in keeping with the local character as demonstrated in the Woodmancote Character Assessments in Appendix 5 of the WNDP will be supported." It goes on to say that "Design of new development, including extensions, outbuildings and renovations, will be expected to incorporate positive local design features identified in Boxes 8 and 9 of the WNDP and avoid the negative design features especially in prominent locations."
- 8.5** Whilst the concerns raised by the Parish Council are noted, in terms of the appearance, the proposed dwelling has been designed with traditional architectural features reminiscent of vernacular Cotswold design with modern additions. The external materials (natural Cotswold stone walls, a stone tiled roof and traditional Cotswold stone window frames) would be appropriate to the character of area. On the rear elevation, the rear dormer would be constructed from zinc with timber cladding between the windows which would be a more contemporary feature, however, it's not considered that such materials would be detrimental to the appearance of the dwelling, particularly as it would be at the rear of the site. Indeed, several aspects of the proposal would comply with the positive design features as set out in Box 9 of the WNDP. These include Cotswold Stone walling, generous sized garden, off street parking only, soft landscaping, two storey home, generous plot size and a garage that is subservient to the main building.
- 8.6** The residential properties in the vicinity of the site are predominantly two storey detached dwellings varied in size, scale and design, and there is no prevailing architectural style which serves to unify the street scene. It would however be of a very similar size and design to the approved replacement dwelling next door (22/00109/FUL) as shown on the submitted street scene elevation (see plan).

Drainage

- 8.7** JCS Policy INF2 sets out that development proposals must avoid areas at risk of flooding. Proposals must not increase the level of risk to the safety or occupiers of a site, the local community or the wider environment either on the site or elsewhere.

- 8.8** A drainage strategy for foul and surface water drainage has been included with this application. The drainage strategy provided by Rappor demonstrates the compliance with Policy INF2 of the JCS. Foul water would be discharged via a traditional below ground gravity system and would flow to the existing Severn Trent asset via a new Manhole connection in Stockwell Lane.
- 8.9** The Parish Council have raised concerns about the drainage details that have been submitted. The Parish Council's concerns are noted, however, the Drainage Officer has raised no objections to the proposed drainage strategy subject to conditions. Furthermore, the technical details would also be subject to building regulations approval as a separate consent.

Residential amenity

- 8.10** JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.
- 8.11** The neighbouring property to the west has objected on the grounds of loss of light into their lower ground bedroom and nursery room. The new dwelling would however be 3.7 metres away from their nearest side elevation so the loss of light is not considered to be harmful / detrimental. This neighbour has also raised concerns about potential noise from the two air source heat pumps on the west side elevation. Environmental Health have been consulted and have raised no concerns / objections. The Environmental Health Officer did recommend attaching a condition with regards to the burning of waste and an informative regarding the heat pumps. However, these are elements that are suitably covered by Environmental Health legislation. Planning Practice Guidance advises that conditions should only be attached to decisions if they are necessary. In this case, given that they are covered by other legislation, they are not considered to be necessary.
- 8.12** The proposed dwelling would not include any first-floor side windows in order to prevent overlooking in the direction of Beech Cottage and Box Farm.
- 8.13** In terms of the residential amenity for future occupiers, the dwelling would be afforded good outdoor amenity space along with off road parking and a garage.
- 8.14** Overall, it is considered that subject to the imposition of appropriate conditions, the proposed development would result in acceptable levels of amenity for future residents of the development and the nearby existing residents in accordance with the relevant development plan policies.

Highway Matters

- 8.15** Policy INF1 of the JCS advises that proposals should ensure safe and efficient access to the highway network is provided for all transport modes and that the impact of development does not have a severe impact upon the highway network. Policy SD4 also requires development to be well integrated with the movement network within and beyond the development itself, ensuring links by other modes and to green infrastructure.

- 8.16** The site benefits from direct vehicular access from Stockwell Lane with a driveway leading up the existing property at Box Farm. The existing access would be utilised for the proposed dwelling with a new driveway being extended from the existing one. Parking would be available in the two-bay garage. There would also be space for on-site turning for vehicles to leave the site in a forward gear and additional parking for guests / visitors.
- 8.17** The Gloucestershire Highways Officer has been consulted and has raised no objections, confirming that the Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion and the proposal is considered acceptable.

Landscape impact

- 8.18** The application site is located within the Cotswolds National Landscapes, an area of high scenic quality that has statutory protection in order to conserve and enhance the natural beauty of its landscape. The NPPF makes clear that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty (para 182).
- 8.19** Policy SD7 of the JCS states that all development proposals in or within the setting of the Cotswolds National Landscapes will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan
- 8.20** Landscape character assessments for the area have been carried out at national, county and AONB level by Natural England; National Character Area, Gloucestershire County Council; Gloucester Landscape Character Assessment, LDA Design, 2006, and the Cotswolds AONB Conservation Board; Cotswolds AONB Landscape Character Assessment, 2006, respectively. In addition, a district level landscape character assessment: Landscape and Visual Sensitivity Study - Rural Service Centres and Service Villages, (LVSS) was published in 2014.
- 8.21** The LVSS puts the proposal within the landscape parcel Cotswolds AONB Landscape Character Area 2E: 'Winchcombe to Dovers hill - (Escarpmnt)'. The "Escarpmnt" landscape is characterised as a narrow landscape type, forming a dramatic, prominent and well-known landscape feature as part of the distinctive topography of the area. A key characteristic is "small scale settlement generally confined to lower shallower slopes of the escarpment, in sheltered locations and adjacent to spring lines"
- 8.22** The site is on the north side of Stockwell Lane with residential properties on the west and a farmhouse to the east. The site forms part of the garden of the farmhouse with a small orchard to the north west. To the south lies the dwelling of Liberty Farm which was allowed at appeal in 2015. The Inspector considered the Council's Landscape and Visual Sensitivity Study (2014) which concluded that the land parcel in which the appeal site is located is of high sensitivity but includes the qualification that:

“there may be small scale opportunities for sensitive development immediately adjacent to the settlement edge. Whilst it is noted that the fidelity of the study is not sufficient to identify such opportunities, the appeal proposal would be located close to the settlement edge on the lower escarpment slopes, following the general pattern of development along Stockwell Lane and would be constructed from materials respective of the local vernacular. Consequently, the appeal proposal would not appear as a strident addition to this part of the AONB, thereby being in general conformity with the above studies that seek to guide rather than stymie, appropriate development.”

- 8.23** The Parish Council have raised objections on the grounds that the proposed dwelling would be harmful to the surrounding landscape.
- 8.24** Whilst the Parish Council’s concerns are appreciated, care has been taken to ensure that the proposal would not harm open spaces or gaps that make a positive contribution to the character of Woodmancote.
- 8.25** The southern boundary of the site is screened from Stockwell Lane by a boundary hedge and trees. There is a public right of way 90 metres to the north. The site would be visible from the public realm however, within the context of existing development. The site would be screened from the north in part by the orchard and due to the topography of the site views would be directed beyond the site to the open countryside to the south.
- 8.26** The visual impact of the development from distant views would not be considered prominent or substantial due to its relationship with existing development.
- 8.27** The Landscape Officer has been consulted and requested further information prior to the determination of this application, specifically, an Arboricultural Method Statement. An Arboricultural Method Statement was submitted on the 11th December 2023. The apple tree (T5, grade B1) to the side of the new house is now proposed for retention. Along with the retained trees and hedgerows on the site, the Landscape Officer is happy with the new trees proposed. These are set out on the MHP Tree Protection and Arboricultural Method Statement Plan (drawing no 23096.503). It’s considered that the combination of the retained vegetation and new planting is sufficient to provide an acceptable level of landscaping to the new property.
- 8.28** Suitable Tree and landscaping conditions would be attached to the decision.
- 8.29** Overall, it is considered that there would be limited harm to the Cotswolds National Landscapes that would not, in this instance, provide a clear reason for refusal.

Ecology

- 8.30** Policy SD9 (Biodiversity and Geodiversity) specifies that the protection and enhancement of the biodiversity and geological resource of the JCS will be achieved by encouraging new development to contribute positively to biodiversity and geodiversity whilst linking with wider networks of green infrastructure. In this respect, Policy NAT1 of the Tewkesbury Borough Local Plan 2011-2031 explains that proposals that will conserve, restore and enhance, biodiversity will be permitted.

- 8.31** The level of protection and mitigation should be proportionate to the status of the feature, habitat or species and its importance individually and as part of a wider network. Development resulting in the loss or deterioration of irreplaceable habitat, including (but not restricted to) ancient woodland and ancient and veteran trees, will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 8.32** A preliminary ecology appraisal was submitted as part of this application. The ecology team have been consulted and requested further information prior to the determination of this application. A revised PEA was submitted on the 18th October 2023. The ecologist was re-consulted and is now satisfied with the submitted information and has no objections to the proposal subject to the specified conditions.
- 8.33** Subject to the recommended conditions being attached, the scheme is therefore considered to be compliant with policy SD9 of the JCS and policy NAT1 of the TBLP.

Impact on Heritage

- 8.34** The Parish Council consider that Box Farm is a non-designated heritage asset and that the principle of a dwelling in this location would impact the setting of a heritage asset. Box Farm is an attractive, unlisted building in the Cotswold vernacular and is understood to have 19th Century origins. Historic maps indicate that the original curtilage of the farmhouse was drawn tightly against the western wall of the house. The application site is shown to have been part of a larger field (orchard) and does not appear to have had an intimate, functional link to the house. Even at the turn of the 20th Century there was wayside development along Stockwell Lane, including those dwellings to the west of the application site. The quality of the farmhouse is considered to come from its architectural attractiveness in the vernacular Cotswold style. Even if the Farmhouse were considered to be a non-designated heritage asset, it is not considered that the proposal would unacceptably harm the setting of that asset as there is sufficient space around it to maintain its presence and integrity as a standalone building
- 8.35** Overall, it is considered that the development, by virtue of its location and general design would not cause harm to heritage assets within proximity of the site. The Conservation Officer has been consulted and has raised no objections.

9. Conclusion

- 9.1** Overall, it is considered that the proposed dwelling, subject to compliance with conditions, would accord with the parameters of the originally permitted Planning in Principle and relevant policies as outlined above. As discussed, the proposed dwelling would be of a suitable size and design and the impact on the surrounding landscape would not be detrimental. Therefore it is recommended that the application be **permitted** subject to the following conditions:

10. Conditions

- 1** The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Plans 3330 P (0) 02 REVB (Proposed Block Plan) dated 17th July 2023
- Plans 3330 P (2) 01 REVB (Proposed Site Plan) dated 17th July 2023
- Plans 3330 P (2) 02 REVB (Proposed floor plan) dated 17th July 2023
- Plans 3330 P (2) 03 REVB (Proposed elevations) dated 17th July 2023
- Plans 3330 P (2) 04 REVB (Proposed Street Scene) dated 17th July 2023
- Drainage Strategy
- Preliminary Ecological Appraisal dated 18th October 2023 by Focus
- Arboricultural Method Statement dated 11th December 2023
- Design and Access statement dated 28th March 2024

Except where these may be modified by any other conditions attached to this permission.

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

3 Notwithstanding the submitted details, no work above floor plate level shall be carried out until samples of the external stone, roof slates, timber cladding and zinc proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

4 The development shall proceed in strict accordance with the Mitigation and Enhancement Measures provided in the Preliminary Ecological Appraisal (Focus Environmental Consultants, June 2023) and Ecological Mitigation and Enhancement strategy (Focus Environmental Consultants, October 2023).

Reason: To ensure there is no adverse ecological impacts.

5 Prior to commencement, details of all proposed external lighting are to be submitted to the local authority for review and is to include the location and specification. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: To ensure there is no adverse ecological impacts.

6 The species 'Variegated Yellow Archangel' shall be controlled to prevent the spread of this plant and a specialised contractor should be contacted to deal with this invasive species.

Reason: To ensure there is no adverse ecological impacts.

- 7 No building hereby permitted shall be occupied until the surface water drainage scheme for the site has been completed in accordance with the details shown on the approved plans and documents (Drainage Strategy Technical Note 13th June 2023 prepared by Rappor). The drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan submitted with the application.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment and to ensure the proposed development does not exacerbate flood risk and deals with surface water run-off from the site in a sustainable manner

- 8 The trees/hedgerows to be removed shall be replaced during the first planting season following removal by trees/hedgerows of a species, size and in locations that have first been submitted to and approved in writing by the Local Planning Authority. Any replacement trees/hedgerows which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year period.

Reason: In the interests of visual amenity and the character and appearance of the area.

- 9 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details specified in the Tree Protection Plan 23096.503 before any development including demolition, site clearance, materials delivery or erection of site buildings, starts on the site. The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the local planning authority. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, latrines, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within any area fenced, unless agreed in writing with the local planning authority.

Reason: To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area.

- 10 The dwelling shall not be occupied until the means of enclosure to that plot have been installed in accordance with details that have first been approved in writing by the Local Planning Authority. The details shall include a plan indicating the positions, design, materials and type of boundary treatment to be erected and shall be similarly maintained thereafter.

Reason: To ensure adequate provision for privacy and in the interests of visual amenity

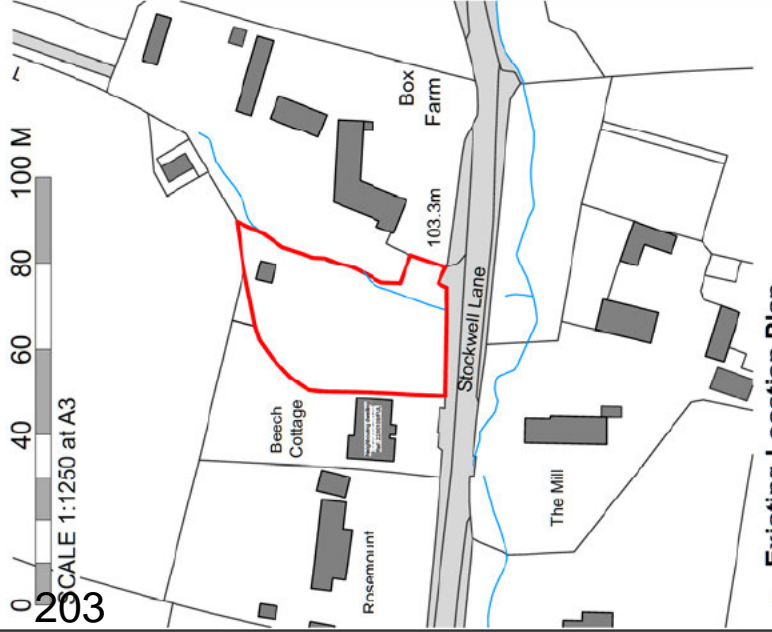
12. Informatives

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

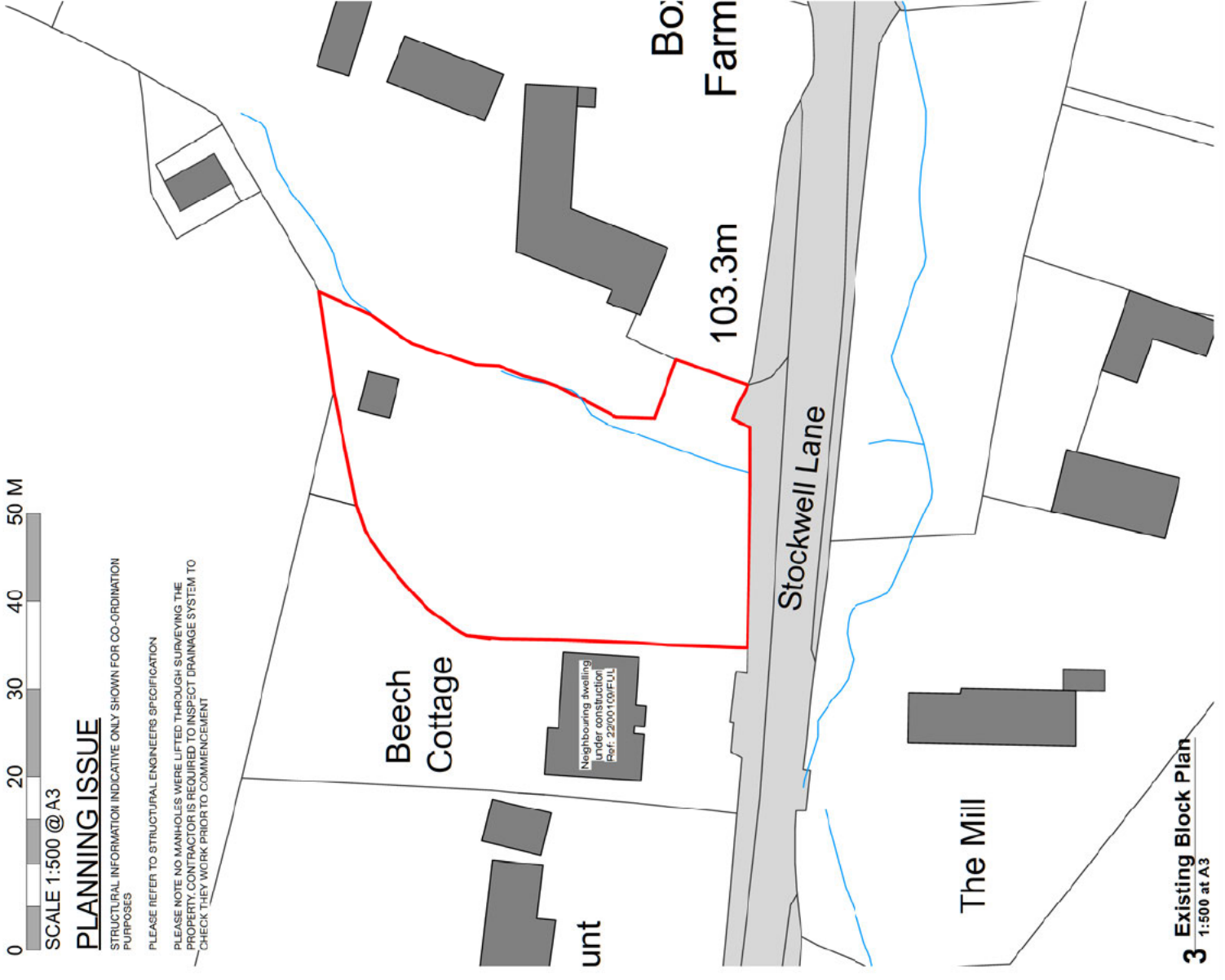
- 2** If at any time nesting birds are observed on site then certain works which might affect them should cease and advice sought from a suitably qualified ecological consultant or Natural England. This is to comply with the Wildlife & Countryside Act 1981 (as amended) and avoid possible prosecution. You are additionally advised that tree or shrub removal works should not take place between 1st March and 31st August inclusive unless a survey to assess nesting bird activity during this period is undertaken. If it is decided on the basis of such a survey to carry out tree or shrub removal works then they should be supervised and controlled by a suitably qualified ecological consultant. This advice note should be passed on to any persons/contractors carrying out the development.
- 3** The Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs. In addition the Act states that it is an offence to intentionally or recklessly disturb any wild bird listed in Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird. This advice note should be passed on to any persons/contractors carrying out the development.



1 Aerial View
Not to scale



2 Existing Location Plan
1:1250 at A3



3 Existing Block Plan
1:500 at A3

0 20 30 40 50 M
SCALE 1:500 @ A3

PLANNING ISSUE

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Minor Amendments	PN	B
07/07/2023	PN	A
26/06/2023	PN	A



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Client :

Project :
Land at Box Farm, Stockwell Lane,
Woodmancote

Drawing Title :
Existing Site Location & Block Plan

Scale	Date	Drawn By
Planning	July 2023	JL / FN
Revision	Revision	Scale
3330P(0)01	B	As Show

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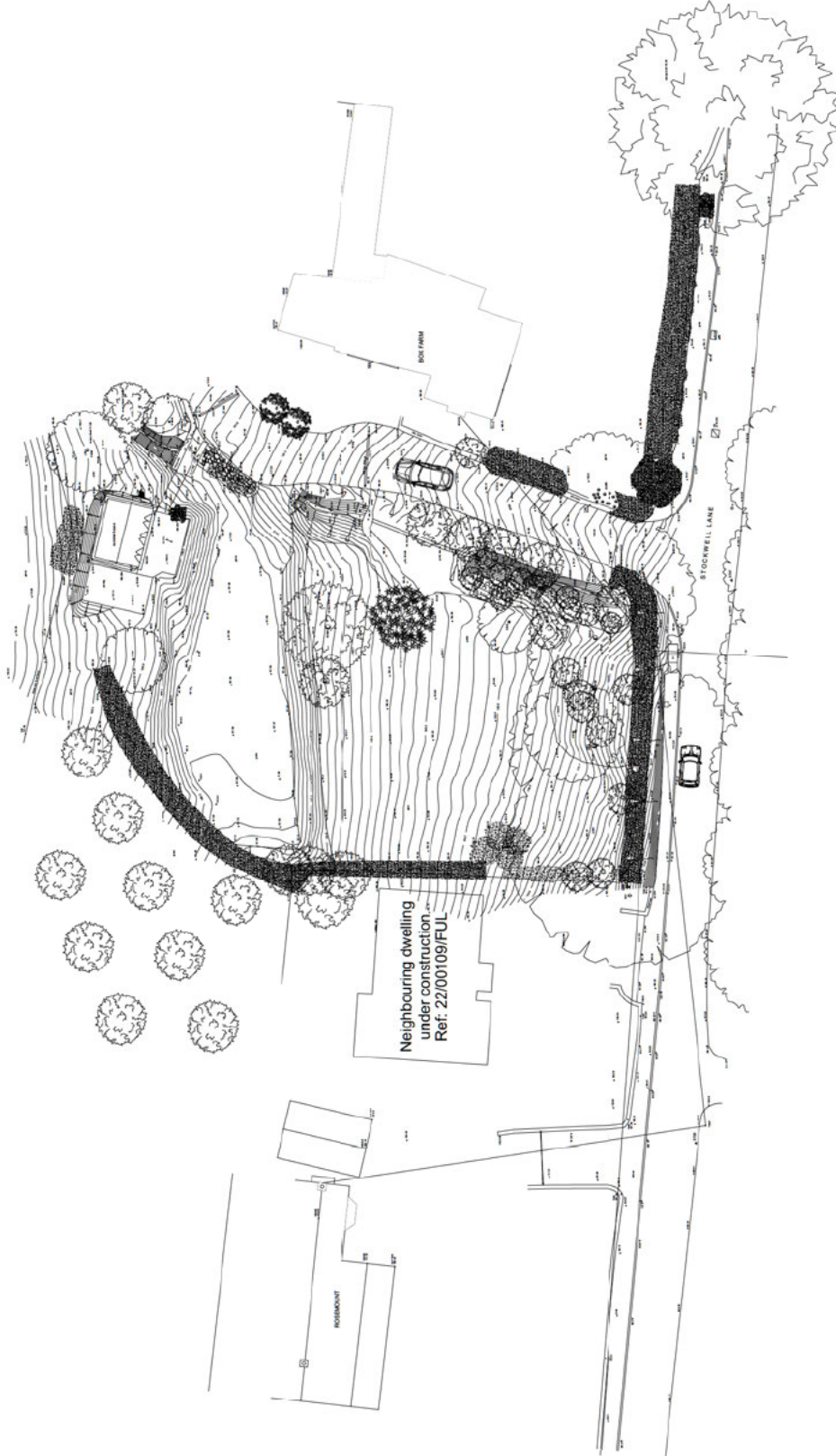
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Minor Amendments	PI	B	
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 Project: [Redacted]

Land at Box Farm, Stockwell Lane,
 Woodmanhole
 Drawing Title: Existing Topographical Site Plan

Status	Date	Drawn By
Planning	July 2023	JL/PN
Drawing No.	Revision	Scale
3330 P(1) 01	B	1:200 at A1

1 Existing Site Plan

1:200 at A1

EXISTING



1:200 at A1

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1 Existing Street Scene

1:200 at A1

Date	Check	Rev
07/07/2023	PN	B
28/06/2023	PN	A



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Revised
15/02/2019 201
Geometrische
1/12/02 2007/4

Scene
n, Stockwell Lane,

Date	Drawn By	Scale
July 2023	JL/PN	1:200 at A1
Revision	Scale	
B	1:200 at A1	

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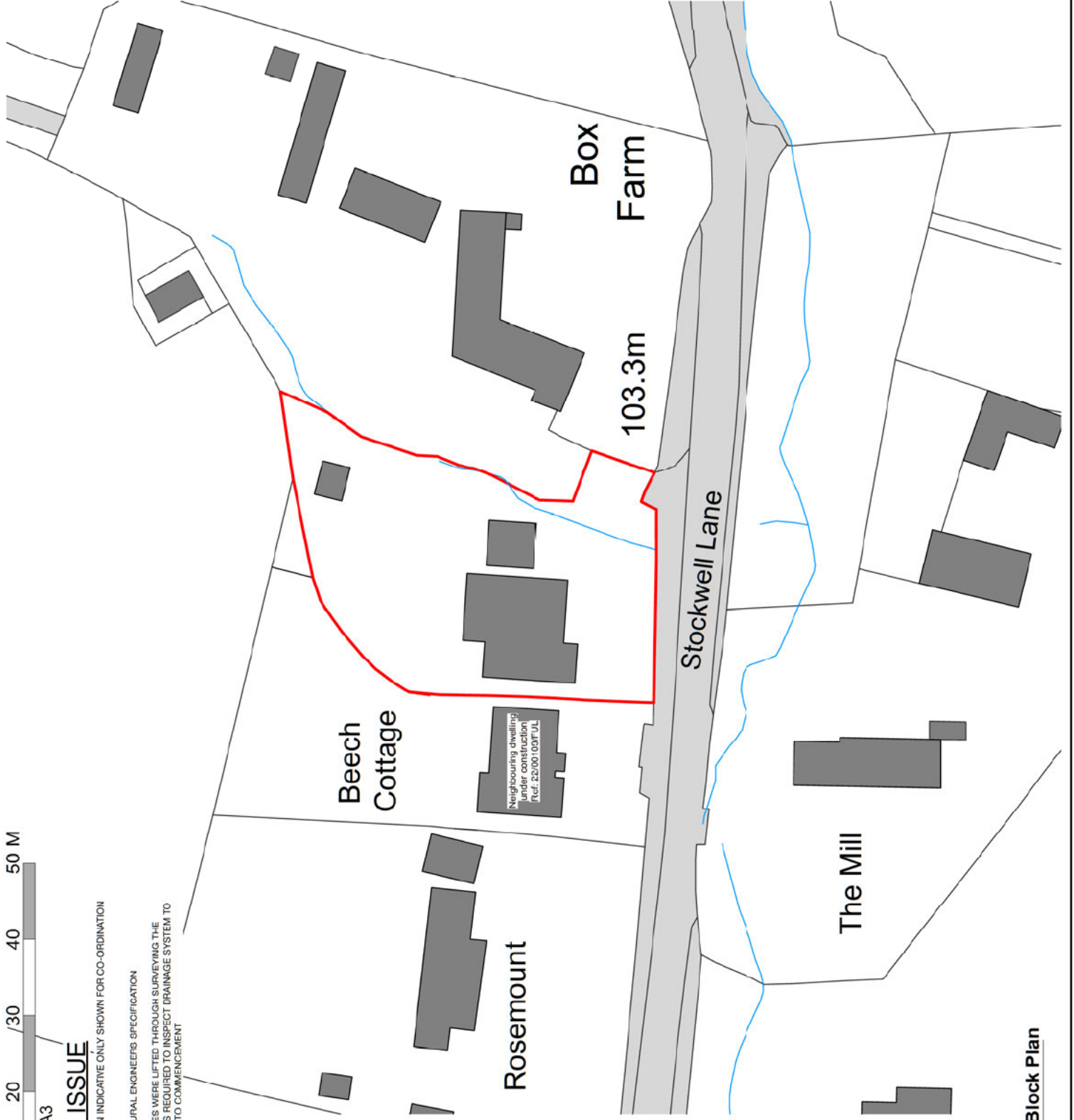
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Revision Description	Date	Check	Rev



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Client:

Project:

Land at Box Farm, Stockwell Lane,
Woodmancoke

Drawing Title: Proposed Block Plan

Scale: As Shown

Drawn By: JI / FN

Date: July 2023

Revision: B

Drawing No: 3330 P10/02

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207

Neighbouring dwelling
 under construction Ref:
 22/00109/FUL

1 Proposed Site Plan
 1:100 at A1, 1:200 at A3

PROPOSED

Date	Check	Rev
07/07/2023	PN	B
26/06/2023	PN	A



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Stockwell Lane,

Date	Drawn By
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B	1:100 at A1



1:100 at A1, 1:200 at A3

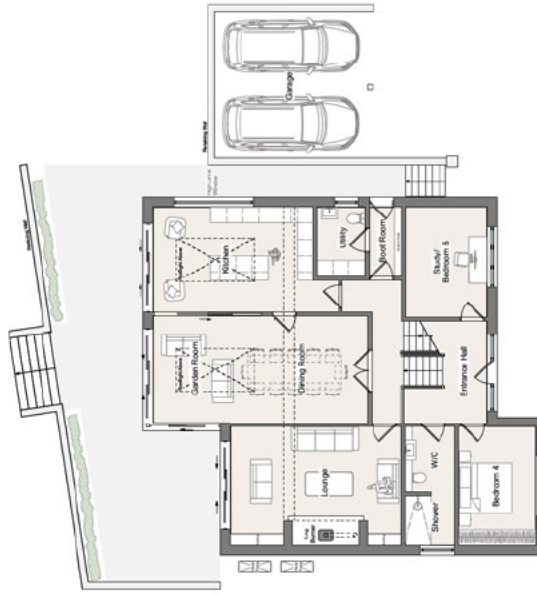
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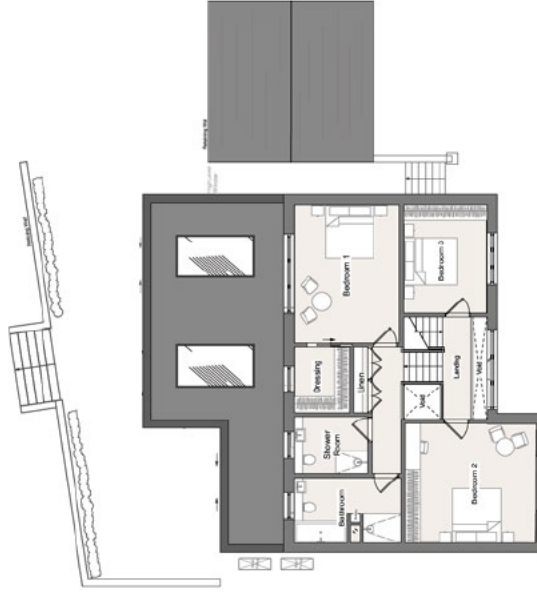
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1 Ground Floor Plan
1:100 at A1, 1:200 at A3



2 First Floor Plan
1:100 at A1, 1:200 at A3

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07/07/2023	PN	B
28/09/2023	PN	A



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Stockwell Lane,

Date	Drawn By
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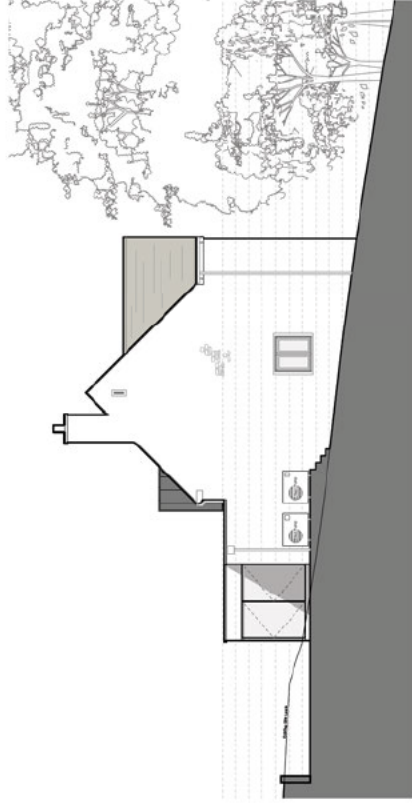
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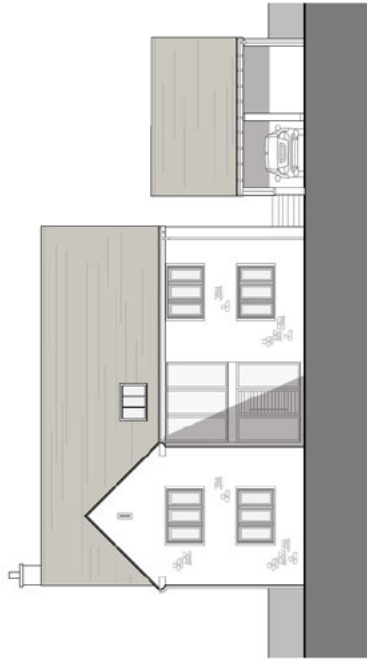
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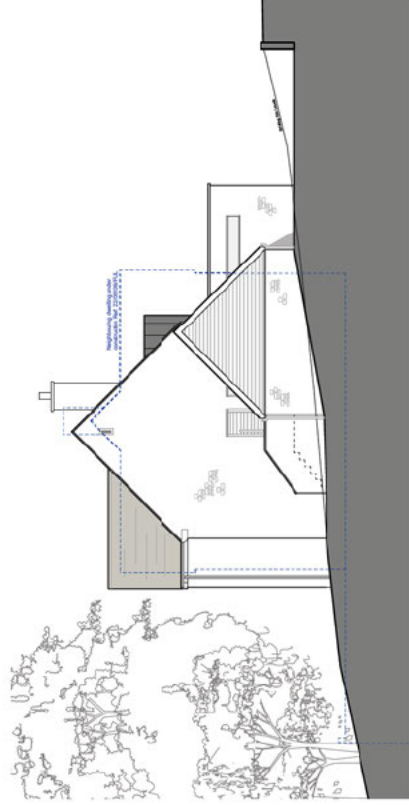
2 West Elevation

1:100 at A1, 1:200 at A3



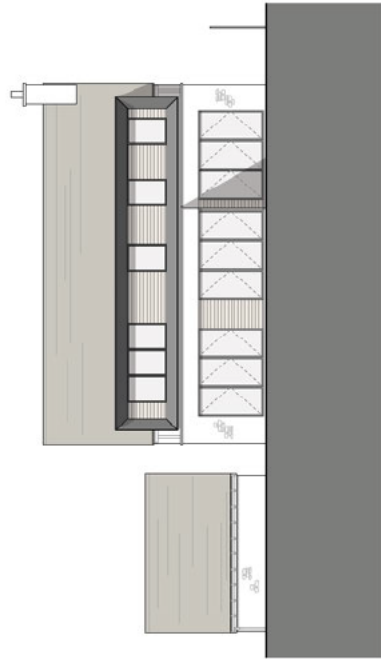
1 South Elevation

1:100 at A1, 1:200 at A3



4 East Elevation

1:100 at A1, 1:200 at A3



3 North Elevation

1:100 at A1, 1:200 at A3

Date	Check	Rev
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28/06/2023	PN	A



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Date	Drawn By
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Revision	Scale
B	1:100 at A1

PROPOSED

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1:200 at A1

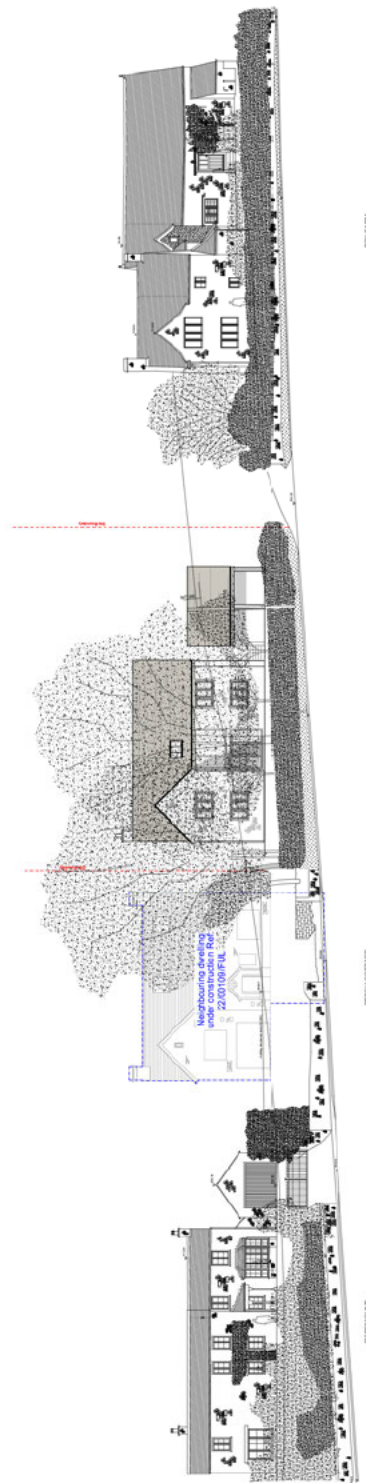
PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY SHOWN FOR CO-ORDINATION PURPOSES

PLEASE REFER TO STRUCTURAL ENGINEERS SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED THROUGH SURVEYING THE PROPERTY. CONTRACTOR IS REQUIRED TO INSPECT DRAINAGE SYSTEM TO CHECK THEY WORK PRIOR TO COMMENCEMENT

1. Do not scale off this drawing.
2. Any discrepancies to be referred to the Architect.
3. This drawing is to be read in conjunction with all other drawings and specifications.
4. This drawing is copyright and no part may be reproduced without the written permission of RRA Architects Ltd.
5. IF DOUBT, ASK.



1 Proposed Street Scene 1:200 at A1

Minor Amendments	07/07/2023	PHI	B
Planning Issue	20/09/2023	PHI	A

Revision Description	Date	Check	Rev



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Client: [REDACTED]

Project: [REDACTED]

Land at Box Farm, Stockwell Lane,
Woodmanhole

Drawing Title: Proposed Street Scene

Status	Date	Drawn By
Planning	July 2023	JL/FPN
Drawing No.	Revision	Scale
3330 P(2)04	B	1:200 at A1

PROPOSED

PLANNING APPEALS RECEIVED (04/03/2024 – 05/04/2024)

Appeal Start Date	TBC Planning Number	Inspectorate Number	Proposal	Site Address	Appeal Procedure
5-Mar-24	23/00481/FUL	APP/G1630/W/23/3335831	Erection of a new dwelling in the rear garden to be utilised as part of the assisted living based at 151 Ermin Street.	151 Ermin Street Brockworth	Written Representation
6-Mar-24	23/00466/FUL	APP/G1630/W/23/3335876	Conversion of existing barn to a dwelling house, with associated open garden space and car parking	Hardwicke House Elmstone Hardwicke Tewkesbury	Written Representation
6-Mar-24	21/01282/OUT	APP/G1630/W/23/3329664	Outline application for the erection of 5 dwellings with access from Green Acres, with all other matters reserved.	Land Adjacent Greenacres Hillend Twynning	Written Representation
12-Mar-24	23/00678/FUL	APP/G1630/W/24/3336496	Erection of an outbuilding to be used for the applicants dog grooming business	39 Gretton Road Gotherington	Written Representation
13-Mar-24	23/00864/PIP	APP/G1630/W/24/3337894	Permission in Principle for residential development of 1 new dwelling.	Hawthorn House Main Road Minsterworth	Written Representation
22-Mar-24	23/00270/FUL	APP/G1630/W/24/3336867	Application for the replacement of an existing commercial building and construction of an extended vehicle parking area	The Oxstalls Teddington	Written Representation

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Agenda Item 6

22-Mar-24	23/00699/PIP	APP/G1630/W/24/3339901	Permission in principle for the erection of 5 no. single storey dwellings plus associated access and parking	Land Rear Of Bloxhams Orchard Ashleworth	Written Representation
22-Mar-24	23/00148/FUL	APP/G1630/W/24/3336604	Erection of a field shelter and change of use of part of paddock land to residential curtilage (Retrospective)	Brackenwood Lodge Church End Lane Twyning	Written Representation
4-April-24	23/00909/LBC	APP/G1630/Y/23/3334802	Removal of external wooden door in front porch. Replacement with high-quality wood effect composite doors. Removal of external wooden stable door in rear porch. Replacement with high-quality wood effect composite stable doors. Replacement of four single glazed windows (two in each porch) with high-quality wood effect UPVC double glazed windows	Street End Cottage The Street Minsterworth	Written Representation

PLANNING APPEALS DECIDED (04/03/2024 – 05/04/2024)

Appeal Decision Date	Appeal Decision	TBC Planning Number	Inspectorate Number	Proposal	Site Address
14-Mar-24	Appeal allowed planning permitted	21/01013/FUL	APP/G1630/W/23/3329145	Erection of 10 no. dwellings, garages, construction of internal estate road, formation of parking areas and gardens/amenity space.	Lunn Cottage Aston Cross
15-Mar-24	Appeal dismissed	22/00692/FUL	APP/G1630/W/23/3323753	Replacement of agricultural dwelling, landscaping and other associated works at Cuckoo Farm.	Cuckoo Farm Southam Lane Southam
4-April-24	Appeal dismissed	22/00975/OUT	APP/G1630/W/23/3330290	Outline application with all matters reserved for 3no. dwellings	Part Parcel 0862 Tewkesbury Road Twigworth
5-April-24	Appeal dismissed	22/00524/FUL	APP/G1630/W/23/3330860	Erection of 1No. self-build dwelling and associated parking and landscaping.	Land Off Olde Lane Toddington
5-April-24	Appeal dismissed	22/01085/FUL 22/01086/FUL 22/01087/FUL	APP/G1630/W/23/3320447 (Combined appeal)	1. Provision of an agricultural building with a reduced area of hardstanding and re-surfaced access track (including part retention of works); and removal of 2 no. small brick buildings, removal of all external lighting and CCTV equipment and removal of 2.2 metre close boarded	Oaklands Gloucester Road Staverton

				<p>fencing that encloses the existing yard, to be replaced with new 1.2m high post and rail fencing.</p> <ol style="list-style-type: none">2. Erection of walling, piers, gates, railings and fencing along the site frontage with the B4063, reduced from 2.2m to a height of 1.5 metres (1.2 metre walls and 0.3 metre railing above) (including part retention of works)3. Erection of brick walling, railings, close boarded fencing and gates around the perimeter edge of the residential property known as Oaklands, reduced from 2.2m to maximum height of 1.5m (1.2m walling and 0.3m railings) and removal of all external lighting within the residential curtilage of the property (including part retention of works).	
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