

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 25 October 2016 commencing
at 9:00 am**

Present:

Chair
Vice Chair

Councillor J H Evetts
Councillor R D East

and Councillors:

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

also present:

Councillors Mrs H C McLain, V D Smith and M G Sztymiak

PL.40 ANNOUNCEMENTS

- 40.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 40.2 The Chair welcomed Jamie Mattock, Principal Development Co-ordinator, and Oliver Eden, Development Co-ordinator, from Gloucestershire County Highways to the meeting.
- 40.3 Members were reminded that, at its meeting on 17 May 2016, the Council had confirmed the Scheme for Public Participation at Planning Committee as a permanent arrangement. The Chair gave a brief outline of the scheme and the procedure for Planning Committee meetings.

PL.41 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 41.1 Apologies for absence were received from Councillors R A Bird and R J E Vines. Councillors Mrs R M Hatton and H A E Turbyfield would be acting as substitutes for the meeting.

PL.42 DECLARATIONS OF INTEREST

42.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

42.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R E Allen	16/00894/FUL Lynch Lane Farm, Greenway Lane, Gretton. 16/00895/LBC Lynch Lane Farm, Greenway Lane, Gretton.	Had received correspondence and telephone calls in relation to the applications but had not expressed an opinion.	Would speak and vote.
Mrs G F Blackwell	16/00936/FUL 2 Crifty Craft Lane, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
M Dean	16/00890/FUL The Crofts, Butts Lane, Woodmancote.	Is a Borough Councillor for the area.	Would speak and vote.
R D East	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
Mrs M A Gore	16/00241/FUL Land Parcels 7946 and 9067, 300087 Walton Cardiff Road to Newtown Farm, Ashchurch.	Is a Borough Councillor for Stoke Orchard and had attended several meetings in relation to the application, including a presentation by the developer held at the Parish Council, but had not expressed an opinion.	Would speak and vote.
Mrs A Hollaway	16/00890/FUL	Is a Borough	Would not

	The Croft, Butts Lane, Woodmancote.	Councillor for the area. Her family own land next door to the application site.	Speak or vote and would leave the Chamber for consideration of this item.
Mrs P E Stokes	16/00936/FUL 2 Crifty Craft Lane, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.

42.3 There were no further declarations made on this occasion.

PL.43 MINUTES

43.1 The Minutes of the meeting held on 27 September 2016, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.44 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

Schedule

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

16/00241/FUL – Land Parcels 7946 and 9067, 300087 Walton Cardiff Road to Newtown Farm, Ashchurch

44.2 This application was for the erection of a biomass-based anaerobic digestion (AD) facility and associated works. The Committee had visited the application site on Friday 21 October 2016.

44.3 The Chair invited John Hargreaves, representing Ashchurch Rural Parish Council, to address the Committee. Mr Hargreaves indicated that the applicant had stated at its presentations that the plant had to be in this particular location because the gas pipe ran under the site. Whilst it was true that the gas pipe did run under the site, it also ran into Wales via Tirley from Fiddington and on through Teddington to Stratford-Upon-Avon so there were other sites suitable for an AD plant which had better access for heavy goods vehicles and were in the same catchment area. Fiddington had no gas pipe network for domestic use and would not actually benefit from the gas being produced there. The development comprised seven massive domes and holding tanks up to 18.5m high which was taller than a six storey block of flats. As the Landscape Officer stated in his report, it was industrial use which would cause harm to the local community due to its scale, form and proximity and would exert an adverse impact upon landscape character. With regard to highways, he noted that the National Planning Policy Framework promoted sustainable transport by protecting vulnerable road users. Gloucestershire County Highways had produced a report to demonstrate that the mitigation works, which included widening the lanes; piping ditches; and removing grass verges and some hedges; would also remove the refuge for vulnerable road users. These changes would facilitate 15,500 annual tractor movements, which equated to 75 movements per day or one every 6.5 minutes for six months of the year, and would turn the typical rural lanes into an industrial road network. The bridleways and footpaths, including the Gloucestershire

Way, would be in danger of disappearing as vulnerable road users would be less likely to venture out onto the lanes. The applicant had failed to prove that the development would be sustainable, eco-friendly and carbon neutral; Ecotricity had stated that the plant would be carbon positive for 20 years which meant that it would be producing more carbon than it saved for 20 years. As well as producing useful Methane gas (55%), which would be pumped into the gas main, it would also produce harmful gas ammonia and Carbon Dioxide (45%) which would be released directly into the atmosphere and this needed to be added to the harmful exhaust gases which would be generated by tractors travelling up to 21,000km per week.

44.4 The Chair invited Tony Davis, speaking on behalf of the action group 'Save Our Lanes' which objected to the proposal, to address the Committee. Mr Davis stated that the project would result in one of the largest chemical gas plants in the country and, to put it into context would be larger than the whole of Tewkesbury High Street. It would certainly not be in keeping with the open countryside and the Landscape Officer had concluded that there would be harm to the local landscape character, resulting from clear view of the facility with a land use and activity that was more industrial than agricultural which was unprecedented within the 'intimate field pattern' around Fiddington. Or, to put it another way, the applicant wished to shoehorn a chemical-based industrial estate into the middle of open countryside, under a seemingly green eco-friendly and agricultural umbrella, to try and satisfy planning rules. Seven dome structures up to 35m across and 18m high would dwarf nearby houses; you could fit all the houses in Fiddington into the domes and still have room to spare. Silage would be loaded every day of the week, 365 days a year at a rate of 150 tonnes per hour which would generate significant noise. More than 140,000 tonnes would need to be transported to and from the site down narrow lanes using the largest and heaviest vehicles permissible on the highway. There would be some 15,000 trips per year with, on average, one vehicle movement every 7-8 minutes every day for six months of the year and he asked Members to imagine the noise at 7:00am every Sunday morning. It was the residents of Fiddington and the surrounding area that he represented who would suffer long after the theorists and consultants who thought it was acceptable had gone. Save Our Lanes objected to the noise levels that would be generated, the acknowledged inevitable smell that would emanate every day from the vast 6m high silage clamps and the light pollution which would be generated by this industrial plant. He recognised that some smells and noise were to be expected within the countryside but not on this scale and not every day of the year. Gloucestershire Highways had stated that the lanes must be widened to ensure safety but this was not possible in a number of places where the highway was too narrow to provide adequate width for very large vehicles to pass one another. He asked Members to consider the bridge over the Swilgate, already accident damaged, and the Odessa junction, as well as the A46 and vulnerable users along unlit lanes. Overall, if it was allowed to proceed, the application would industrialise and devastate the hamlet of Fiddington and the surrounding area. The development was nothing to do with agriculture and he urged Members to reject the proposal and consign it to an industrial estate where it belonged, not in open countryside.

44.5 The Chair invited Jamie Baldwin, representing the applicant, to address the Committee. Mr Baldwin explained that the applicant, Ecotricity, was a Gloucestershire-based company that generated and supplied renewable energy. The proposed AD plant would process grass silage and forage rye to produce biomethane to be injected into the gas grid via existing infrastructure within the same field. This green gas would displace fossil fuel gas and could be used for cooking, heating and vehicle fuel in the same way natural gas was already used; the plant would generate enough green gas for 6,200 homes. The by-product of the process was a nutrient-rich digestate which would be returned to the agricultural land, maintaining soil fertility and replacing the use of costly fertilisers. This location was suitable because of the existing network of farms where feedstock could be grown;

2,000 hectares of land was needed to supply the yearly feedstock. The applicant already had firm interest from local farmers with approximately 2,900 hectares of land available within 15km of the site. This plant would help provide a secure long-term future for local farms with a confirmed income stream, putting much needed money into the local economy at a time of uncertainty around European-funded subsidies. Feedstock would be sourced from land where grass was grown as a break crop. Growing grass in that way also provided an effective means to control weeds such as black grass. Throughout the planning process, the applicant had undertaken extensive consultation, including before and after submission of the planning application. As detailed in the Committee report, no statutory consultee had objected to the proposal. Importantly, there was no objection from Highways England with respect to impacts on the A46, either in terms of traffic volume or road safety. Likewise, there was no objection from County Highways with respect to any other road, either in terms of traffic volume, highway damage or road safety, that would not be adequately mitigated through the conditions proposed and a Section 106 Agreement. The applicant had worked closely with County Highways to ensure that the local roads could adequately accommodate the additional farm traffic and they would be happy to agree transport conditions and a legal agreement to control traffic movements and protect local amenities as well as committing to ongoing community liaison during the lifetime of the plant. He respectfully asked Members to vote in favour of the Officer's recommendation and, in so doing, acknowledge accordance with the adopted local and national policy; the national and local need for renewable energy, carbon reduction and energy security; the wider public interest of, and registered support for, the proposed development; and the economic and environmental benefits to Tewkesbury Borough and, in particular, the local agricultural community.

- 44.6 The Chair invited Councillor Heather McLain, Ward Councillor for Ashchurch Rural, to address the Committee. Councillor McLain indicated that she was in attendance on behalf of the local community to support their concerns about the application, which she shared. There had been a huge wealth of information provided to Members which was well and carefully researched and she intended to touch upon a few of those points. Members would be aware that all of the local Parish Councils had submitted objections and residents believed that there were strong grounds for refusal. It was clear from the representations that this was a change of use from long established agricultural to industrial use. The report in front of Members set out that the Government defined an industrial scale installation as something that was, quite rightly, set in an urban or industrial area; Fiddington was not either and the size of the plant was totally unsuitable for the setting. She noted that one of the domes alone would be 13.5m high, with 3m underground, and she questioned whether that was acceptable. The Landscape Officer described it as an activity that was more industrial than agricultural and would cause harm to local views and dwellings due to its scale, form and proximity, exerting an adverse impact upon the landscape character. The development would have a massive impact on the landscape and she drew particular attention to Policy LND4 of the local plan which set out the need to protect the character and appearance of the rural landscape. She raised concern about what sort of precedent would be set if the application was permitted and whether it would give 'carte blanche' for AD plants to be constructed in any location. In terms of the impact on the local lanes and roads, it was projected that there would be 15,000 heavy goods vehicle movements per year with tankers, tractors and trailers operating 365 days of the year, and one every seven minutes during peak periods. 70% of those movements would be via the A38 Odessa junction; everyone knew how narrow, tight and tricky that was, with little scope for widening. She pointed out that the National Planning Policy Framework stated that any application should be sustainable and she questioned whether there was 80,000 tonnes of feedstock available within a 15km radius and, even if it was, whether it would be sustainable particularly given that the feed-in tariffs for this type of plant would be

gone by January 2017. She felt that there were strong grounds for refusal under the National Planning Policy Framework and, if this development were permitted, it would result in an unsustainable white elephant dominating a rural landscape. She asked Members to think about the damage to the environment, both human and physical, with 15,000 heavy goods vehicle movements 365 days per year; a vast industrial development causing visual damage to the landscape, light and noise pollution. Centuries of stewardship of hedgerows, watercourses, field patterns and co-existence of wildlife would be gone. This was the wrong development on the wrong site and she urged Members to refuse the application.

- 44.7 The Chair invited Councillor Vernon Smith to address the Committee; it was noted that Councillor Smith was exercising his discretion to speak under the Constitution. Councillor Smith indicated that he was sure that Members had realised that the size, scale and appearance, and continual seven day per week operation, of this plant would make this purported agricultural development very much industrial. He felt that highways issues in particular must be taken into consideration and he made reference to the fact that Highways England was minded to refuse 900 houses being built in Fiddington as part of the Joint Core Strategy due to the saturation levels already reached on the A46. The site was to use 80,000 tonnes of silage, being imported from a 10 mile radius, which would result in journeys of up to 32 miles, generating some 15,500 tractor, trailer and tanker movements. He stressed that this would be the largest gas plant of its nature in the country. The level of large vehicle movements would have an impact not only on roads around the site, but much further afield. Members had seen first-hand, and it had been highlighted in the County Highways summary, that there were serious concerns about the lanes approaching the site which were totally unsuitable, even with the suggested extensive mitigation. The mitigation itself would change the dynamics of the lanes; removing hedges and widening the lanes would increase the speed of existing traffic, creating yet more safety issues. The site would be operating seven days per week and there would be no respite for residents, or the many vulnerable walkers, cyclists and horse-riders who used the lanes. He pointed out that the local MP had objected to the proposal, as had the local Parish Councils. It was all too easy to be swayed by the supposedly green credentials of the application but there was uncertainty about the viability of AD plants; the government was discouraging plants where purpose grown feedstocks were used by removing the feed-in tariff subsidies. Whilst there may be a small amount of jobs created, this would be totally disproportionate to the disruption to the ecology and local community and he urged Members to consider the facts and refuse the application.
- 44.8 A Member found it interesting to note that the mitigation measures proposed by the applicant included road widening and he sought assurance that there would continue to be safe access for pedestrians to leave the highway and stand aside whilst vehicles passed by. A representative from County Highways clarified that the proposals would improve the facilities for pedestrians who currently had to step off the carriageway onto a grass verge, and he confirmed that there would be more space for all users. A Member sought clarification as to which roads would be widened as it had initially seemed as though all roads would be altered but the map suggested that it would only be certain sections. The County Highways representative confirmed that it would be unreasonable to widen the full length of the lane as there were a number of places where it was currently possible for two vehicles to pass. There would be occasions where large vehicles coming together would have to give way on straight sections but this was not unusual during peak periods in rural areas. A Member drew attention to recommended conditions 7, 8, 9, 15 and 21 and questioned whether the information requested should have been submitted prior to Committee determination. In respect of condition 7, the Planning Officer advised that it was quite usual for the Local Planning Authority to require details of the external lighting scheme by condition and this element of the development could be adequately controlled through condition. Condition 8 had

been included based on the consultation response from the Lead Local Flood Authority which set out that the drainage solutions put forward seemed to be acceptable but more detailed information was needed; again, this was a common requirement at the condition stage. Condition 9 related to the submission of hard and soft landscaping details and Members were informed that the applicant had given a good indication of the proposals, which incorporated bunds and associated planting, but the condition required the full details of the scheme; for hard landscaping this included car parking bay layout and hard surfacing materials, and for soft landscaping this included plant schedules including species, sizing and proposed numbers/densities. This was linked to Condition 10 which required the submission of an implementation timetable and ensured the replacement of any trees or plants which were removed or died. Condition 15 related to road widening and reflected the fact that this would be at various pinch-points along the lane rather than the entire length. County Highways was happy that this could be conditioned to be dealt with at a later stage and Planning Officers felt this was appropriate. Condition 21 required a full noise report to be undertaken as well as the submission and approval of a noise validation report which could only be carried out when the development was in operation. It was noted that this condition had been recommended by the Environmental Health department.

44.9 A Member noted the suggestion that the road would be widened by 0.5m along the pinch points on Fiddington Lane to the A46 and A38, which she considered to be totally insufficient, and made reference to an incident which had occurred during the Committee Site Visit when the coach had encountered a tractor with a trailer when it was turning right onto the A38 from the Odessa junction and had almost resulted in a major accident. In light of this, she questioned whether County Highways was satisfied that it had carried out a full study of the road requirements. A County Highways representative explained that consideration had been given to moving back the stop line at the Odessa junction to provide more turning space. Once on the straight section, the road had capacity of approximately 5.5m and the trailers being used would be approximately 2.4m wide which meant that it would be quite tight if two similar vehicles needed to pass one another. Notwithstanding this, vehicles were currently using that part of the network and, whilst vehicle movements would increase as a result of the development, the government set out that there needed to be a severe impact to justify refusal of the application on that basis. The Member went on to question whether there would be a one way system and was informed that there was a proposal for a Section 106 Agreement which would restrict some of the development traffic on specific routes including the A38 which would prevent vehicles from making that turning. In response to concern about feedstock supplies, Members were informed that the applicant was aware of where the feedstock was coming from but had not provided specific details and it would be subject to contracts. It should be borne in mind that sources of material would change over time which was why this element of the proposal needed to be monitored.

44.10 The Chair indicated that the Officer recommendation was to delegate authority to the Development Manager to permit the application, subject to a Section 106 Agreement to control the number, type and routing of vehicles, and he sought a motion from the floor. It was proposed and seconded that the application be refused on the grounds of harm to the character and appearance of the open countryside; cumulative impact in respect of light, noise and air pollution; and impact of the development on highway safety. The proposer of the motion indicated that, whilst she believed that a biomass facility did offer benefits in respect of gas production, she had major concerns over the siting of the facility and she did not believe that the benefits of the facility outweighed the disadvantages. She drew attention to Page No. 317, Paragraph 4.3 of the Officer report, which referred to Paragraph 93 National Planning Policy Framework and Policy EVT1 of the Tewkesbury Borough Local Plan, and expressed the view that the proposal would result in an unacceptable loss

of local amenity to residents by reason of traffic and other disturbances such as light pollution, air pollution and noise; the proposal would result in risk to public health and safety – those who had attended the Committee Site Visit had seen the effects of a large tractor and trailer attempting to turn off the A38 into Tredington Road and it was clear that two tractors travelling in opposite directions would just not get through; and the proposal would adversely affect the landscape on the basis that a large industrial plant would be sited in open countryside and the Council's own Landscape Consultant had stated that the scheme would exert a strong influence on views in a very distinct rural location and would result in material harm. Page No. 318, Paragraph 5.3 of the Officer report, set out that, when considering locations, local planning authorities should critically take into account potential impacts on the local environment, including cumulative impacts, and the views of local communities should be listened to. All local Parish Councils and over 240 residents had objected to the proposal, all offering very valid reasons not to permit the application, and she believed that these views had to be taken into account. In respect of highways, from Page No. 322, Paragraph 5.42 of the Officer report, road widening looked to be extensive, however, in reality there were just a few small areas of the roads which were recommended to be widened leaving most of the lanes as little more than single track roads, certainly not wide enough for passing oncoming vehicles. County Highways had made no suggestion of widening the junction at the Odessa and Members had seen how dangerous that had could be as there was very little room to manoeuvre. Given that there was a 15km radius from which the feedstock deliveries would be coming, there would be an impact on the wider road network in Winchcombe, Gotherington, Stoke Orchard and Bishop's Cleeve with all traffic going down the lanes and into Tredington. The proposal was contrary to policies LND4, EVT1, EVT3 and TPT1 of the Tewkesbury Borough Local Plan, and INF6 of the Joint Core Strategy submission, as well as the National Planning Policy Framework and Planning Practice Guidance and she felt that it should be refused on that basis.

- 44.11 The Chair indicated that it would be difficult to sustain a technical reason for refusal on highway grounds on the basis of the advice from County Highways, however, it had been obvious from the Committee Site Visit that the amenity of local residents would be adversely affected by the traffic generated by the proposal and there would be a significant impact on the general feeling of the area. Whilst the proposer of the motion understood that the Council may be at risk of paying costs if the application was refused and went to appeal, it was her strong view that there were highway grounds for the application to be refused. A Member indicated that, when attending the Committee Site Visit, he had been very aware of the impact of the proposal on Tyrefield Cottage. He felt that it would contravene Article 8 of the Human Rights Act, which gave the right to respect for private and family life, and Article 1, which allowed for the peaceful enjoyment of possessions, and felt that this should also be included in the reasons for refusal.
- 44.12 In response to the comments which had been made, the Development Manager explained that the County Highways Officers were required to assess the application from a technical perspective and had come up with robust conditions in terms of that guidance. Whilst he recognised that things could often seem different on the ground, an Inspector would look at the specialist consultee response which could put the Council at risk of costs should Members be minded to refuse the application on highway grounds. Notwithstanding that, there was an issue around the impact on current users of the roads – pedestrians, cyclists and horse-riders as well as vehicular traffic – and he suggested that this was something which could be included as a reason for refusal. In terms of the issues around noise, air and light pollution, there was a similar concern in that Environmental Health had assessed the application and had raised no objection on technical grounds, however, there was a potential substantive objection on the basis of the impact on the feel of the area and the disturbance to the peace and tranquillity which currently existed. If Members were minded to refuse the application, his advice would be to focus on these

elements together with the landscape harm which would be caused. The proposer and seconder of the motion indicated that they would be happy for the Development Manager to formulate refusal reasons on that basis and, upon being put to the vote, it was

RESOLVED That the application be **REFUSED** on the basis that the proposed development would exert a strong adverse impact on the local landscape character and result in significant landscape harm and the scale and nature of the proposed development would have a harmful impact on the character, appearance and peace and tranquillity of the area; the potential light, noise and air pollution would cause harm to the amenity of users and residents of the local area; and the local road network was not suitable to cater for the increased number and type of vehicle movements that would be generated which would be likely to affect the enjoyment and perception of safety of all users of the local highway network.

16/00894/FUL – Lynch Lane Farm, Greenway Lane, Gretton

44.13 This application was for the demolition of existing conservatory and single storey extension and the erection of a one and a half storey extension on the west elevation and a single storey extension on the south elevation (Revised scheme following approval of application 13/01065/FUL and refusal of application 15/00678/FUL). The Committee had visited the application site on Friday 21 October 2016.

44.14 The Chair invited the applicant's agent, Lydia Hall, to address the Committee. She clarified that the decision related only to the lean-to proposed to the side of the approved two storey extension; the two storey extension to the front of the house and the French windows in its gable end had already been approved via other permissions. Turning to the proposed extension, the Conservation Officer had commented that the accommodation needs of the applicant should be met within the constraints of the approved scheme. The Officer's report referred to the Inspector's comments on the previous scheme which had been dismissed at appeal earlier in the year; at no point in her decision letter did the Inspector state that no further additions should be made to the property. In her comments she referred to the width and shallow roof pitch of the fenestration of the previously proposed extension which were uncharacteristic of the building style of the area and would diminish the significance of the listed building. She was in total agreement with the Inspector that the previous scheme, which she was not agent for, had projected to a large degree from the side of the two storey extension; had a shallow roof pitch, uncharacteristic of the building; and large scale oak-framed fenestration, all of which would have constituted an entirely inappropriate addition to the building. The applicant and agent had worked hard to address the specific concerns raised by the Inspector in her letter and the revised extension was now only 1.3m in width and continued the steep roof pitch of the approved extension to create a catslide roof. In addition, the openings had been reduced to a minimum, as would be expected in a tertiary add-on of this nature. The extension now proposed was characteristic of the area with a steep roof pitch and high proportion of masonry to window openings. Furthermore, the form of the extension was entirely characteristic of what would be expected in a tertiary extension to a building such as this. As shown in the photograph on the Additional Representations Sheet, attached at Appendix 1, at least two examples of this type of extension already existed in the Gretton Conservation Area, the first on Lynch Lane Farmhouse itself and the other to the side of a building in the centre of the village. It was considered that the revised scheme had addressed the concerns raised by the Inspector in her assessment of the previous scheme; it was entirely characteristic of the form of extension that would be expected on a building of this type; and it would preserve the character of the listed building and character and appearance of the Gretton Conservation Area. In light of this, she respectfully

requested that Members support the proposal and grant permission for this minor addition.

- 44.15 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted. The proposer of the motion felt that it was a nice house with a number of less attractive additions tagged on. The applicant proposed to demolish the unsightly single storey extension and unsuitable conservatory and replace them with something far more authentic. In his view this proposal would enhance the building and would be in keeping with the area. The photographs included on the Additional Representations Sheet showed examples of local cottages with similar extensions, one of which was only 100m from the application house, and these additions had been part of the Cotswold vernacular for a long time. He drew attention to Page No. 335, Paragraph 5.11 of the Officer report, and noted that English Heritage's 2008 document 'Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment' set out that proposals should aspire to a quality of design and execution which may be valued now and in the future; he believed that the current proposal achieved that.
- 44.16 The Council's Conservation Officer explained that a substantial addition to the listed building had been negotiated in 2012 which had been further increased by a later application in 2014. A revised scheme for the demolition of the existing extensions and erection of a one and a half storey extension had been refused planning permission and listed building consent in 2015 and the subsequent appeals had been dismissed early in the year. At no point had any attempt been made to achieve the accommodation within the scope of what had already been permitted and the current proposal could not be seen in isolation from that which had previously been allowed. He did not dispute that it was characteristic of the Cotswold vernacular; however, this was not a true lean-to in the sense that it did not receive structural support from the outer wall which it abutted but projected through the wall and was reliant on modern engineering to span the opening involved. A fundamental principle of conservation was understanding and respecting the structural disciplines inherent in traditional buildings and he contested the argument that had been put forward that the minor addition respected the character of the area which was enshrined in its construction.
- 44.17 A Member concurred with the points made by the Conservation Officer and he felt that Members should respect the planning guidance and construction advice in respect of historic buildings. Personally, he would be voting against the proposal to permit the application on the basis that the previously granted planning permission should be sufficient for the applicant to achieve the accommodation required. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED**, subject to standard conditions in relation to materials and architectural details.

16/00895/LBC – Lynch Lane Farm, Greenway Lane, Gretton

- 44.18 This application was for demolition of the existing conservatory and single storey extension and the erection of a one and a half storey extension on the west elevation and a single storey extension on the south elevation (Revised scheme following approval of application 13/01066/LBC and refusal of application 15/00679/LBC). The Committee had visited the application site on Friday 21 October 2016.
- 44.19 The Chair indicated that there were no public speakers for this item. The Officer

recommendation was to refuse consent and he sought a motion from the floor. It was proposed and seconded that the application be granted consent in line with the decision to grant full planning permission for the previous item. Upon being put to the vote, it was

RESOLVED That the application be **GRANTED CONSENT**, subject to standard conditions in relation to materials and architectural details.

16/00911/FUL – PJ Nicholls, 3 Ashchurch Road, Tewkesbury

44.20 This application was for the retention of a freestanding ATM and bollards.

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

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

16/00912/ADV – PJ Nicholls, 3 Ashchurch Road, Tewkesbury

44.22 This application was for the retention of non-illuminated advertising vinyls on a freestanding ATM.

44.23 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to grant consent and he invited a motion from the floor. It was proposed and seconded that the application be granted consent in accordance with the Officer recommendation and, upon being put to the vote, it was

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

16/00932/FUL – 18 and 20 York Road, Tewkesbury

44.24 This application was for the sub-division of the gardens of No. 18 and 20 York Road, erection of one bungalow to the rear of the existing dwellings and provision of associated vehicular access, driveway, parking and landscaping.

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

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

16/00663/APP – Part Parcel 0085, Land West of Bredon Road, Tewkesbury

44.26 This application was for reserved matters details of layout, scale, external appearance and landscaping for the development of 68 residential units along with public open space and associated drainage and highways infrastructure, pursuant to outline permission 14/00211/OUT.

44.27 The Chair invited Councillor Mike Sztymiak, Ward Member for Tewkesbury Town with Mitton, to address the Committee. Councillor Sztymiak indicated that flooding was a major issue for Tewkesbury and he raised concern that the applicant had only just confirmed that there would be no development in Flood Zone 3. He noted that there would be an encroachment into Flood Zone 2, as defined by the 12.93m AOD contour, and with increasingly erratic weather conditions and climate change, he felt that this level could easily be reached. A more likely situation was that water which would otherwise flood the site would be displaced once it had been developed and would impact on properties further downstream. The applicant had failed to demonstrate a betterment regarding flood alleviation and there was no surface water

storage on site. He sympathised with residents of the properties downstream which would suffer the effects of this development and he asked Members to refuse the application on the grounds that the applicant had failed to protect properties from flooding.

44.28 The Planning Officer clarified that outline planning permission had already been refused in 2014 but had subsequently been allowed on appeal. The Inspector had taken account of landscape and flooding at the time and considered that the development would be contained within Flood Zone 1. However, when the details had been submitted, the layout had showed that there would be a slight encroachment into Flood Zone 2 and that highways build out and raising of ground levels would occur within Flood Zone 3. This was considered to be unacceptable and the Environment Agency had objected to the application on that basis. Revised plans had subsequently been submitted which had clarified that the entire application site would lie outside of Flood Zone 3, however, there was a slight encroachment into Flood Zone 2 which was restricted to a narrow margin along the western boundary. Having reviewed the additional information, the Environment Agency was happy that there was no conflict with national planning advice and had withdrawn its objection.

44.29 A Member drew attention to the Additional Representations Sheet, attached at Appendix 1 to the report, which stated that ‘the applicant has now agreed to keep all development out of Flood Zone 3’ and she questioned whether that meant that the proposals had been altered since they had originally been submitted. She also noted that the consultation response from the Environment Agency referred to a number of surface water attenuation features being located within Flood Zone 3 and she questioned where they would be located in light of the additional information submitted. The Planning Officer explained that there had been some discrepancies in respect of the agreed flood zones and how they were applied to the site but these had now been resolved and the applicant had confirmed that there would be no development in Flood Zone 3. The surface water attenuation features would be dealt with in the discharge of the outline planning permission conditions. A Member indicated that he was deeply concerned with this response given the serious concerns about flooding in the area. He felt that more information about the proposed flood attenuation features should be available at this stage, and certainly before Members voted on the proposal. On that basis, it was proposed, seconded and

RESOLVED That the application be **DEFERRED** in order to obtain additional information regarding the proposed surface water attenuation features.

16/00905/FUL – Land Between Brook Cottage and Riamble, Shurdington

44.30 This application was for a proposed new dwelling and double garage in place of existing derelict farm buildings. The Committee had visited the application site on Friday 21 October 2016.

44.31 In response to a Member query regarding the site location plan, the Planning Officer clarified that the map was taken from the Council’s Uniform system, however, on the ground it had been clear that the building nearest to the boundary was not present. It was difficult to tell whether there were remnants of the previous building on the site as it was very overgrown and he was unsure when the building had been removed. Unfortunately the buildings had been incorrectly labelled on the plans and it had caused some confusion on the Committee Site Visit when Riamble had been pointed out. He clarified that the lawful use of the site was agricultural. The Member noted from Page No. 359, Paragraph 5.3 of the Officer report, that development within the Green Belt should only be permitted in certain exceptional circumstances. In her view the proposed development was infilling but she could find no sound definition of that within the National Planning Policy Framework and

planning law aside from 'development of a relatively small gap' which she felt was open to interpretation. The Development Manager confirmed that the National Planning Policy Framework limited infilling to villages and it would be difficult to suggest that the property in question was within a village.

- 44.32 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted. The proposer of the motion was of the view that it would remove an otherwise derelict building and replace it with an attractive house. He noted that six new homes had been permitted at Badgeworth Nurseries which was only 0.5miles from the site and located within the Green Belt. The replacement dwelling would have a similar footprint to the buildings which would be removed and there would be two large houses on either side. The Development Manager explained that the National Planning Policy Framework stated that inappropriate development within the Green Belt should not be permitted unless there were very special circumstances. This was part of the Council's existing and emerging policy, as well as national policy, due to the critical importance of maintaining the openness of the Green Belt. Whilst there were examples of very special circumstances whereby inappropriate development could be permitted, the onus was on the applicant to put those forward for consideration, however, no planning statement had been included with the application and no additional material had been submitted since the publication of the Officer report. The Badgeworth Nurseries application referenced by the proposer of the motion had initially been refused by the Planning Committee which had eventually been persuaded that there were very special circumstances to permit the application when it had been amended to include affordable housing. That was a very different site and he reminded Members that each application must be determined on its own merits.
- 44.33 During the debate which ensued, a Member indicated that he could not support the proposal for the reasons outlined by the Development Manager. If Members permitted the application it would be akin to throwing the planning rulebook out of the window and he felt that Paragraph 6.3 of the Officer report told Members all they needed to know 'As well as harm by reason of inappropriateness, the introduction of a substantial residential dwelling with a detached garage in the rural landscape fails to respect the openness of the Green Belt and the rural landscape'. Another Member indicated that it had appeared to him on the Committee Site Visit that the proposal would infill the gap between two existing houses. There were open Green Belt views all the way around the site and at the end of the lane and the site plan at Page No. 361/C showed that it would be shielded from the lane at the front by substantial trees with the only opening being the proposed driveway. The dwelling itself would be set back within the site and he could not understand the objection given the proposal and the site location. A Member indicated that she could not see how the proposal would have an adverse impact on the Green Belt considering the redundant buildings and overgrown nature of the site currently; in her view the application would be an improvement. A Member agreed that it would be a very nice site for a new dwelling, however, rules had been made regarding building in the Green Belt and they should be followed without exception.
- 44.34 A Member sought clarification as to the size of the proposed dwelling and was advised that the highest ridge point would be 9.24m and the eaves would be 5.46m. It had not been possible to ascertain the height of the existing buildings but it was thought that they would be much lower than what was proposed. The main point was that the scale of the dwelling was significantly greater in terms of height and dominance of the width of the plot as opposed to what was originally on the site. A Member questioned whether Officers would look more favourably at a smaller dwelling and, in response, the Development Manager explained that this application was unacceptable both in principle and due to its size and scale and impact on the

openness of the Green Belt. It was clear that the existing site needed tidying up but that should not be a reason to permit the application as it may encourage others to neglect their land in the hope that they would be permitted to develop it in a similar way. The Chair indicated that he felt compelled to speak as the proposed dwelling would be completely out of context in this rural location due to its size and scale and it would not be recommended for permission even if it was not located within the Green Belt. He was disappointed that Members would consider it acceptable to build a house on the site and indicated that he would be voting against the proposal to permit. Upon being put to the vote, the motion to permit the application was lost. It was subsequently proposed and seconded that the application be refused in accordance with the Officer recommendation and, upon being taken to the vote, it was

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

16/00626/FUL – 21 Station Road, Bishop’s Cleeve

- 44.35 This application was for the erection of a double garage. Members noted that it had been deferred by the Planning Committee on 30 August 2016 for Officers to seek to negotiate the lowering of the applicant’s boundary wall to improve visibility at the junction of Sandown Road and Station Road and to consult with Gloucestershire County Highways.
- 44.36 The Planning Officer advised that the applicant’s stone boundary wall was not located within the visibility splay of the proposed new garage access and therefore, whilst the lowering of the wall might provide some general improvement to the visibility for users of Sandown Road and Station Road, it was not required in order to make the current proposal acceptable in highway safety terms. Nevertheless, following deferral of the application, the applicant had indicated that he would be prepared to lower the wall in accordance with Members wishes on the proviso that he be allowed to set the garage further forward on the plot. The siting of the garage was an important consideration and Officers had negotiated the position so that it would be set back slightly from the building line established by the neighbouring property in order to reduce its prominence in the streetscene. The Officer recommendation to permit the application was on the basis of this revised siting and it was considered that this should remain unchanged, without a condition requiring the lowering of the wall.
- 44.37 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application, subject to the additional condition recommended by County Highways to require 45 degree visibility splays either side of the access being maintained free from any obstruction above 600mm in height in perpetuity, and he invited a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application with the garage set further forward of the building line, as requested by the applicant, subject to a condition to require the lowering of the boundary wall to improve visibility at the junction of Sandown Road and Station Road. The seconder of the motion indicated that the problems with the junction had been ongoing for some 20 years and he felt that moving the garage forward slightly was an acceptable compromise given the improvement which would be made to road safety by lowering the wall. The Development Manager clarified that the position of the garage was important in terms of its impact on the character and appearance of the area and its presence in the streetscene; it was not a residential amenity issue in terms of the neighbouring properties. A Member queried whether it would be necessary to re-consult on revised plans should the proposal for a delegated permission be accepted. The Planning Officer reiterated that the garage had been further forward in the plot in the original application and those plans had already been consulted upon. Officers had negotiated the set-back position and revised

plans had been submitted accordingly. On that basis it was considered that there was no requirement to re-consult. The proposer of the motion indicated that the lowering of the wall would benefit everyone on the estate and he urged Members to balance the impact on the streetscene against road safety. Upon being taken to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application with the garage set further forward of the building line, as requested by the applicant, subject to a condition to require the lowering of the boundary wall to improve visibility at the junction of Sandown Road and Station Road.

16/00890/FUL – The Croft, Butts Lane, Woodmancote

- 44.38 This application was for a replacement dwelling and revised vehicular access. The Committee had visited the application site on Friday 21 October 2016.
- 44.39 The Chair invited John Everitt to address the Committee. Mr Everitt explained that he was representing Coombes Everitt Architects, the architects for the scheme being considered. The application was for a replacement dwelling on the site of a property that was in a poor state of repair. Their clients came from the area and were married in St Michael and All Angels Church which the site overlooked; this was a key factor in them deciding to purchase the site. During the development of the scheme, the architects had engaged with the local authority via its pre-application process and, as well as submitting initial design proposals for comment, had met with the Planning Officer and Conservation Officer on site to discuss the principle of the replacement dwelling; siting; design; and revised access. It had been agreed that the repositioning of the property further into the site, and therefore further from the neighbour's property, was a positive step. In relation to the Area of Outstanding Natural Beauty, the proposed property being set at a lower level and eaves height than the existing building meant that it would have less visual impact. Following the meeting, the scheme had been developed and an application submitted which included all of the required supporting reports necessary for the local authority to determine the application. This included an ecology report, which identified that there were no protected species which would be affected by the proposed development, and a site plan identifying the tree works to be undertaken. As a result of this positive engagement, the scheme was being supported by the Case Officer and was recommended for permission. The site was accessed along a private right of way and there had been an objection to the scheme from the owner of Bishop's Leys Farm in that regard. This point had also been raised by the Parish Council, however, other residential properties were accessed further along the path and this was a legal matter as opposed to a planning concern. At the time of purchasing the site, the applicant's solicitor had obtained a statutory declaration from the vendor's family 'Based upon the declaration made by Geoffrey Humphreys on 30 March 2016 it seems clear to me that the access way (or at least part of it) has been used continuously to access the Croft and the whole of the access way to maintain the hedgerows since his family first purchased the land in 1969'. As such, the applicant's solicitor had advised that the land now benefited from a prescriptive easement, meaning a prescriptive right of way over the access way to both access the land and maintain the hedgerow. County Highways had not raised any objection and a condition had been included to control the construction vehicles related to the site in order to help mitigate the concerns of the neighbour. Furthermore, the applicant had provided assurance that he would make good any damage caused to the lane during the course of the works. Officers were recommending permission and he hoped that the Committee would also be supportive of this subtle and considered scheme.

- 44.40 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

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

16/00936/FUL – 2 Crifty Craft Lane, Churchdown

- 44.41 This application was for a first floor extension (resubmission following applications 15/00431/FUL, 13/01252/FUL and 13/00637/FUL).

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

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

16/00916/TPO – 8 Stoke Park Close, Bishop's Cleeve

- 44.43 This application was to lift the crown of a row of Hornbeam trees at the side of No. 8 Stoke Park Close.

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

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

16/00739/APP – Homelands 2, Bishop's Cleeve

- 44.45 This was a reserved matters application for 113 residential dwellings (use class C3), public open space, allotments, road and drainage infrastructure in Phase 3C of the outline planning permission for Homelands 2 (10/01005/OUT).

- 44.46 The Chair invited Dan Trundle to address the Committee. Mr Trundle indicated that he was speaking on behalf of Linden Homes which had prepared and submitted the final reserved matters application for its development, Cleeve View. This phase of the development was the final parcel of the wider scheme and had been worked up in consultation with Planning Officers to ensure that it delivered the principles of the outline masterplan and design code. It was a continuation of previous phases and would be managed by the housing association, Bromford. Each house had been allocated at least two parking spaces, with the majority having the benefit of on-plot driveway and garages. Four one bedroom apartments near the new local centre would have one dedicated space each. The internal estate roads would be able to accommodate informal on-street parking and would have a number of demarcated spaces for visitors. The approval of this last reserved matters application for Homelands would enable Linden to move forward with certainty and continue its build on site.

- 44.47 The Planning Officer advised that there were two reasons for the delegated approval recommended by Officers, one of which related to highways. County Highways was currently extremely busy and it was taking time for consultation responses to be received; whilst he had spoken to County Highways the previous day and established that the revised plans had addressed the concerns regarding vehicle tracking etc., the matter remained delegated until a formal response was received.

The second issue related to landscaping and minor amendments to proposed hedge and tree planting. The Landscape Officer had spoken to the applicant and was expecting revised plans so this also remained delegated at this stage. A Member raised concern that the double bend was quite dangerous and she queried whether it would be possible to ensure that the road was kept clear of mud during construction. The Planning Officer explained that the development must be constructed in accordance with the construction method statement submitted with the outline consent; whilst it would not be possible to eliminate all mud from the highway, there was a condition to fall back on if it did become a problem. A Member sought assurance that the problems with parking experienced in some of the other new estates in Bishop's Cleeve would not be repeated here. The Planning Officer recognised that there had historically been issues with parking on other estates in the area but those had been granted planning permission in a different policy context with maximum standards of parking as opposed to minimum. The last Homelands application for reserved matters approval had contained significantly more parking provision than the previous phases and the parking plan for this application showed that all properties aside from the one bed apartments would have a minimum of two parking spaces. County Highways was considering the application in detail which was one of the reasons for the delegated recommendation. In response to a query regarding bin storage, the Planning Officer explained that this had been considered as part of the application and the plans showed where the bins would be stored for each part of the site. Muster points would be used for areas which could not be accessed by refuse vehicles.

- 44.48 The Chair advised that the Officer recommendation was to delegate authority to the Development Manager to approve the application, subject to confirmation of the acceptability of the proposed highway layout, landscape details and other conditional requirements, and to allow for the extended consultation period relating to the revised plans, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to approve the application in accordance with the Officer recommendation. Upon being put to the vote, it was

RESOLVED That the application be **APPROVED**, subject to confirmation of the acceptability of the proposed highway layout, landscape details and other conditional requirements, and to allow for the extended consultation period relating to the revised plans.

45.1 The following decisions of Gloucestershire County Council were **NOTED**:

Site/Development	Decision
<p>16/00761/CM Land at Shurdington Road Shurdington</p> <p>Variation of condition 2 of planning permission reference 07/0016/TWMAJM, granted on 22/08/2007 [for sand extraction and ancillary development with restoration back to original levels by infilling with inert material], to permit the extraction of sand until 31 October 2016 and restoration of the site by 31 August 2018.</p>	<p>Application PERMITTED subject to conditions relating to commencement of the development; duration; working programme, phasing and direction of working; permitted development; removal of plant and machinery; hours of working; noise, lighting; water protection and pollution; access, traffic and protection of the highway; landscaping; restoration; and aftercare, for the following summary of reasons:</p> <p>The Mineral Planning Authority considers that the time delay is justified if the remaining useful mineral resource can be extracted over the course of the next few months and a satisfactory restoration scheme can still be secured, even if delayed by 2 years. The site is not considered to be visually prominent and there are no overriding biodiversity reasons why the restoration would negatively impact in terms of biodiversity interest on the site.</p> <p>The extraction of mineral is an acceptable form of development in the Green Belt which does not cause any material harm and is in accordance with Paragraph 90 of the National Planning Policy Framework. The proposal will facilitate an acceptable restoration of a Green Belt site to an agricultural after-use in accordance with Policy E9 of the Minerals Local Plan. The Mineral Planning Authority considers that any adverse potential pollution effects can be mitigated through appropriate planning conditions in accordance with Policy DC1 of the Minerals Local Plan and there are no material considerations that indicate that the application should be refused.</p>
<p>16/01000/LA3 Cheltenham West Community</p>	<p>Application PERMITTED subject to conditions relating to the commencement</p>

Fire Station
Tewkesbury Road
Uckington

and scope of development for the following
summary of reasons:

Extension to existing fence.

With the detailed planning conditions attached the detailed design, scale and character are considered acceptable and appropriate given its location. There are not considered to be any unacceptable adverse impacts on neighbouring amenity or on the openness of the Green Belt arising from the development. The fence will contribute to minimising the noise generated by operational activities of the Fire Service. The development accords with national and local planning policy and guidance.

PL.46 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

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

46.2 It was

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

PL.47 ADVANCED SITE VISITS BRIEFING

47.1 Attention was drawn to the Advanced Site Visits Briefing, circulated at Page No. 24, which set out those applications that had been identified as ones which would be subject to a Committee Site Visit on the Friday prior to the Planning Committee meeting at which they would be considered. Members were asked to note the applications contained within the briefing.

47.2 It was

RESOLVED That the Advanced Site Visits Briefing be **NOTED**.

The meeting closed at 11:40 am

Appendix 1

SCHEDULE OF PLANNING APPLICATIONS
ADDITIONAL REPRESENTATIONS

Date: 25 October 2016

The following is a list of the additional representations received since the schedule of applications was prepared and includes background papers received up to and including the Monday before the Meeting.

A general indication of the content is given but it may be necessary to elaborate at the Meeting.

Page No	Item No	
312	1	<p>16/00241/FUL</p> <p>Land Parcels 7946 & 9067, 300087 Walton Cardiff Road to Newtown Farm Ashchurch</p> <p>Consultations & Representations:</p> <p>Stoke Orchard and Tredington Parish Council: Continues to raise concerns in relation of flood management and SuDS, transport infrastructure, air pollution and quality of life of residents.</p> <p>Ashchurch Rural Parish Council has requested that the attached statement is circulated to Members, please see below.</p> <p>County Highways Authority has provided a summary sheet, please see attached below.</p> <p>Gloucester Land Company has raised the following additional points:</p> <ul style="list-style-type: none"> – concerns about highway safety matters; – concerns about a number of planning conditions specifically Condition 4 which begins with, "Unless otherwise agreed in writing". It is suggested that this would allow or invite the developers to vary parts of the condition; however, this is not the case and any material deviation from the limits of the conditions would require consideration through a new planning application. <p>Nine additional letters of objection received raising the following points beyond which have been considered in the Planning Committee report:</p> <ul style="list-style-type: none"> – Reference is made to a large number of past planning applications in the Fiddington area and comparisons made with the proposed development; however, none are directly comparable to the proposed development and, nevertheless, each application must be considered on its own merits. – Concern has been raised regarding the impact of the development on property prices; however, this is not a material planning consideration. – It is also pointed out that government is currently carrying out a review of support for Anaerobic Digestion (AD) and micro-combined heat and power under the feed-in tariffs scheme. The feed-in tariffs for AD developments may change and this would mean that the proposed development is unlikely to benefit from such subsidies. It is suggested that this indicates the direction of travel of central government away from supporting proposals such as that proposed. It must, however, be acknowledged that the review of tariffs is ongoing. In addition the review seeks to target those parts of the industry which were not viable without benefiting from feed in tariffs. It found large AD

		<p>development (although relating to waste inputs) to be viable without tariffs and therefore the case to continue allowing such subsidies at the expense of the tax payer would not be justified. Clearly central government has to focus feed-in tariffs as they see fit at the time and the potential lack of feed-in tariffs for the proposal does not automatically mean it is not an acceptable form of renewable energy.</p> <ul style="list-style-type: none"> – It is also suggested that the proposed development should be located within an urban area or industrial estate; however, one of the important factors is the feedstock inputs. In this case it is reliant on agricultural produced inputs hence the requirement for a rural location. – Reference has also been made to the AD Plant at Wingmoor Farm, and the need for an Environmental Impact Assessment; however, each application must be assessed on its own merits. It is relevant that Wingmoor Farm was part of a larger site and the cumulative environmental impact would have had to be considered, in addition the site constraints are likely to have been different. <p>One additional letter of support received raising no additional points which are not already included within the Committee report.</p> <p>Lawrence Roberson MP - Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> – Proposal would be detrimental to highway safety. – The development would have an adverse impact on air quality. – The development would be detrimental to the rural landscape. – Likely to have a harmful impact on archaeology.
331	2 & 3	<p>16/00894/FUL & 16/00895/LBC</p> <p>Lynch Lane Farm, Greenway Lane, Gretton</p> <p>Representation received from applicant's agent, attached below.</p>
351	7	<p>16/00663/APP</p> <p>Part Parcel 0085, Land West of Bredon Road, Bredon Road, Tewkesbury</p> <p>Consultations & Representations:</p> <p>Environment Agency - Having reviewed the additional information submitted, the Environment Agency is now in a position to remove its objection to the application. This is because the applicant has now agreed to keep all development out of Flood Zone 3. Furthermore the 13.11mAOD Flood Zone 3 contour is shown on the revised plans which was established at the time of the outline permission granted at appeal.</p> <p>Landscape - An updated arboricultural assessment has recently been submitted and has been assessed by the Landscape Officer. Discussions on the submitted landscape information are still ongoing.</p> <p>Highways - The agent has submitted additional highway information including tracking layouts and a response to queries on the Road Safety Audit. The comments of County Highways on the latest information submitted are still awaited.</p>

		<p>Officer comments</p> <p>Revisions have been made to the proposed boundary treatments to address the concerns raised by the Urban Design Officer and as such Condition 3 is proposed to be amended as follows:</p> <p>The approved boundary treatments shall be implemented in accordance with a timetable of works to be submitted to and approved by the Local Planning Authority.</p> <p>Condition 1 to be updated to include plan: 8251 PL04 Rev H.</p> <p>Additional note to be included:</p> <p>Note 2 - The outline conditions satisfied in this application include Conditions 1, 8, 21 and 23.</p> <p>Given that discussions are still ongoing with the Landscape Officer, and that comments are awaited from County Highways, it is still recommended that authority be delegated to the Development Manager to permit the application to ensure that the issues raised in respect of landscaping and highways are fully addressed.</p>
362	9	<p>16/00626/FUL</p> <p>21 Station Road, Bishops Cleeve</p> <p>In response to Members' request, the County Highways Authority has now provided a bespoke response to the application. It concurs with the conclusions set out in the Officer's report and raises no objection. A condition is recommended to require 45 degree visibility splays either side of the access maintained free from any obstruction above 600mm in height in perpetuity. The response is attached in full below.</p> <p>The applicant has written to the Planning Committee making the following comments:</p> <p><i>"As the Committee is already aware, the Parish Council requested that the application be deferred, requesting the Planning Officers to ask me to modify the stone wall at my own expense including loss of garden space all to improve visibility at the junction between Station Road and Sandown Road.</i></p> <p><i>I would respectfully point out that the alterations to the wall at this junction were not requested by the Glos. Highways Department, neither did they form any part of the planning application.</i></p> <p><i>This seems to me that we have an ideal opportunity to agree a solution to solve a long standing safety issue which also aligns with the Parish Councils recommendations and I am therefore willing to carry out this work which will benefit the local community considerably.</i></p> <p><i>In return, please can I ask the Committee and Planning Officers to consider the proposed siting of the garage. This has already been amended to address concerns raised relating to the front elevation of the garage to line up with the existing 2.2 metre high stone boundary wall to the bungalow at No.3 Sandown Road. This wall already projects a metre in front of this bungalow.</i></p> <p><i>Additionally, I am not aware of any objections to this scheme from neighbours or members of the public."</i></p>

		<p>Additional Highways Condition:</p> <p>The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level.</p> <p>Reason:- To reduce potential highway impact by ensuring that adequate pedestrian visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.</p>
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5 Facts or points for discussion.

Position, Size, highways and Validity

Position. The applicant stated at all of their presentations that the plant had to be there because the gas pipe runs under the site. It does. The gas pipe also runs into Wales via Tirley from Fiddington and on through Teddington to Stratford on Avon. So lots of other sites suitable for an AD plant with better highway access for HGV 's and still in the same catchment area.

The AD plant at Stoke Orchard, on the Land Fill Site, taps into the gas pipe running down the Stoke Road, just a normal supply gas pipe. So the AD plant could be sited anywhere where there is a normal suitable gas pipe supply. Fiddington has no gas pipe network for domestic use. Fiddington will not actually benefit by the gas being produced here.

The site is in open country side, at least 6 planning applications, in this locality, in recent years for various building projects have been refused, the prime objection being in open countryside.

Size . This project is big, it is longer than Tewkesbury High street, from the cross to the King John s Bridges, and wider than all the buildings on either side of the high street. The 3 domes and holding tanks will be upto 18.5mts high or 54 ft in old money, taller than a 6 story block of flats. As the landscape officer states in his report it is more industrial than agricultural that will cause harm to the local community due to the scale, form and proximity, exerting an adverse impact upon landscape character.

Highways. The NPPF promotes sustainable transport by protecting vulnerable road users. Gloucestershire County Highways have produced a report, to demonstrate that mitigation works, widening down the length of the lanes, piping ditches, removing grass verges and some hedges, will allow the 15,500 tractors movements annually, to pass each other to and from the plant. At no point in the report does it confront the issue for vulnerable road users, the many cyclists, pedestrians and horse riders using the lanes for work and leisure. GC highways has stated that a safe width can be achieved throughout the lanes, which will remove most grass verges and any refuge for vulnerable users,. The governments Manual for street plan of 2007 and the TA46/97 of 1997 states that highways with HV presence should have a road width of at least 6mts.Both bridges on the routes, over The Tirlebrook and The Swillgate have fixed widths of 5.5mts.

Validity. For this to warrant consideration as sustainable, eco-friendly and carbon neutral, the applicant needs to prove that it is, the applicant has not. Despite numerous requests from the Parish council and local residents, to supply 'A carbon footprint assessment for the lifetime of the plant' they have not.

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Ecotricity have stated that this plant will produce Methane gas (55%) which will be pumped into the gas main and Carbon dioxide (45%) which will be released directly in to the atmosphere. Along with the exhaust gases from the tractors travelling upto 12,000kms a week requires the carbon footprint assesment.

Various experts have raised concerns at the viability of feedstock supplies in the long term.

Most AD plants that are ecofriendly and carbon neutral use material sourced close to the plant, ie on farms using slurry and other farm wastes, very low transport distances.

The governments incentives for AD plants was driven by a need to produce sustainable energy, reduce our carbon emissions and reduce our EU tax on land fill.

Aimed at food producers, primarily farmers, growers, and food manufacturers/retailers. Farmers and growers to have medium sized AD plants, below 50,000 ton annually producing energy for their needs and selling back surplus to the grids.

Independent energy suppliers to take food waste from manufacturers and retailers at land fill sites and build the larger sized AD plants, like the land fill site at Stoke Road and Pershore and the growers waste at Evesham Growers. The government intention is not to encourage independent energy suppliers to take land out of food production to feed AD plants and is now removing these incentives.

Item 1 - 16/00241/FUL
County Highways Authority

Highways Development Management

Highway Response Summary Sheet

PLANNING REFERENCE:

16/00241/FUL

DESCRIPTION OF DEVELOPMENT:

Erection of biomass-based anaerobic digestion facility and associated works.

DESCRIPTION OF IMPACT AND MITIGATION:

The existing transport network will not be able to safely accommodate the traffic likely to be generated by the proposed development due to its limited carriageway width and limited visibility. Without suitable improvements, the Local Highway Authority would object to the proposal. However, in the opinion of the LHA this impact can be adequately mitigated through the introduction of the following improvements:-

- a). road widening on Fiddington Lane between the A46 and Tredington Road;
- b). road widening on Walton Cardiff Road between the site and Fiddington Lane
- c). road widening on Tredington Road between its junctions with Fiddington Lane and the A38; and
- d). road widening and increased visibility splays at the Walton Cardiff Road / Fiddington Lane junction.

In addition to these works there is a concern over the ability of the largest vehicle (articulated tanker) to make the movement from southbound on the A38 in to Tredington Road due to the position of the stop line on Tredington Road and therefore stationary traffic. Consideration of moving the stop line has been given however a better solution is considered to be a routing strategy for the affected vehicles which can be included in the Traffic Management Plan.

Without these improvements, the LHA would consider the impact to be unacceptable.

RECOMMENDATION:

No highway objection is raised subject to the appropriate conditions and planning obligation being attached to make the development acceptable.

REASON FOR RECOMMENDATION:

Whilst the existing transport network would be unable to safely accommodate the development traffic, with suitable mitigation, the impact will be acceptable.

Items 2 & 3 – 16/00894/FUL & 16/00895/LBC

16/00894/FUL & 16/00895/LBC - Lynch Lane Farmhouse, Gretton
Additional information for Planning Committee Meeting, 25/10/16

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Photo 1

Existing lean-to extension with catslide roof to the front of Lynch Lane Farmhouse.

This form of extension has already been carried out in the past on the property and is thus characteristic of the way in which such buildings have been traditionally extended.



Photo 2

An example of another lean-to extension of a similar scale to that proposed - found on another property in the centre of Gretton village (next to the school).



Highways Development Management

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email: richard.jefferies@gloucestershire.gov.uk

Please ask for: Richard Jefferies

Our Ref: T/2016/036974

Your Ref: 16/00626/FUL

Date: 5 October 2016

Dear Matthew Tyas,

TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION

LOCATION: 21 Station Road Bishops Cleeve Cheltenham Gloucestershire GL52 8HH

PROPOSED: Erection of a double garage

I refer to the above planning application received 19th September 2016 submitted with application form, Site/Block plan ref;CB1, Elevations/Floor plan ref;CB5(B), Sections/Landscaping plan ref;CB6(A) and Site survey ref; 21STA.RD/01.

Proposal

The applicant proposes the erection of a double garage on the land of 21 Station Road.

Location

The dwelling sits adjacent to the classified Station Road a class 3 highway subject to a 30 mph speed limit and the proposed double garage will be adjacent to the Sandown Road a class 4 highway also subject to a 30 mph speed limit. The development is approximately 70m from the nearest bus stop offering services which connects residents to Cheltenham and Gloucester. The dwelling is bounded by residential development either side and to the rear. Station Road and Sandown Road are both two way working with street lighting and pedestrian footways. The area is well accessible to local amenities such as post offices, shops and schools within a 300m proximity.

History

No incidents have been reported in the vicinity of this dwelling in the past five years. There have been previous applications from this dwelling but no refusals on a highway basis.

Access & Width

Item 9 – 16/00626/FUL
County Highways Authority (Page 2 of 2)

The development is proposed to be accessed from a single point off of the Sandown Road. The proposed access is considered adequate to accommodate a large saloon car which I consider acceptable.

Visibility

No speed survey has been undertaken, therefore at a standard 2.4m emergence set back, the recommended visibility splay distance for an access in a 30 mph speed limit will be 54m. I can confirm that visibility in excess of 90 metres can be achieved from the proposed access looking left (north) up Sandown Road and 22 metres can be achieved looking right (south) down Sandown Road to the junction with Station Road. Sandown Road and Station Road are both subject to a 30 mph speed limit whereby the 'deemed to satisfy' visibility standard is 54 metres. It is noted that the south splay would be partially obstructed by a low post and rail fence, however this is not a solid enclosure and views can be easily gained through it. Furthermore, due to the topography of the area the proposed access drive is at a higher level than Station Road which would further help with visibility.

Note

The construction of a new 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 Amey Gloucestershire on 08000 514 514 or gcchighway@amey.co.uk before commencing any works on the highway.

I refer to the above planning application received on 19th September 2016 submitted with application form, Site/Block plan ref;CB1, Elevations/Floor plan ref;CB5(B), Sections/Landscaping plan ref;CB6(A) and Site survey ref; 21STA.RD/01.

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level.

Reason:- To reduce potential highway impact by ensuring that adequate pedestrian visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.