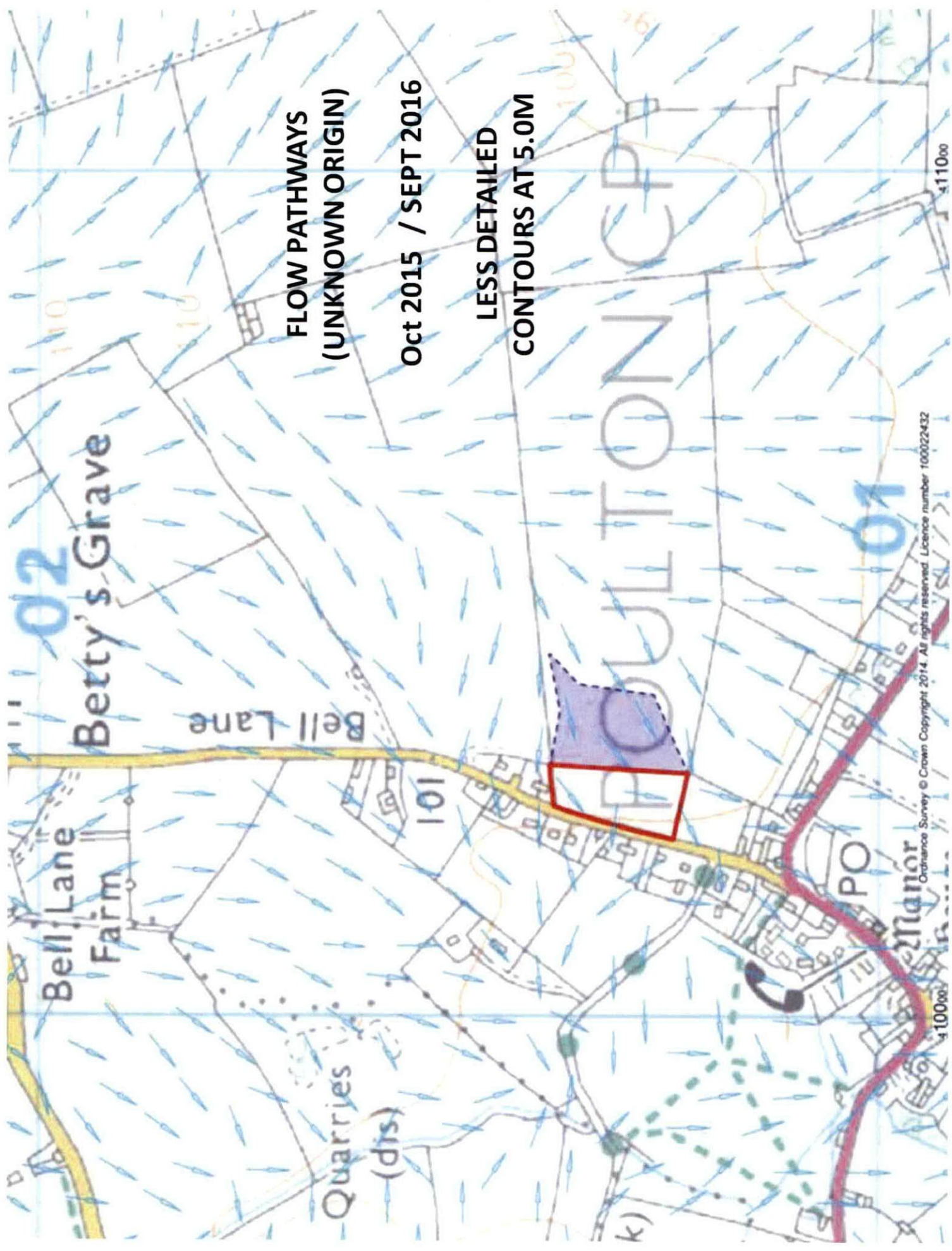


**Bell Lane Application
15/01376/OUT**

26th October 2016



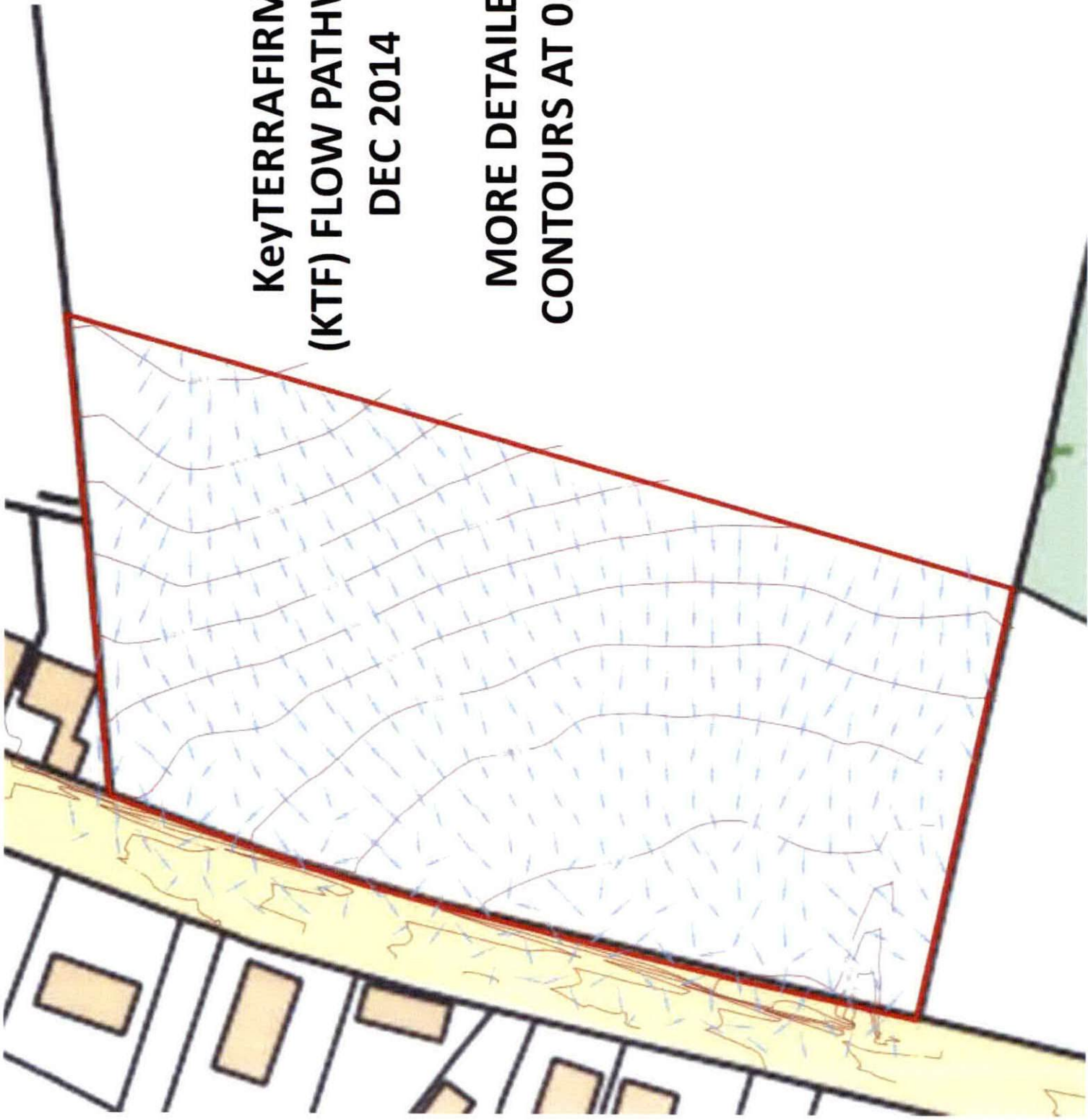
**FLOW PATHWAYS
(UNKNOWN ORIGIN)**

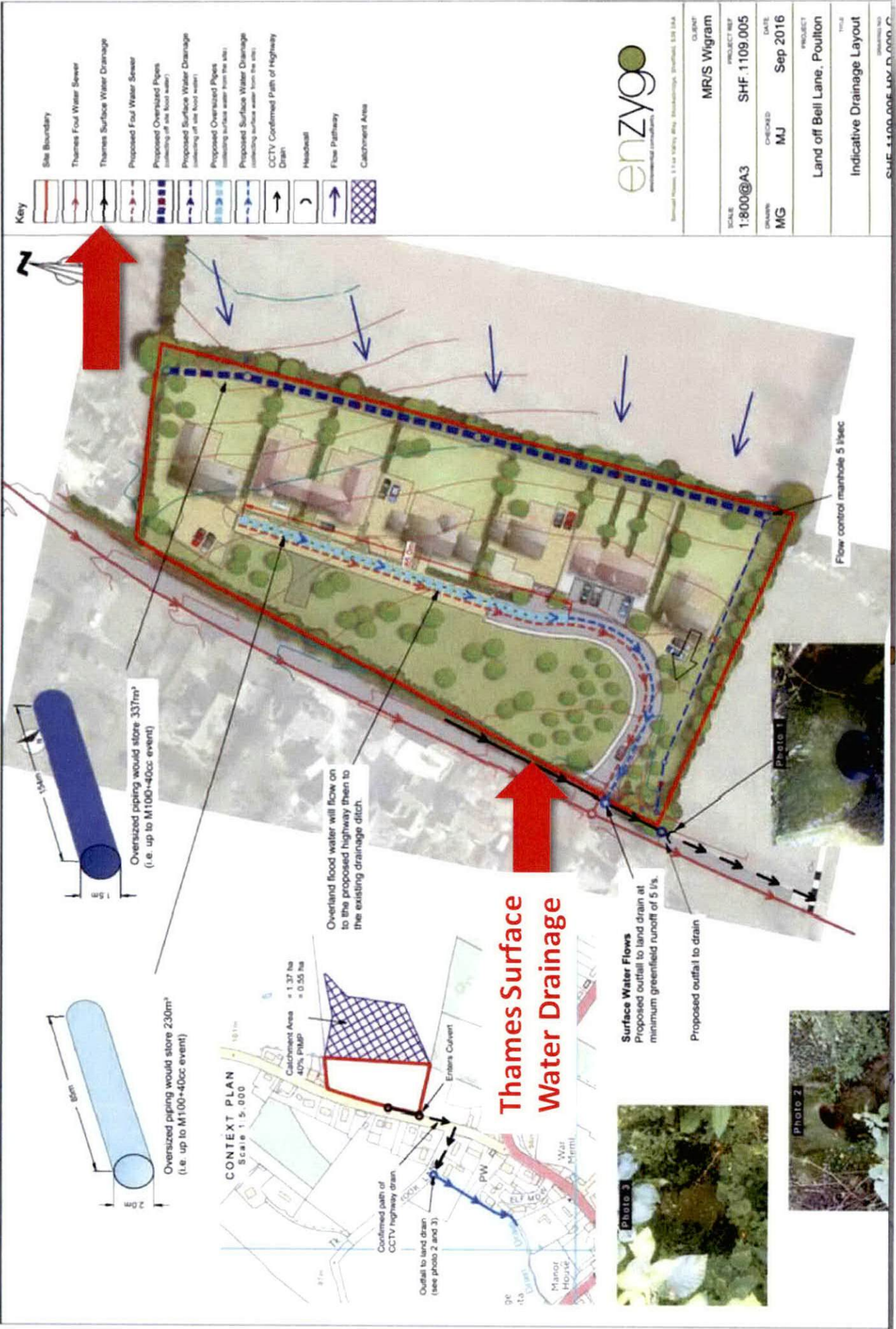
Oct 2015 / SEPT 2016

**LESS DETAILED
CONTOURS AT 5.0M**

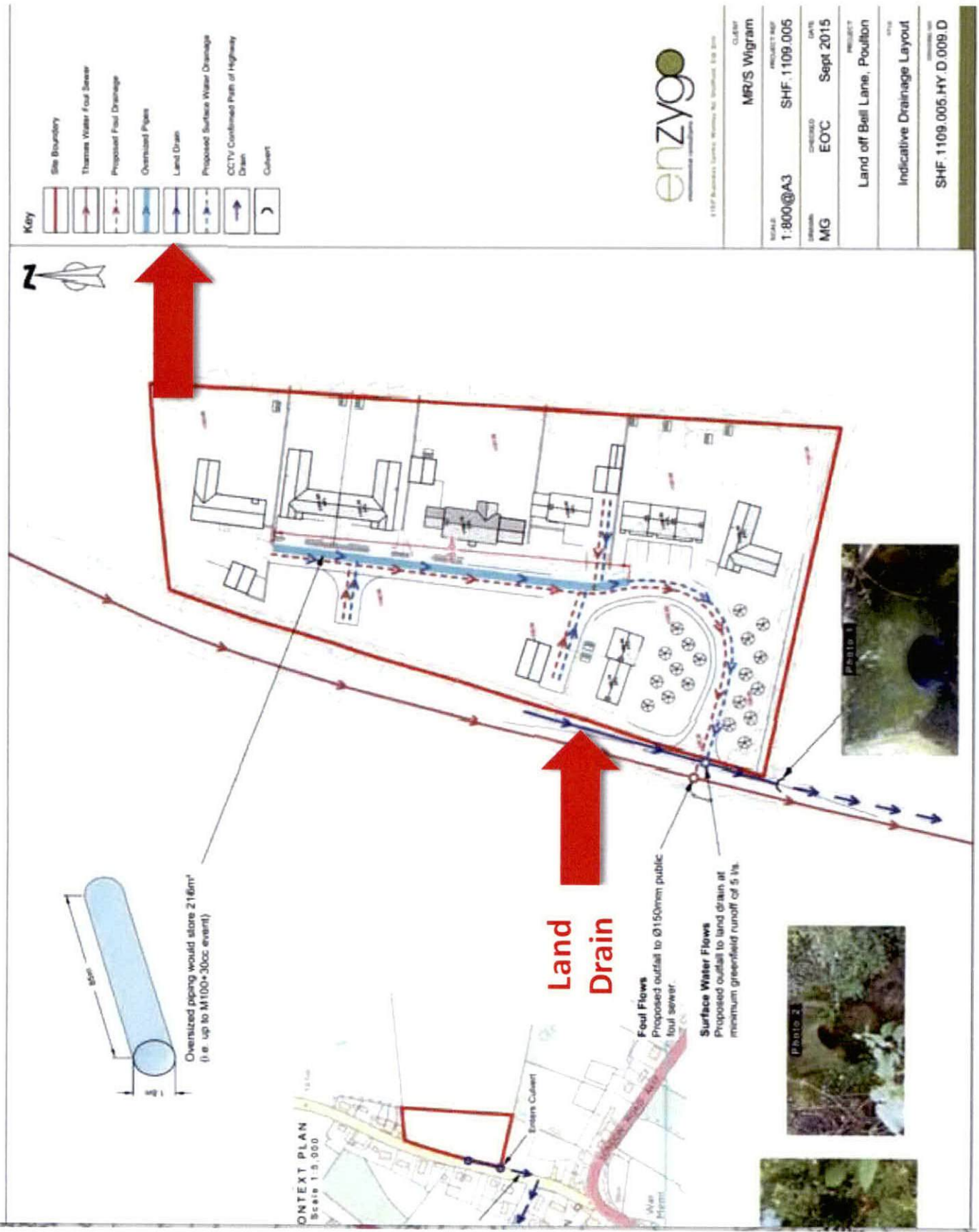
**KeyTERRAFIRMA
(KTF) FLOW PATHWAYS
DEC 2014**

**MORE DETAILED
CONTOURS AT 0.5M**





enzygo environmental consultants		CLIENT MRS Wigram
SCALE 1:800@A3	PROJECT REF SHF.1109.005	PROJECT Land off Bell Lane, Poulton
DRAWN MG	CHECKED MJ	DATE Sep 2016
TITLE Indicative Drainage Layout		PROJECT NO. SHF.1109.005-105-D-000-C



Drainage Scheme - Revised Sept 2015 (11 houses + garages)

Name: *Mr & Mrs Shorpe*

Address: *Round Cottage Ampney St Peter.*

Email:

Date: 3rd October 2016

We would like to put on record that none of our previous objections on the grounds of Sustainability, Landscape and Design, and Flooding and Sewage which we sent you in October 2015 and September 2016 have been addressed satisfactorily by the latest application.

Therefore we object to the above application.

Given the serious financial and health costs of flooding, we ask CDC, GCC Lead Local Flood Authority, GCC Highways and Thames Water to put in writing that the development will not increase the risk of flooding in Poulton, as required by the National Planning Policy Framework Paras 100-101.

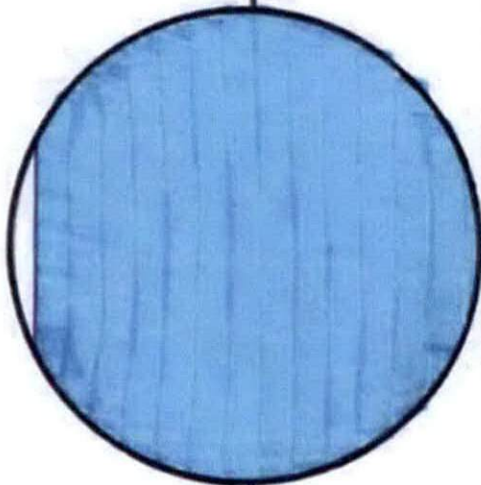
Other Comments:

*IN AMPNEY ST PETER WHEN IT
RAINS RAW SEWAGE IS DISCHARGED
ON THE HOOK OF AMPNEY ST PETER
ALSO OPPOSITE TIGER PARK
HOUSE, ALSO LOADS TRAVEL
UP CHURCH LANE 24/7 WHEN
IT RAINS*

Signed:

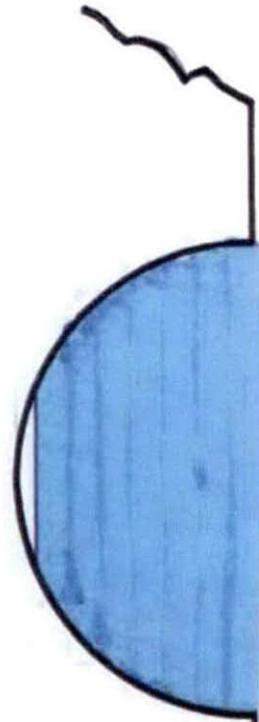
I am happy for the [redacted] working group to find a letter with these responses to CDC on my behalf.

BRIDGE



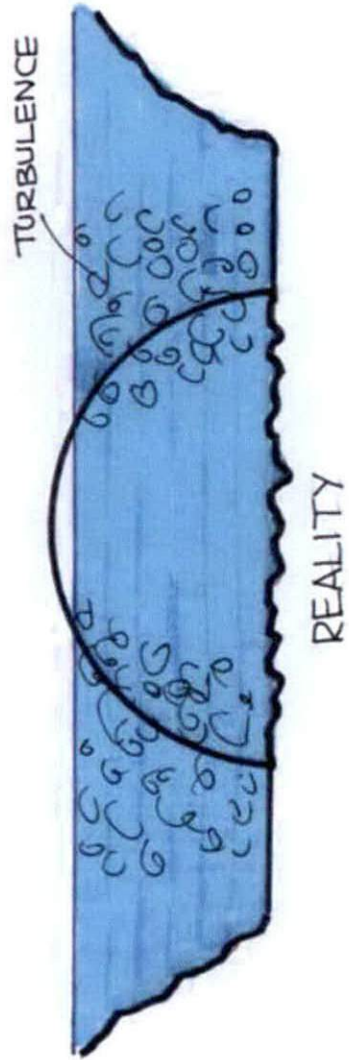
ENZYGO SIMULATION

BRIDGE



ENZYGO SIMULATION HALVED

BRIDGE



Appendix 2 – Indicative Drainage Design

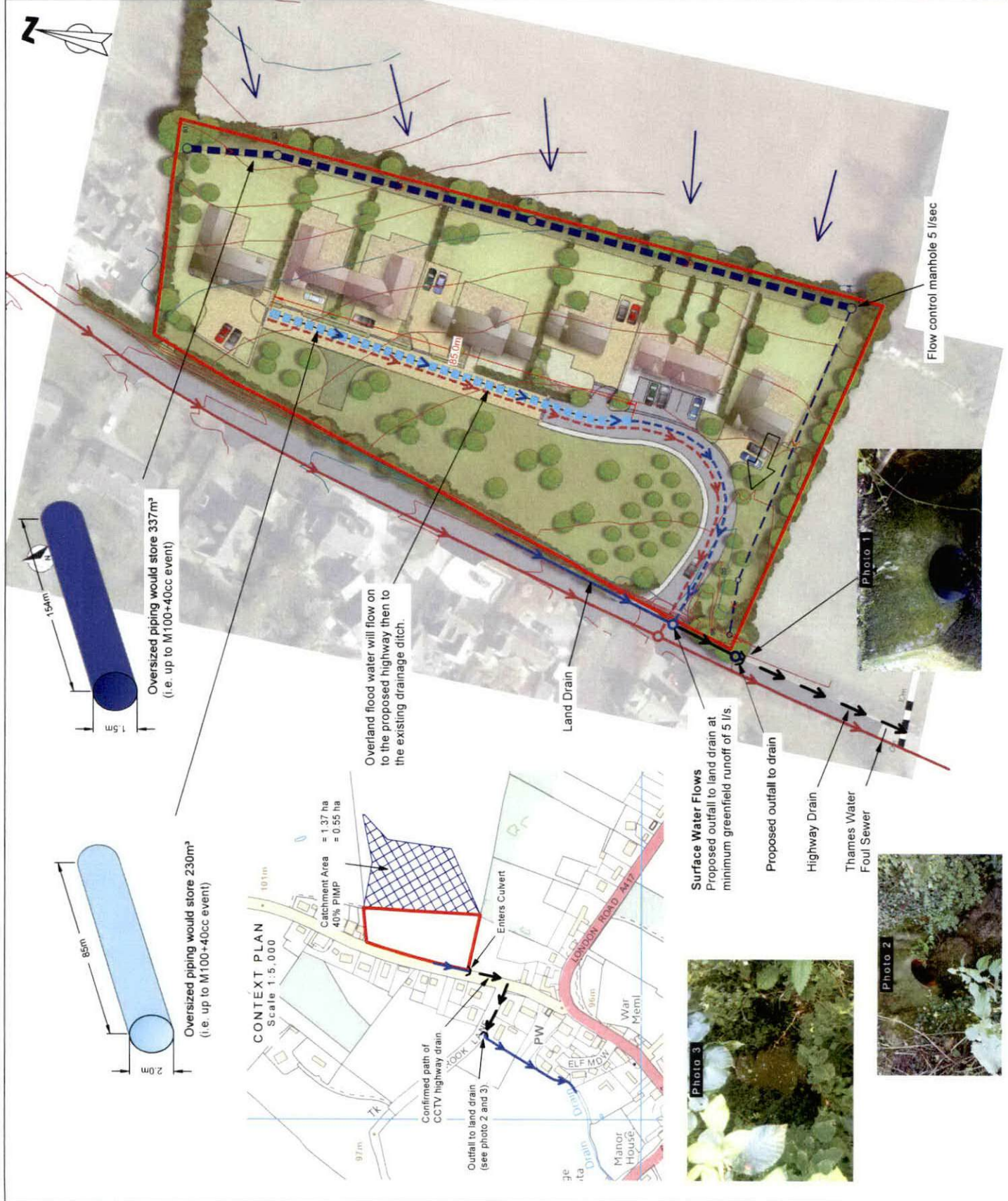


Samuel House, 5 Fox Valley Way, Blockley, Stratford, S36 2AA

CLIENT	MR/S Wigram		
SCALE	1:800@A3	PROJECT REF	SHF.1109.005
DRAWN	MG	CHECKED	MJ
DATE	Sep 2016		
PROJECT	Land off Bell Lane, Poulton		
TITLE	Indicative Drainage Layout		
DRAWING NO	SHF.1109.005.HY.D.009.H		

Key

	Site Boundary
	Thames Water Foul Sewer
	Land Drain
	CCTV Confirmed Path of Highway Drain
	Proposed Water Foul Sewer
	Proposed Oversized Pipes (collecting of site flood water)
	Proposed Surface Water Drainage (collecting of site flood water)
	Proposed Oversized Pipes (collecting surface water from the site)
	Proposed Surface Water Drainage (collecting surface water from the site)
	Headwall
	Flow Pathway
	Catchment Area



Appendix 3 – Thames Water Foul Water Response

From: Devcon Team [mailto:devcon.team@thameswater.co.uk]
Sent: 07 October 2016 15:46
To: Katherine Brommage
Subject: RE: Query 256 - FW: 3rd Party Planning Application - 15/01376/OUT - DTS 44306

Dear Katherine,

Further to your email correspondence. I have consulted with the Asset Planner for the area and she has responded with the comments below:

Thames Water acknowledges how distressing sewer flooding is to customers, and as part of the consultation on new development we assess the potential impact on existing customers to ensure that they are not impacted negatively. However we also work with developers to promote sustainable growth.

The foul water increase associated with this development is so small that the impact cannot be assessed using our standard method, which is hydraulic modelling. Therefore the impact is considered negligible and we cannot request a Grampian style condition.

With regards the wet weather issues experienced in Poulton in the past, the drainage strategy aims to confirm the root cause of the problems, which may be surface water connections into a foul only system, and the level of risk within the catchment, so that appropriate interventions can be planned.

I hope that this assists you with questions you have raised.

Regards

Margaret Keen

Planner

Development Planning

Planning for and enabling growth

Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire WD3 9SQ

Tel: 0203 577 9998

Email: devcon.team@thameswater.co.uk

Asset Management

Driving Intelligent Investment

From: Katherine Brommage [<mailto:Katherine.Brommage@cotswold.gov.uk>]
Sent: 03 October 2016 17:24
To: Devcon Team
Subject: RE: 3rd Party Planning Application - 15/01376/OUT

Dear John,

I have received further correspondence from the Parish Council in respect of the above application and particularly the comments received below on behalf of Thames Water. I would appreciate a formal response to the attached and, in particular, the suggestion that a 'Grampian condition' should be imposed. Whilst I am not saying that I disagree with the position taken by Thames Water, I do need to be in a position to explain clearly and succinctly in my committee report (to be completed before the end of the month) exactly what the problems during wet weather are in Poulton and therefore the impact of the application in this context. On the basis of the below comments I am likely to be asked at Planning Committee why it is permissible to add any additional dwellings to the existing foul system if there is acknowledged to be an existing issue?

I do not wish to misinterpret your response or misinform the public so I would appreciate a response as soon as possible.

If you have any queries then please do not hesitate to contact me.

Best Regards,

Katherine.

Katherine Brommage MPlan, MRTPI
Senior Case Officer (Development Management)

Planning Service Customer Feedback Questionnaire - Have we responded to your enquiry or determined your application? - Please take a few minutes to complete our short tick-box questionnaire at the link below to assist us in our continuous programme to improve standards of service to our customers and service users. Thank you.

<http://www.cotswold.gov.uk/residents/planning-building/planning/customer-feedback/>

From: John Georgoulas [<mailto:john.georgoulas@thameswater.co.uk>] **On Behalf Of** Devcon Team
Sent: 21 September 2016 16:52
To: Katherine Brommage
Subject: FW: 3rd Party Planning Application - 15/01376/OUT

Dear Katherine,

Please find attached the comments from our Specialist Asset planner:

The sewerage system in Poulton is in fact foul only, and not combined. The reason for not raising capacity concerns is that the foul flow from the proposed development of 9 new dwellings will take up only a fraction of the pipe capacity (less than 1%) and as such the impact on existing customers is considered to be negligible. Also, flows of this size are too small to model hydraulically, which is normally the way we assess detriment.

Nevertheless we are aware that Poulton has experienced problems during wet weather in the past. For this reason we are undertaking a drainage strategy study for the whole of Ampney St Peter, of which Poulton forms part of. We have completed the first stage of the study and the report has been

published on our website [here](#). The solution development stage is programmed to be completed by the end of next year.

Hopefully this demonstrates that we are taking the concerns of our customers into account.

I trust the above to be satisfactory.

Kind regards

John Georgoulas

Team Leader

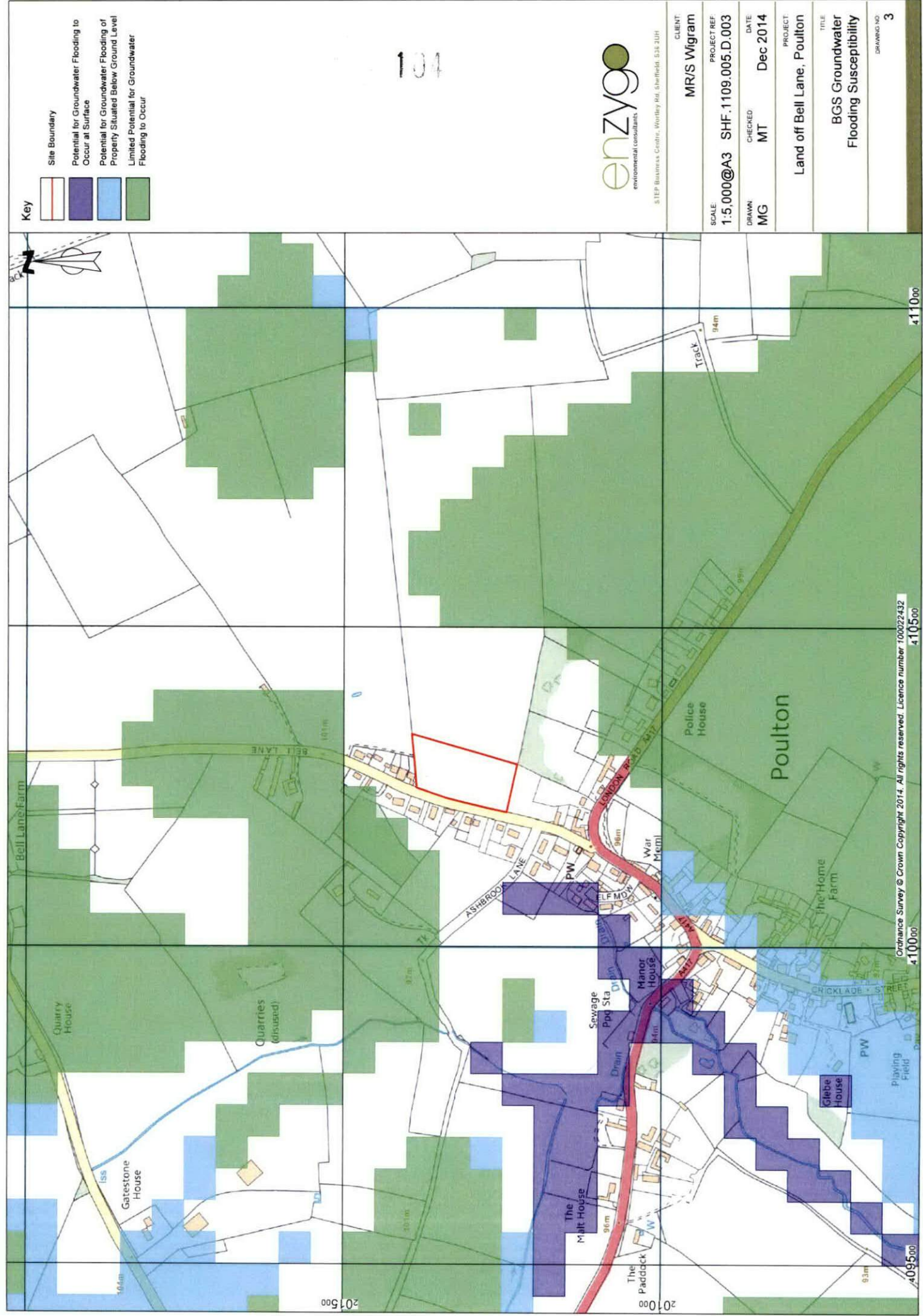
Development Planning

Planning for and enabling growth

Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire WD3 9SQ

Tel: 020 3577 9998 devcon.team@thameswater.co.uk

Appendix 4 – BGS Groundwater Flooding Susceptibility Map



Key

- Site Boundary
- Potential for Groundwater Flooding to Occur at Surface
- Potential for Groundwater Flooding of Property Situated Below Ground Level
- Limited Potential for Groundwater Flooding to Occur



5 STEP Business Centre, Wortley Rd, Sheffield S34 3UH

CLIENT	MR/S Wigram		
PROJECT REF	SHF.1109.005.D.003		
SCALE	1:5.000@A3	CHECKED	MT
DATE	Dec 2014	DRAWN	MG
PROJECT	Land off Bell Lane, Poulton		
TITLE	BGS Groundwater Flooding Susceptibility		
DRAWING NO	3		

Ordnance Survey © Crown Copyright 2014. All rights reserved. Licence number 100022432
 410000
 410500

British Geological Survey

British Geological Survey

SP00192

235/45

~~SP 1033 0117~~ SP0910097

46

Poulton—Maps: 235, 252; (34); (52 N.W., S.W.)

The village of Poulton is supplied by wells, 'Poulton Spring' and a supply, which is laid on to the houses, from near Ready Token, but in Mersey Hampton parish. The wells in the Cornbrash are shallow; one in the field south of 'Ye Old Falcon' Inn is 9 ft. deep with 2 ft. of water in it. 'Poulton Spring' is fed with water thrown out of the Cornbrash and is walled up to form a circular dipping place. It supplies a good many houses and has not been known to fail.

235/45

British Geological Survey

British Geological Survey

235/46

Four cottages at Ready Token depend on a deep well, said to be a Roman Well, and rainwater collected off the roofs of all four and stored in an underground tank fitted with a pump. The well is a draw well, 145 ft. deep, and on 22nd Aug., 1922, had 21 ft. of water in it.

British Geological Survey

British Geological Survey

ISA 235/46

*E. P. W. Robinson, Ready Token.
(John Sparrowood, Newnham)
(New owner H. A. R. Powell 18/2/81)*

*Silk marked on Facing by Sir Richard Lakin, Bart.,
who says (7.12.42) that the well was walled over when
he bought the place 15 years ago. His supply is derived from
the Cornbrash well above shown. At (D) is a well
made for Sir Frederick Maiton in recent years. (see 235/76)*

British Geological Survey

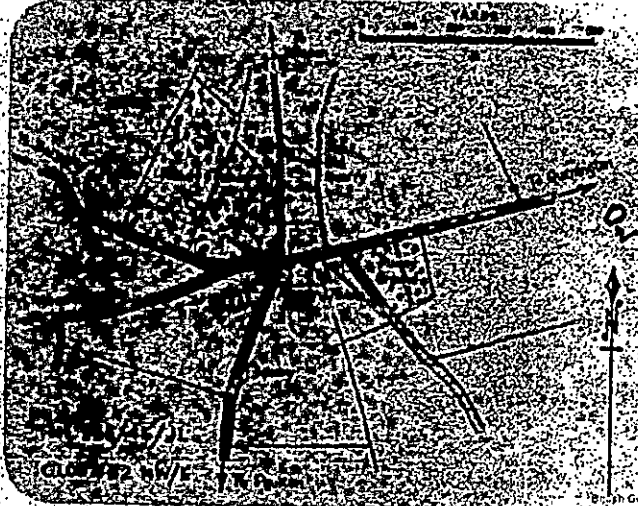
British Geological Survey

British Geological Survey

British Geological Survey

British Geological Survey

British Geological Survey



235/45

*Drawn to supply part of village as a...
O.D. + 303*

British Geological Survey

British Geological Survey

British Geological Survey

Visited 1 mile on Gbs SW-E

ca 21.6.48

British Geological Survey

British Geological Survey

Published in
'Wells & Springs
of Gloucestershire',

Appendix 6 – PFA Consulting File Note



LAND ADJACENT TO BELL LANE, POULTON

FILE NOTE DEALING WITH FLOODING AND DRAINAGE

1. Introduction

- 1.1. A planning application (ref. 15/01376/OUT) has been submitted for a residential development of 9 dwellings on land adjacent to Bell Lane, Poulton. The application includes proposals for dealing with surface water runoff from the site and for mitigating the effects of offsite flows.
- 1.2. Local residents are concerned that existing flooding problems within the village of Poulton have not been fully considered and that the proposals could exacerbate these problems.
- 1.3. This report provides a summary of the existing flooding problems, the development proposals and the residual risks that may arise as a result of the proposed development.

2. Baseline Conditions and Existing Flooding Problems

- 2.1. The existing flooding problems in Poulton appear to fall into four categories:
 - Fluvial flooding of the Ashbrook during prolonged rainfall events.
 - Infiltration and misconnections into the public foul water sewer network causing backing up in the lower parts of the village.
 - Overland / land drainage flows from the east and north flowing into the village.
 - Groundwater flows and springs draining into ditches and watercourses.
 - 2.2. The first two of these are not covered in this report as they are not considered to directly affect the proposals on Bell Lane.
- Overland Flows and Land Drainage**
- 2.3. An existing ditch flows from north to south along the eastern side of Bell Lane adjacent to the Application Site. An analysis of LiDAR data and Ordnance Survey mapping indicates that a large area of land, approximately 67 hecatres, to the north and east of Poulton is in the catchment of this ditch. The ditch enters a 300mm diameter pipe immediately to the south of the application site. This pipe flows to the west along Ashbrook Lane and eventually into a ditch that forms a tributary with the Ashbrook.
 - 2.4. Anecdotal evidence from local residents indicates that land to the east of the Application Site is currently drained by a network of underground land drains. This is supported by video evidence of flows running into the Bell Lane ditch during wet weather. A still image of this is shown in **Figure 1** below:-



Figure 1: Evidence of flows from land drainage system into ditch on Bell Lane

- 2.5. A length of highway of at least 700 metres to the north of the site also drains in this direction. When gullies become blocked and/or the highway system is overloaded it is likely that overland flows from the highway will also contribute to the surface water flows running into the ditch and Bell Lane.
- 2.6. When flows in the ditch exceed its capacity overland flow routes would be directed along Bell Lane to the south and to the west along Ashbrook Lane. This is supported by photographic evidence of Bell Lane flooding on 20th July 2007. Photographs of the 2007 surface water flooding on Bell Lane are shown in **Figures 2, 3 and 4** below.



Figure 2: Photographic evidence of flooding in Bell Lane



Figure 3: Photographic evidence of flooding in Bell Lane



Figure 4: Photographic evidence of flooding in Bell Lane

- 2.7. In order to further understand the mechanism of this surface water flooding a simple hydraulic model has been created. This model includes a representation of the ditch adjacent to Bell Lane and the downstream pipe. LiDAR data has been utilised to create a 3-Dimensional ground model of Bell Lane and the surrounding area. Inflows have been generated from the 67 hectare upstream catchment using an FSR Unit Hydrograph.
- 2.8. The outputs from this model for the 1 in 30 and 1 in 100 year return periods are shown in **Figures 5 and 6** below. Blue areas indicate a modelled flood depth of between 10 and 100mm, red indicates a depth of 100mm – 300mm and yellow indicates a depth of 300mm – 600mm.



Figure 5: Indicative flood outlines for 1 in 30 year return period



Figure 6: Indicative flood outlines for 1 in 100 year return period

- 2.9. From an inspection of the predicted flood outlines it can be seen that surface water flood flows are estimated to affect a length of Bell Lane and the land to the west. In both scenarios the deepest flooding is shown to affect the area immediately adjacent to the south-western corner of the site.
- 2.10. The flood outlines predicted from this model should not be taken as being definitive as a much more detailed study would be required to accurately assess flood flow routes within the village. The model does not take account of flows from other sources and the presence of walls and buildings, however the model does demonstrate that issues with the capacity of the existing surface water drainage system contribute to flooding within the village.

Groundwater Levels

- 2.11. Cotswold District Council's Strategic Flood Risk Assessment makes reference to groundwater flooding issues within the area but does not make any specific reference to problems in the immediate vicinity of the site.
- 2.12. Further evidence of a high groundwater table does exist as follows:
- The water level in a well in a the rear garden of a property on Bell Lane was recorded at 1.1metres below ground level during the summer of 2016 and has been close ground level (99m AOD) in winter months.
 - It is understood that trial pits excavated on the application site experienced groundwater ingress and had to be dewatered before being backfilled.
 - Video evidence appears to show groundwater issues in the ditch on Bell Lane with groundwater rising directly into the base of the ditch. A still image of this is shown in **Figure 7** below.



Figure 7: Still image from video showing groundwater rising into ditch adjacent to Bell Lane

3. Review of Surface Water Drainage Proposals for the Application Site

- 3.1. The drainage proposals for the Application Site have been revised a number of times during the application process to take account of comments received from various parties. The original proposals included a surface water outfall from the site to the existing public foul water sewer in Bell Lane.
- 3.2. The current proposals are shown on Enzygo's Indicative Drainage Layout, drawing number SHF.1109.005.HY.D.009.G. These proposals include an oversized pipe within the site to collect and attenuate surface water flows to a flow rate of 5 l/s into the ditch on Bell Lane. It is also proposed that overland flows from the east would be intercepted by a swale and stored in an oversized pipe before being discharged at 5 l/s into the ditch adjacent to Bell Lane.

Attenuation of Offsite Flows

- 3.3. The drainage strategy indicates that the oversized pipe designed to attenuate offsite flows has been sized based on a contributing area of 1.37 hectares. A review of 1 metre resolution LiDAR data indicates that this may be an underestimate with the actual catchment area being around 2 hectares. This does not take account of the likely presence of an underground land drainage system which may introduce flows from a much larger catchment into this area of land. The extent of the land drained by this land drainage system would need to be ascertained to accurately assess the volume required to attenuate these offsite flows.
- 3.4. It is also considered likely that the installation of a swale with a 1.5metre diameter pipe beneath it could intersect the groundwater table. This could cause groundwater to rise to the surface in this area and the swale, pipe and pipe trenching could form a flow route for subsurface flows leading to a significant increase in flows entering the ditch adjacent to Bell Lane. Groundwater monitoring over a wet winter season would be required to fully understand the groundwater levels in this area.
- 3.5. It is also noted that the volume shown for this pipe on the Indicative Drainage Layout does not tally with the pipe dimensions. It may be that the additional storage volume would be provided in the swale, however this should be confirmed.

Onsite Drainage

- 3.6. The onsite drainage proposals utilise an oversized pipe with an outfall to the ditch adjacent to Bell Lane. It is unclear whether flows from driveways and private areas have been included in the impermeable areas used for sizing the oversized pipe. The Drainage File Note (dated September 2015) states that these areas should be constructed using permeable paving to encourage infiltration. The report also states that infiltration drainage is unlikely to be effective and so these areas should be included in the contributing areas for the onsite drainage system.
- 3.7. The oversized pipe has been designed with an outflow rate of 5 l/s. The photographs and modelling show that the area around the site entrance, where an outfall would be formed to the ditch, is affected by surface water flooding from offsite flows. It is therefore likely that during larger rainfall events the outfall from the site would become submerged and prevent flows from the onsite drainage system entering the ditch. A simulation of the effect of the outfall becoming submerged should be undertaken to assess the additional storage that would be required to mitigate the effect of this. Without this assessment it is likely that the onsite drainage system would be overwhelmed resulting in uncontrolled overland flows exiting the site onto Bell Lane.

4. Conclusions and Recommendations

- 4.1. The village of Poulton is affected by flooding from a number of sources including overland surface water flows from its upstream catchment and, potentially, groundwater flows entering the village's drainage system.
- 4.2. A ditch running along the eastern side of Bell Lane receives flows from an upstream catchment of around 67 hectares as well as from groundwater rising up in the bed of the ditch.
- 4.3. Significant surface water flooding was experienced along the relevant stretch of Bell Lane in July 2007. A simple model of the existing drainage in this area shows that flooding is likely to affect the proposed locations of the outfalls from the Application Site's drainage system and the outfall from the proposed offsite cut-off drain.
- 4.4. There is significant evidence of high groundwater levels.
- 4.5. It is recommended that long term groundwater monitoring should be undertaken over a wet winter season to fully understand groundwater levels on the site.
- 4.6. The upstream catchment of the proposed offsite cut-off drain should be confirmed through additional ground modelling and through an assessment of the existing land drainage regime for the land to the east of the site.
- 4.7. There is evidence of a piped land drainage system serving the land to the east of Bell Lane, which includes the Application Site itself and the fields to the east. The extent of the land drained by this land drainage system would need to be ascertained to accurately assess the volume required to attenuate these offsite flows.
- 4.8. It should be confirmed that the impermeable areas used to size the onsite drainage system include all parking areas, driveways, etc. as permeable paving is unlikely to be effective.
- 4.9. Flooding on Bell Lane is likely to submerge the proposed outfall locations. The effects of this should be assessed to confirm if additional storage is required to prevent uncontrolled overland flows exiting the site.
- 4.10. Unless the above recommendations are carried out it cannot be concluded that the proposed development can be effectively drained without increasing the flood risk to the site itself and elsewhere as required by the National Planning Policy Framework.

**Appendix 7 – Questions Raised Following Meeting and
Independent File Note**

MEETING WITH K.FIELD – HEAD OF PLANNING AND K. BROMMAGE - CASE OFFICER, CDC

26 OCTOBER 2016

REF : 15/01376/OUT | Outline planning application for the erection of up to 9 dwellings and associated access (appearance, layout, landscape and scale reserved for future consideration) | Land East of Bell Lane Poulton Gloucestershire

KEY QUESTIONS :

FLOOD AND DRAINAGE SYSTEM

Why has the flood and drainage proposal been accepted by the LLFA and the Planning Officer when it has been highlighted that it is full of errors and raises serious concerns on how effective it will be? The local community and Parish Council believe that the Enzygo submission lacks credibility due to the multiple errors and omissions outlined.

Note : The claim of betterment has to be considered unproven until key questions have been addressed.

- **Has the CATCHMENT AREA been correctly calculated?** Evidence was shown to LLFA that this may not be the case and that it has potentially been underestimated by 60%. [¹See LIDAR data, LLFA meeting minutes, Independent Drainage Report]
- **Why have the LAND DRAINS in the fields behind the site been ignored?** Local knowledge confirms that applicants' father had them installed in late 1960s. No calculation has been made to address the impact of a broken land drain system on either the farmland, adjacent homes or the development site. [²see Land Drain info sheet, LLFA minutes, Independent Drainage Report]
- **Why has the issue of HIGH GROUND WATER indications been ignored?** Enzygo have vacillated from acknowledging there is a ground water issue to no issue at all! There is clear evidence that this issue does exist and must be addressed as part of the solution. [³see Enzygo report ref, image of local well, Independent Drainage Report, LLFA minutes]
- **Has the capacity of the HIGHWAYS DRAIN been correctly calculated as the current flow into the drain from the land east and north of the site has not been included.** The independent drainage consultant questions their calculations. This is a potential risk to the outfall system. [⁴see diagram, Independent Drainage Report, LLFA minutes]
- **Have the multiple errors on the PIPE CALCULATIONS been fully investigated and how can you be confident that there are no other errors?** [⁵see example from latest indicative drainage layout, LLFA minutes]
- **Has the ownership of the SURFACE WATER DRAIN been clarified?** The latest report quotes Thames Water as owner, however TW only own foul sewers in Poulton. [⁶see drawings]

SEWERS

Q. Why has the public health impact of the **OVERLOADED SEWERAGE SYSTEM** been ignored? – The system is broken. Adding 9 houses is not a betterment, it can only make things worse. TW states their modelling does not work at these low levels and has therefore approved – how can that be acceptable when it is clear the system is overloaded?

Should CDC continue to approve building in areas with a known problem when no plans are in place to remedy the situation despite TW statement, which on investigation shows no planned remedial action, no risk assessment, they don't know the cause of the problem and there is

documented evidence of human sewage on people's properties. [⁸see Resident of Ampney St Peter comment].

There is a meeting set up by Cllr Sue Coakley with Thames Water in Poulton Village Hall on 22nd November.

APPEARANCE

Q. Why has no consideration been given to the impact this development will have in respect of urban development style and height? Has the landscape consultant visited the site?

Why has local input demonstrating the valued landscape this space provides been completely ignored, including the Parish Council, who is a statutory consultee?

SCALE AND UNSUSTAINABILITY

Q. Why is a development being considered outside the development boundary in an unsustainable settlement at a scale that is potentially greater than some of the identified key sustainable settlements at a time when CDC can demonstrate a 7.54 year housing land supply? Proposed 9 houses together with new development already granted in Bell Lane equates to a 7% increase in housing stock in Poulton Parish in just a period of a few years, when some of the key settlements show an increase of 7.8 (Blockley) and 9.2 (Lechlade and Stow on the Wold) which are targets up to 2031! Poulton is not a sustainable settlement according to the Local Plan.

AFFORDABLE HOMES

Q. Why is a development of executive homes being considered which does not meet the local need for low cost or affordable housing, contrary to the NPPF requirements?

PROCESS

Q. Did the applicants make the Planning Officer aware of the flooding problem when the site was discussed and selected in September 2014?

Q. Why is it considered acceptable to approve a massive flood system for a few executive houses when the problem was known and other more appropriate sites could have been identified?

Q. Why is the cumulative effect of the impact of this development not being considered? (Flooding/drainage; Sewerage; Setting; Highways; Outside development boundary; Scale; Unsustainable location)

Q. How do you plan to implement/monitor the 15 conditions proposed on this development?

Q. If the cost of SuDs drainage system is greater than a conventional drainage system, is it enforceable? DEFRA Guidelines (2011) state that it is not.

Q. What would be grounds for refusing this application?

APPENDIX

¹ CATCHMENT AREA

Flow diagram to identify catchment area has changed considerably, from over 29 to 1.37ha. Earlier submissions, estimating much larger catchment used a more detailed LiDAR map; Current submission indicates a much lower catchment area, using a less detailed map. The arrows appear to flow very differently in most recent mapping. Why? What has changed?



The latest drawing shows the catchment area missing some of the flow arrows that flow onto the site.

IF THE CATCHMENT AREA CALCULATION IS INCORRECT THEN THE PIPE CAPACITY WILL BE INCORRECT – RISK OF FLOODING INCREASED

The flow arrows go in very different directions on the two maps – why? When nothing has changed?

WHY HAVE LLFA APPROVED AN APPLICATION WITHOUT DUE DILLIGENCE OF CHECKING IF THE CATCHMENT AREA PROPOSED IS CORRECT?

INDEPENDENT DRAINAGE CONSULANT REPORT:

Para 3.3 The drainage strategy indicates the oversize pipe designed to attenuate flows has been based on a contributing area of 1.37 ha. A review of 1m resolution LiDAR data indicates that this may be an underestimate with the actual catchment area being around 2ha. This does not take account of the likely presence of an underground land drainage system which may introduce flows from a much larger catchment into this area of land. The extent of the land drained by this land drainage system would need to be ascertained to accurately assess the volume required to attenuate these offsite flows.

LLFA/POULTON VILLAGE MEETING - MINUTES

Q: You have queried the huge reduction in catchment for the surface water arriving at the Eastern boundary of the site. What information have you received to justify this reduction bearing in mind that the drawing of the catchment area included in Enzygo's last submission appears to be arbitrary, actually cutting across flow lines? Mr Tough highlighted on the drawing that the flow arrows indicated a larger catchment area than stated.

Mr Tangri replied that only 1.37 hectares would be contributing to the overland flow according to their LiDAR. He said that he is totally reliant on information provided by the applicant but that the applicant would be liable for any erroneous information.

The meeting was then shown slides of differing flow pathways showing water flowing directly to the site area. Mrs Kilby, with the aid of the flow pathways map, showed that there was an underestimation of water flowing onto the site. Helen Haresign stated, Naveen is dependent on Enzygo's figures and we are not confident that these figures are right. If they are not right these people will flood. Mr Tangri said that is true. You can raise that concern with the planning officer.

² LAND DRAINS

Identifying an existing drainage system

Existing drainage

Fields are likely to already have some form of field drainage if they have heavy soils or medium soils in heavy rainfall areas, or a naturally high water table. The system may, however, not be functioning properly or may be inadequate for the current farming needs.

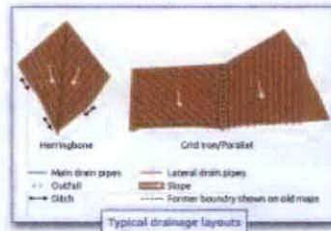
Typical drainage layouts

A field can contain a combination of different layouts or be drained irregularly, depending on the surface slopes across the field. If smaller fields have been merged into one, the outfalls may be found at the low points of each original field and not the current field.

Understanding drainage plans

On many farms, final drainage plans are available that detail exactly what type of drainage was installed and where it is within each field. Final plans are normally accurate and, provided the key above-ground features shown are visible, should enable the drains to be found.

Ensure it is a final drainage plan, not a proposal. A final plan may include the words "completion" or "as built" and should always be signed.



LLFA/POULTON VILLAGE MEETING - MINUTES

Q What consideration has been given to the loss of the land drains and the impact on the site, the land above and the attenuation measures?

Mr Tangri said that these would be covered in the detailed planning application.

Cllr. Coakley said that there could be a Public Meeting to discuss general flooding issues and she would look to bring a Thames Water representative to that meeting. The meeting was shown an aerial view of the site and land drains were pointed out. Mrs Kilby told Mr Tangri where the land drains were situated and said that these were not shown on the planning application but covered an area of 29 hectares.

Mr Tangri said they definitely have to protect the land drains, Cllr Davies said the land drains served the whole field not just the site. Mr Kilby also pointed out that the land drains drained the whole 29 hectares. Mr Tangri said he can only rely on the information he is given.

INDEPENDENT DRAINAGE CONSULTANT REPORT

Para 4.7 There is evidence of a piped land drainage system serving the land to the east of Bell Lane, which includes the Application Site itself and the fields to the east. The extent of the land drained by this land drainage system would need to be ascertained to accurately assess the volume required to attenuate these offsite flows.

3 HIGH GROUND WATER



JAN 2015 – Enzygo to Hunter Page

Acknowledgment of potential high ground water issue

“No soakage was observed due to waterlogged soil. The water levels rose in SA3 as a result of water seeping into the pit throughout the entire depth range.”



MAR & SEPT 2015 – Enzygo report for Hunter Page

“Secondary flooding sources were identified within the site, including, ground water flooding and overland flow flooding.”



SEPT 2016 – Enzygo to LLFA

Contradictory information is presented on soakaway tests

“The soakaway test results show that the trial pits were dry with no ground water. Based on the above, there is no ground water matter to address.”

NOTE : The soakaway tests referenced here are the same tests referenced in the Jan 2015 letter (there has only been one set of soakaway tests carried out which were in January 2015)

THAMES WATER DRAINAGE STRATEGY REPORT – AMPNEY ST. PETER CATCHMENT (includes Poulton) - Sept 2016

“Whilst SuDS might help to reduce the risk of flooding ...when groundwater levels are low...they may not be as effective...when groundwater levels are high....We will therefore take account of the potential influence of groundwater when we come to assess any options...” (p34)
 “Concerns have also been raised with Cotswold District Council requesting that drainage conditions should be imposed on the more recent planning applications”. (p35)

³ HIGH GROUND WATER (cont)



Evidence of high ground water in well in property opposite the site
Photo taken Aug 2016



Still of a video showing ground water rising directly into the base of the ditch adjoining the site
Video taken Winter 2015

LLFA/POULTON VILLAGE MEETING - MINUTES

Q How are you confident that the solution will work when it is unclear exactly what the ground water level on the site is and therefore the impact this will have on the site and surrounding area?

The meeting was shown slides and video of groundwater bubbling up in Bell Lane (2015) and the high level of water in a well in a property opposite the site (August 2016). Also of a 4x4 vehicle stuck on waterlogged ground at the site. Reference was made of inconsistencies in the Enzygo reports regarding ground water.

Mr Tangri said he recognised this issue and he spoke to Enzygo about this and was told it would be addressed by the developer.

Q How will displaced groundwater from the site and from the land behind be stopped from filling the oversized pipes?

Mr Tangri said that there is a controlled mechanism in the pipes releasing the water at a rate of 5l/s.

NOTE : THIS DOES NOT ANSWER THE QUESTION WHICH IS ABOUT INFLOW NOT OUTFLOW

INDEPENDENT DRAINAGE CONSULTANT REPORT

Para 2.12 Further evidence of a high groundwater table does exist as follows:

The water level in a well in the rear garden of a property on Bell Lane was recorded at 1.1m below ground level during the summer of 2016 and has been close (to) ground level (99mAOD) in winter months.

It is understood that trial pits excavated on the application site experienced ground water ingress and have to be dewatered before being backfilled.

Video evidence appears to show groundwater issues in the ditch on Bell Lane with ground water rising directly into the base of the ditch.

Para 3.4 It is also considered likely that the installation of a swale with a 1.5m diameter pipe beneath it could intersect the groundwater table. This could cause groundwater to rise to the surface in this area and the swale, pipe and pipe trenching could form a flow route for subsurface flows leading to a significant increase in flows entering the ditch adjacent to Bell Lane. Ground water monitoring over a wet winter season would be required to fully understand the groundwater levels in this area.

4 HIGHWAYS DRAIN



Indicates existing flow into Bell Lane and therefore into the drain from a much larger catchment area, which would impact capacity of the highways drain

LLFA/CDC/APPLICANTS MEETING 3 MAY 2016

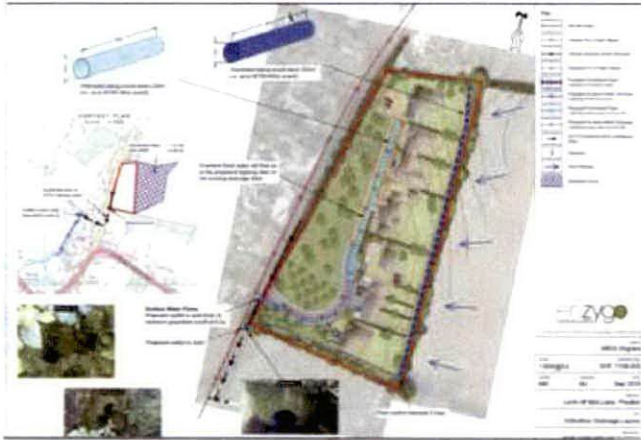
MT (Enzygo) questioned the level of work which is required for an outline application. NTa and DP (GCC LLFA) highlighted that they need to be sure that a safe solution can be found and KB (CDC) highlighted that for an outline application to be approved, she needs to be clear that a solution can be found, There is a need for this level of detail as this is the only option for the site (given its size), whereas other outline schemes may have more than one option.

INDEPENDENT DRAINAGE CONSULTANT REPORT

Para 2.3 An existing ditch flows from north to south along the eastern side of Bell Lane adjacent to the Application Site. An analysis of LiDAR data and Ordnance Survey mapping indicates that a large area of land, approximately 67 hectares, to the north and east of Poulton is in the catchment of this ditch. The ditch enters a 300mm diameter pipe immediately to the south of the application site. This pipe flows to the west along Ashbrook lane and eventually into a ditch that forms a tributary with the Ashbrook.

Para 4.9 Flooding on Bell Lane is likely to submerge the proposed outfall locations. The effects of this should be assessed to confirm if additional storage is required to prevent uncontrolled overland flows exiting the site.

5 PIPE CALCULATIONS



Drawing dated Sept 2016

Oversized piping would store 337m^3 i.e. up to M100 + 40cc event'

Drain Design Simulation settings state M100 + 40cc event is actually 560m^3

NOTE: 337m^3 is not correct anyway – supporting data shows 377m^3 .

THIS IS JUST ONE OF MANY EXAMPLES OF ERRORS – HOW CAN THERE BE ANY CONFIDENCE IN ANY OF THE CALCULATIONS?

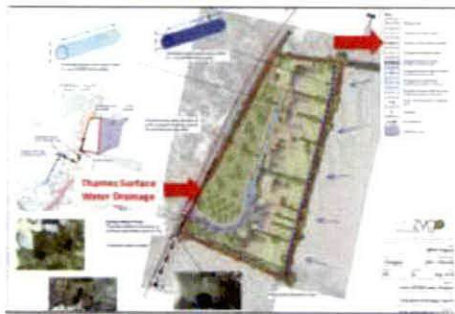
LLFA/POULTON VILLAGE MEETING - MINUTES

Q Why have the pipe sizes been reduced in the latest drawing and has the impact of the reduced capacity been evaluated in the context of the overall scheme – the catchment area is the same so why have the pipe sizes been reduced? (Pipe storage that was 1016m^3 has been reduced to 337m^3 – but should be 272m^3 based on pipe dimensions provided. Catchment area remains 1.37ha.)

Mr Tangri said he is reliant on the information that is given to him.

Helen Haresign said that the meeting appreciated that he was reliant upon Enzygo for data but stated that this was not independent and therefore could not be relied upon. Mr Tangri said it was all up to the Planning Officer. She said that the Planning Officer was relying on Mr Tangri but he was depending on the applicant for data. Cllr. Fowles said that the numbers did not stack up and that the community was relying on Mr Tangri as the expert.

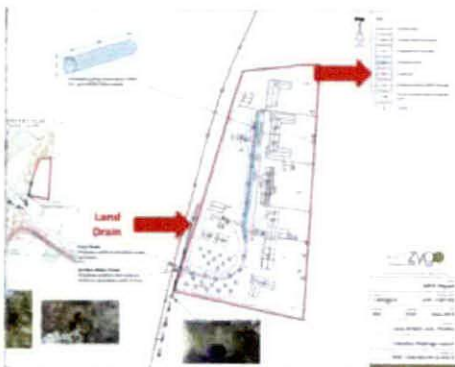
6 SURFACE WATER DRAIN



Drawing dated Sept 2016

Shows a connection to 'Thames Surface Water Drainage'

There is no evidence provided that Thames Water own this surface water drain.



Drawing dated Sept 2016

Shows connection to same drain but references it as a 'land drain' – no ownership indicated

7 SEWERAGE

Best Laid Planning Application - 20/016/15
Ref: 15/016/15/017

Name: Mrs Mrs Shergill
Address: Penned Collyer - Ampney St Peter.
Email:
Date: 1st October 2014

We would like to put on record that none of our previous objections on the grounds of Sustainability, Landscape and Design, and Flooding and Sewage which we sent you in October 2013 and September 2014 have been addressed satisfactorily by the latest application.

Therefore we object to the above application.

Given the various statutory and health code of Building, we are CQC, DEC Local Water Flood Authority, DEC Highways and Thames Water to put in writing that the development will not increase the risk of flooding in practice, as required by the National Planning Policy Framework Part 200-202.

Other Comments:
In Ampney St Peter when it rains raw sewage is discharged on the road of Ampney St Peter also opposite Tia's Park house also larvae travel up Church Lane 24/7 when it rains

Signed:
I am happy for

MEETING WITH K.FIELD – HEAD OF PLANNING AND K. BROMMAGE - CASE OFFICER, CDC**26 OCTOBER 2016****REF : 15/01376/OUT | Outline planning application for the erection of up to 9 dwellings and associated access (appearance, layout, landscape and scale reserved for future consideration) | Land East of Bell Lane Poulton Gloucestershire**

Present:

Kevin Field – Head of Planning CDC (KF)
Katherine Brommage – Case Officer CDC (KB)
Helen Haresign – Resident (HH)
Rob Tough – Resident (RT)
Cllr Chris Davies – Poulton Parish Council (CD)
Andrew Young – Resident (AY)
Cllr David Fowles (DF)
Simon Smith – Resident (SS)
Bridget Ashley – Resident (BA)
Angela Kilby – Resident (AK)

Intro

HH thanked KF and KB for taking the time for the meeting. This meeting was as a result of the LLFA meeting on 3rd October, which exposed real concerns with the drainage design, sewage, and the cumulative effect.

KF said that the independent drainage report which residents had commissioned would be made public and the applicants' advisers may be asked to answer further questions. If it were appropriate, KF would commission further independent advice and KB said it would go to the LLFA for their further comments.

Concerns re Process

HH said that the application now had the 5th iteration of drainage design. This process highlighted a number of serious errors. Even the latest design has errors so it lacks credibility. NT (LLFA) believed there was betterment however that claim is questionable.

KB said that planning committee members have the power to defer the decision whilst further information is requested

KB and KF agreed that the application was not straightforward.

Catchment Area

HH outlined that the catchment area had changed from approx. 29ha to 1.37ha. NT (LLFA) did not know the answer and was relying on the planning officer. The independent consultant said the catchment should be greater and a proper survey should be carried out. KB said she had asked the applicant's advisers to explain how they got from 29ha to 1.37 ha so she could explain to the planning committee but she had not had an answer yet.

KF pointed out that decisions were not based on perfect information, but members had to be satisfied with that they had enough information, and that it was reasonable, in order to make an informed decision. He said that information could be circulated to committee members before the committee meeting so that they had all the facts.

KF said it was important to focus on errors that were significant. HH said what we had highlighted were material facts. Our concern was that the catchment area was critical to the size of the pipes; the pipes were too small.

Land Drains

AK explained that clay land-drains were installed in the site and the land behind to drain the fields for crops, in a similar pattern to the illustration provided. There was no provision for intercepting and connecting the land drains into the proposed design; therefore the oversize pipe at the rear would be too small. AK showed on a map the extent of the land drains in Bell Lane fields. This meant that the applicant would have to take this into account because the LiDAR data would not pick this up.

KF pointed out that these sorts of challenges from residents were very common however because there were no objections from the Environment Agency and Thames Water (e.g. as in Fairford) an inspector would approve the application.

CD pointed out that the bridge in Poulton was a bottleneck but Enzygo's calculations of the capacity of the bridge were understated. Flooding occurred not when the water reached the top of the bridge, but at a level some 8 inches below that which reduced the capacity of the bridge by 8% (bridge diagram). TW and LLFA records of flooding in Poulton were insufficient. He had sent them flooding information confidentially, not just 2007.

KF highlighted the importance of submitting all the information residents have, to get local knowledge. He said it was important for CDC to pay attention to it, so CDC could ask 'are your figures correct or not?' RT pointed out that he had raised this issue in his objection.

KF said that committee members could commission a separate report if they needed more information and that visual aids were compelling.

High Ground Water

HH said that the drainage proposal was flawed at a number of levels, and residents believed that it would increase flooding. Soakaways didn't work because one of the pits filled up and the others did not soak away. Enzygo acknowledged there was groundwater flooding in Jan, March and Sept 2015. However in Sept 2016 they said (with reference to the same soakaway tests) that the pits were dry and that there was no groundwater. This was clearly not the case. If it were true, the applicants could be using soakaways. RT pointed out that one of the pits was not even on the site. Other local evidence supported the fact that there was high groundwater.

HH said that the pipe needed to be bigger to deal with the additional catchment and the land-drains, and therefore deeper (it needs a certain space above and below to work) and thus high groundwater would potentially compromise it. This was supported by the independent report and that's why the claim of betterment was dubious.

KB said it looked like they had accepted previously that the groundwater was an issue as the soakaways wouldn't work. DF said the fact that soakaways wouldn't work demonstrated that there was a fundamental drainage problem with this site. KB said that that does not mean that there wasn't a technical solution but the cost may render the scheme unviable.

Overall, HH asked whether it made sense to put a massive drainage system in for a few houses when there were other better locations? DF said that the applicant owned other sites.

AK pointed out that there were several problems to overcome at this site, and she asked whether the scheme was viable. KB said that CDC could not refuse a scheme because it wasn't viable, that was a market-led decision.

CD pointed out that he had lived in Poulton for 35 years and knew the site very well. In his opinion, due to the lie of the land, the houses on this site could flood. KB said that the Council had to look at the flood risk both on and off the site and that they were aware of the bias in the applicant's submission. That was the reason for having this meeting, to get all the local knowledge. She said she could refuse it on the grounds of flooding as long as she could justify it, however she was not in the position yet to make that recommendation. In order to challenge the LLFA's decision to approve the drainage scheme, KB said that she would need independent evidence; the LLFA may reconsider when they have seen the independent report commissioned by the Poulton Working Group.

DF asked how it would be possible to convince Committee Members that the scheme was not suitable when the applicants had employed their own consultants to say that the scheme was. KF said this was the wrong starting point; Committee Members must be open-minded and draw a conclusion once all the evidence was available, not beforehand. If the information was materially flawed that it undermined the application, officers would say so. A further consultation may be required and more information needed.

AY pointed out that because the applicants' information had been changed on a drip-feed basis, residents did not trust anything that they put forward. He mentioned the example of the River Frome and an Aqueduct being in the field. The information had been accepted by LLFA as 'expert' but residents have found numerous examples where it was incorrect, so CDC was relying on advice which wasn't actually expert.

KF said unfortunately that's the world we live in and we have the same situation whether on this application or up to 2500 houses in Chesterton. He said it was not a perfect system and it did benefit from residents putting a lot of time and effort and money out of their own pockets but sometimes that was necessary to have an influence on the outcome.

Highways Drain

HH highlighted the highways drain calculation wasn't correct, substantiated by the independent drainage report. The applicants had not accounted for what was already using the highways drain. In times of heavy rain when the ditches were full, the outfall would be submerged and the water would back up onto the site. HH explained that the problem was not about the amount of rain falling onto the site but that the water from this manmade system would not be able to flow into the drain when it was already full of water from the large catchment in Bell Lane. NT had said that manholes would attenuate the extra water. AK pointed out that when the ditch was full, the water could not discharge into it and would back up so the houses would flood because you could not prevent the water flowing into the oversized pipes.

CD explained that the flooding situation in Poulton was not like other local areas; you get flash flooding where the water accumulates over 6 hours and then quickly disappears, because of the constriction in the pipework and especially at the bridge, which takes water from all directions.

Oversize Pipes

HH pointed out that the oversize pipes had reduced in size significantly; NT's explanation was that the manholes were designed to cover the differences however this would mean that the

manholes were being used twice, once to cover the difference in pipe sizes and secondly to deal with water backing up when the outfall is submerged. This did not make sense. HH pointed out that the pipe sizes had been a big question mark all the way through the application. For example the rear pipe started at 1016m³ and was now 337m³, however this was not correct. The applicant's data shows 377m³ was a 1:100 year event, whereas a 1:100year + 40% CC was actually 560m³.

RT pointed out that from one version to another there were huge changes, called 'clarification'. However, if the previous version was obviously totally wrong, why should we not think that the revised version was also wrong?

KF pointed out that the applicants were trying to gain public confidence but had failed and now it was harder to regain it.

KB said she had spoken to the applicants' agents a few times about this and had asked them to clarify the changes and why they've been made in layman's terms. She had indicated that there was a lack of trust. She said that the agents had been trying to respond to the comments made and the LLFA to achieve an outcome that could be relied on, hence why she had suggested that the LLFA met residents to give some confidence.ⁱ

RT pointed out that residents had expected that the LLFA would be experts but the meeting completely destroyed that. AK added that the LLFA didn't have all the software to check the figures. CD said that they said they relied on the Planning Dept to do that.

Ownership of the ditch

BA added that the ownership of the ditch into which they propose to discharge the water had not been clarified. GCC Highways said it was not theirs so it could not be used until ownership was established. In the 2015 drawing it is labelled as a 'land drain'. In the Sept 2016 drawing it is labelled as 'Thames Surface Water drain' but Thames Water (TW) do not own any surface water drains in Poulton.

Sewage

Cllr Sue Coakley has set up a meeting in Poulton with Thames Water on 22nd November to discuss sewage and drainage. HH said that the impact of building on the sewage system needed to be looked at cumulatively. She said that Poulton residents had to clean up human sewage from their properties. CD pointed out that because TW records are not sufficient they deny that this happens. He had given them a list of properties confidentially. HH said that the TW report did not show that they were doing anything. She said it was not acceptable that we were considering building houses which would add more sewage into a broken system.

KB said new developments did not have to rectify existing problems and that adding 9 houses made a negligible difference to the problem. CD pointed out that TW had not considered how many houses have joined the sewage system, which only has 150mm pipes, since it was installed. KF referred to Fairford Gate example where the outcome was a planning condition, a survey and to implement a scheme. KF said CDC were being asked questions at committee about what had happened, and yet they cannot get a response from TW. So the developers were tankering the effluent at their expense.-SS said that this made a mockery of planning conditions. AY said that the Fairford houses didn't have a human sewage issue in their properties. BA asked if there was any way of overcoming this. KF said that TW said it can be overcome with X and Y and they are right in the middle of negotiations but it was difficult to get information out of them.

CD emphasised that 9 houses would only be negligible if the sewage system was perfect and it wasn't. There were already problems at the London Road/Bell Lane junction, with ground water

etc going into the system and 9 houses would make it worse. Surely CDC should not accept a proposal if it was going to make matters worse.

KB pointed out that if TW said this was going to make things worse and asked for the developer to do XYZ then she could put a condition on it or a S106 agreement. KF said it would be good to put TW on the spot at the 22nd Nov meeting. SS pointed out that the LLFA meeting was helpful as people could point out anecdotal evidence and the TW meeting would also be beneficial. KB said the meeting was a good thing as she had been consistently raising questions with TW and sending letters to them.

KF said they would digest everything from this meeting; look at the independent drainage report. KF said he found the arguments quite convincing although they hadn't been tested which KB would need to do.

Appearance

HH pointed out there were continuing concerns around the whole scheme. Flooding and sewage were critical, but there was also the appearance of the urban style development. HH asked if the landscape consultant had visited the site because she was surprised that they had not talked about the height which is a big concern. KB said that he had. The height was why she had asked for the cross-sections and why the frontage building had been removed. She did not consider there would be any overlooking to the properties opposite, usually window-to-window distances were 21m whereas here they would be 40m. She also said that appearance and layout were all reserved matters which were not being determined now. She acknowledged that where the road was coming in you could assume there would be houses behind it. Even if they were slightly higher she would not say that they were overbearing or overlooking. She said it was a matter of judgementⁱⁱ.

CD said appearance was a matter of personal opinion. The Parish Council always said that an estate was not the right development to put on this site. It would look totally incongruous. The lane currently had individual-access properties. The Humpty Dumps was refused because of the substantial harm to the landscape and appearance, and this would be true of Bell Lane. KB said she led the appeal and that they were extremely different circumstances. CD said it didn't alter the fact that this would destroy the appearance and rural aspect of Bell Lane.

HH also pointed out the light nuisance that would be caused by having car lights coming in at first floor level of her property which is opposite. This happened when tractors were out in the field and now she would have this from 20+ cars, 365 days a year. The transport/highways consultant said it was a quiet lane, unlit, shared by horses, cyclists, walkers, it's narrow; having headlights at strange angles would not be in keeping. KB said that was a matter of judgement. HH said that having looked at statutory light nuisance, this would be a substantial change to the homes opposite. BA pointed out that the same applied to her - her property, to the north, is also lower than the site; because cars would come up the new road, their lights would shine straight into her house. At the moment, Bell Lane has 'Dark Skies', there was no light at all; an estate would have street lights. HH pointed out that a different style approach, e.g. the 3 to 4 houses that KB originally asked for, would result in a different situation.

CD pointed out that, taking aside the sewage issues, there were better sites in Poulton for an estate style development. Elf Meadow, built many years ago, sat very comfortably off the A417, whereas the proposed site would dominate a rural lane.

KF said this was a consideration, rated according to individual perception. It was a judgement CDC makes all the time. CDC would not try to articulate an argument against appearance on an outline application which they were not confident of winning. Designations, heritage assets etc would be considered. But that did not mean to say that you could build anything anywhere, or

that you could dominate neighbours so they had no amenity, it was about whether it was reasonable in general terms.

AY asked whether it was 'reasonable in general terms'; currently all the houses on Bell Lane had individual access, and was there a reason they had to go for an estate style development rather than individual access? KB said it was a balance between taking out the entire roadside hedgeⁱⁱⁱ and putting in a new road. Originally she was quite keen that it replicated the surroundings as closely as possible. In the pre-application advice it was for an estate with double the number of houses and CDC ratcheted that back^{iv}. CD pointed out that two years ago, KB said she wouldn't allow more than 4-5 houses in Poulton. KB said that things had changed since then – Inspectors' decisions, policy changes and council decisions. She had come to a position where 11 was potentially a bit too much but she wasn't sure if she could refuse it on that basis. She would prefer something that was less than 10 and they have come up with 9. She would probably definitely approve 6, but would she refuse 9? Looking at the balance in terms of impact and the lack of designations and the visual envelope of the site her judgement at the moment was that it would be very difficult for the council to refuse.

HH pointed out that the goal-posts moved which made it very difficult. For example, there were no affordable homes which were their door-opener. KB said that if members felt this was something which would give weight to the benefits of this proposal, the agents would consider it. National policy guidance had changed. BA pointed out that Tewkesbury Council has decided not to apply this because they had a need for affordable homes. KF said that CDC would need a have a policy in its Local Plan to be able to lower the national threshold to less than 10.

RT pointed out that the Local Plan said that development in villages needed to be 'in proportion' – what did that mean? A percentage? KF said it did not mean you could prescribe 4 here, 3 there, and was it a percentage of the old or the new? People would play with the figures so CDC had to argue what this meant on a case by case basis.

HH said that all the issues had to be seen cumulatively – flooding, sewage, height, appearance, layout, scale – in fact if this site was counted in with all the building permitted in Bell Lane in the 2 years since this application had been going on, Poulton would be virtually at the size of some of the key settlements in the Local Plan in terms of percentage growth (and this was over 2 years not the 20 years in the Local Plan).

Process

CD mentioned that the Parish Council was not consulted enough. He had complained to KB that the Clerk had not been informed about the newest application – this should not happen and it has happened before. The PC was a statutory consultee. It had requested that a Grampian condition was imposed. But there was no dialogue. This went back to the pre-planning discussions KB had with the applicant. Why was the Parish Council not consulted, when they know the problems in this small village? Other sites the applicant owns, such as on the London Road, had been dismissed however similar developments which extend the boundary had happened in Bibury and Fairford. Bell Lane was not the right site. Because CDC is saying 'this is the site we think you should develop' you almost get trapped. Pre-app discussions should be very basic. In this case he thought that this had prejudiced this case, because someone said, 'of your 3 sites, that is the one you can develop'. In CD's opinion, taking away the flooding and sewage issues, if someone had asked the Parish Council, they would have said the site on London Road is the best site of those 3, or alternatively you could develop in a totally different way.

KF said it didn't happen like this. Irrespective of what anyone else thought about preferable sites elsewhere, owners would seek to maximise the value of that site. So we're not in a position to say that site is no good; owners would do whatever they could to promote the site. He said they could discourage that in as much as they could say it was contrary to policy and didn't think it

was supportable. He would very much hope that when they have pre-app discussions, officers would say it was in developers' interests to engage with the PC beforehand. CD said that it does not happen. KF said it may not, but this is what officers were encouraged to do. The Government had a series of project types in which you were required to do prior consultation, but minor (under 10) and even major housebuilding sites were not. So if a developer chose not to engage, all CDC could do is process the application, offering that engagement when required. So you were faced with picking things up when it appeared that a lot had been agreed but he assured CD that it had not been agreed. He hoped that having this meeting demonstrated that it had not been agreed.

CD said because of the total failure of dialogue it looked like decisions were being prejudiced by what had been said before.

KF said if a developer chose to ignore local information and spend £30k designing a scheme which didn't work, more fool them.

CD pointed out that in this case, there was a discussion about the developers' sites. KB agreed that 3 sites were considered. They were all individually consulted on and at the time this one was considered to be the least constrained. Officers didn't actually know there was a flooding issue. DF asked if they could re-consider the other two sites. KB replied that at the moment there was one that they didn't think they could approve. One was next to listed buildings^v and was quite sensitive in landscape terms and the other was extending into the open countryside and she didn't feel that Bell Lane had the same constraints. CD pointed out that this had happened in Bibury, which is a very good scheme.

KB said that the pre-app discussions took place without prejudice; they were based on desk-study at the time. There weren't even site visits. If she had felt it could be refused at the time it came forward she would have done that. She still had to go through all the comments, but overlooking, loss of residential amenity etc would be considered. She could not say that this scheme wouldn't have any harm whatsoever. It was a very difficult decision. If there was harm, what weight would you give it, how material was it in the great scheme of things? How would you balance and judge that? She was only making a recommendation; she was not making the decision. She was trying to protect the council's position, taking into account appeal decisions, policies and everything else and weighing those aspects of the proposal to come up with what she thought was the best recommendation to protect the Council's interests, so that if it got refused she could justify it.

DF asked whether KB would attend the TW meeting at 7.30pm on 22nd Nov? She said she would consider it. KF asked whether the developer had been invited? CD said the applicant would have had information about the meeting as they are part of the meeting; it is advertised on the village website.

BA asked whether, if the cost of putting in this drainage system was more expensive than the conventional drainage system, could it be enforced? KF said yes. BA said there was DEFRA evidence that it would not be. KF said it had to be considered on the grounds of reasonableness; if the scheme being asked for wasn't proportionate to the development, then CDC could not enforce it. But if there was only one workable solution then they would have to implement it to make the scheme acceptable. If it undermined the viability of the scheme normally the affordable housing would be the first casualty.

HH said that this drainage system felt disproportionate for 9 houses. KB said she did not disagree. HH said there was a concern that once permission was granted, there would be an application for 20 houses because that would make it viable. KB said she didn't think they would permit 20 houses in Poulton because that tips the balance. RT asked if CDC could defend that

decision on 20 units. KB said she would have to take advice from colleagues because it would come down to whether or not it was unsustainable. CDC had recently considered refusing an application in Mickleton for more houses on the basis of social cohesion, however CDC's legal counsel said that this was an unlawful reason for refusal. HH pointed out that when you look at this development dispassionately, the urban style exposes that risk, whereas if you had 3-4 houses on the lane you wouldn't have this. This did not feel proportionate and exposed it to that risk.

KF said that there were no exceptional costs over and above the drainage. CDC was expecting another Government statement on affordable homes and density before Christmas. KF thought that with this number of houses in this location would command a premium and that the drainage would not make a big dent in that.

HH thanked KF and KB for the meeting. KF thanked those present for being constructive.

End notes added for clarification after the meeting:

ⁱ HH approached NT at LLFA herself to request the 8th Sept meeting with him; DF suggested the 3rd Oct public meeting with LLFA, not KB.

ⁱⁱ No cross-sections have been provided regarding the property to the north, which is much closer to the proposed site. Overlooking/overshadowing, loss of privacy and residential amenity have been mentioned in several previous objections from Mr & Mrs Ashley.

ⁱⁱⁱ The hedge is 'species-poor' according to the Ecology consultant, therefore of little value. The proposed access at one end and proposed gate at the other would remove a large section of this hedge. If the design were for 3-4 houses in a row, sections of existing hedge would be retained in between them.

^{iv} As acknowledged later in the meeting, if the application were approved, the Council cannot guarantee that only 9 houses would be built. Once outline application for access (particularly where scale is reserved) has been granted, it is common practice for developers to seek to increase the number of houses. Such an application would have to be considered on its merits, irrespective of what had gone before.

^v There are no listed buildings near this site.