

**PLANNING AND LICENSING COMMITTEE**

**14<sup>th</sup> December 2016**

**ADDITIONAL PAGES**

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**ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST**

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE  
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 1 - 48

PLANNING AND LICENSING COMMITTEE

14<sup>th</sup> December 2016

ADDITIONAL PAGES ON SCHEDULE ITEMS

Item	Ref. No	Content
01	15/01376/OUT CT.9103	<p><b>Amended Plans</b> - In response to further information requested by the Case Officer, the applicant has submitted an amended Illustrative Aerial View and Northern End Section to assist Planning Committee. An amended Proposed Site Access Plan (SK03B) has also been submitted which brings this plan in line with the amended illustrative layout for 9 units (Drawing Number SK03A indicated the previously proposed 11 unit scheme). To confirm, no change has been made to the visibility splays etc. proposed.</p> <p>The amended/additional plans are attached and suggested Condition 4 has been updated to include Proposed Site Access Plan SK03B (see amended list of conditions and informatives attached).</p> <p><b>S106 Contributions</b> - The GCC Community Infrastructure Officer has advised, having regard to the Havering Appeal (Appeal Ref: APP/B5480/W/16/3156253), that:</p> <p>'There is a clear distinction in that LB Havering will use the contribution to secondary schools across the Borough, whilst the approach at GCC is to identify and assess against specific infrastructure (see para 24). 24. The Planning Practice Guidance (PPG) clarifies that tariff style contributions are those that contribute to pooled funding 'pots' intended to fund the provision of general infrastructure in the wider area<sup>2</sup>. From the evidence provided, I am satisfied that the contribution considered necessary by the Council would be used in this way, for the provision of education facilities within the Borough, rather than site specific infrastructure requirements.</p> <p>Therefore the previous response stands and I can't really add much more. GCC approach is not a tariff-style approach, and will fund specific infrastructure having assessed the impact and evidenced the need.'</p>

On this basis officers consider that the education contributions sought are compliant with Regulation 122 of the CIL Regulations 2010, subject to the S106 agreement specifically nominating the identified schools (Meysey Hampton Primary School and Farmor's School) and the financial contribution(s) being spent on specific infrastructure to increase capacity at the identified schools. On this basis the officer recommendation has been updated as follows:

**RECOMMENDATION - Permit, subject to conditions and completion of a S106 agreement to include a financial contribution towards primary education (£31,706) and secondary education (£25,386)**

**Environmental Health** - The recommended 'acoustic design' condition has been reviewed by ERS (Environmental Regulation Services). It has been advised that considering the nature of the proposed site that the original condition may be modified to an informative, although the restriction of works and construction times should remain as a condition. The recommended list of conditions/informatives has been updated and can be found attached.

**Parish Council** - Additional Parish Council comments are attached in full.

**Additional Third Party Representations –**

Letters of Objection

A further 53 letters of objection has been submitted since 16.11.2016 in response to the Non-Technical Summary/Rebuttal Report (November 2016) submitted by the applicant.

The majority of letters submitted are further comments submitted by third parties whom have already registered objections. Only 1 of the letters submitted relate to a third party who has **not** already submitted representations to the proposals. The total number of persons objecting to the application site is therefore 185.

Having read the additional letters submitted there appears to be no new grounds of objection beyond those summarised in the committee report. The further letters essentially comprise restatements of concerns already made (but not considered to have been adequately dealt with). Given the remaining concerns regarding surface

water drainage it is suggested (in a response made by the Poulton Working Group in particular – see attached) that a thorough independent assessment of the drainage proposals is warranted before the application is determined.

Concerns are also raised regarding the lack of garages or parking barns within the illustrative layout. In which regard it is suggested that the illustrative layout lacks credibility (given that no-one will buy an executive house in Poulton without a garage) and leads to concerns regarding the visual impact of open air car parks and potential increased run-off.

It is to be noted that there is no planning policy requirement to provide garages within new residential developments and that the proposals are submitted in outline, with such matters to be determined at reserved matters. In any event, what householders may prefer is not a planning matter. Those who prefer a garage will not be obligated to purchase a property without one. Such matters are market led.

It is noted that 37 of the further letters received are in the form of a standard Proforma letter. The Proforma letter records that previous objections on grounds of Sustainability, Landscape and design, Flooding and Sewage have not been addressed satisfactorily. The Proforma letter also asks that CDC, LLFA, GCC Highways and Thames Water puts in writing that the development will not increase the risk of flooding in the surrounding area as required by the National Planning Policy Framework.

The further letters referred to above are available to view on the Planning Register in full.

#### Letter of Support

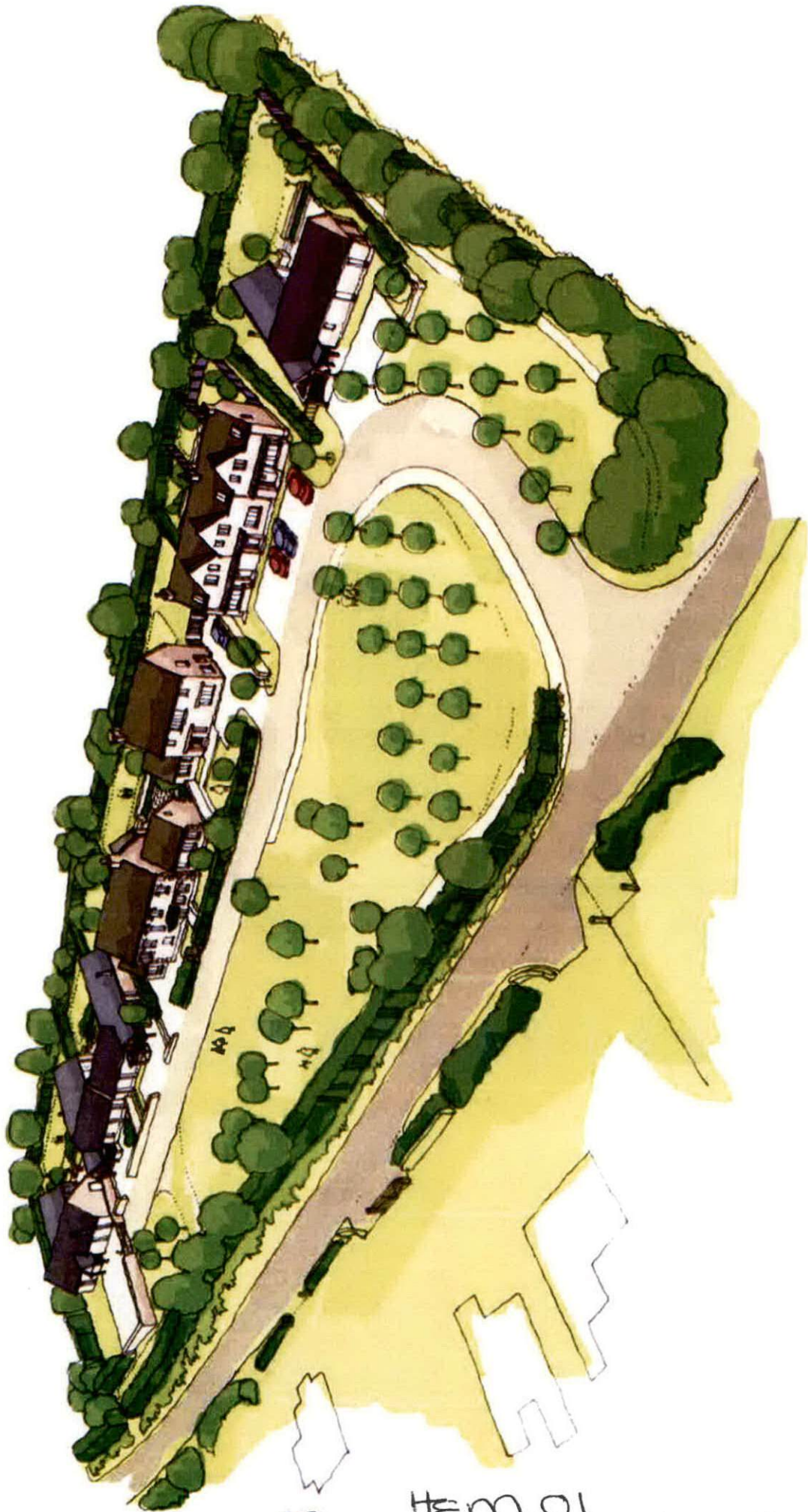
One further letter of support has been submitted as follows:

'This development would benefit the area, which has a shortage of homes, it would add to the community of Poulton. We have a huge housing crisis in this country and we need urgently more homes, there is too much "NOT IN MY BACK YARD". Also would create more jobs urgently needed in the area. I am 100% behind this the very reasonable development.'

		Note: The letter is received from a resident whom previously objected. The original objection remains counted in the total since specific instruction has not been given to remove the original comments from the file.
04	16/03958/FUL CD.4049/1/M	<b>Additional Representations from Third Party –</b> Please see attached.
03	16/03437/FUL CD.1236/1/F	<b>Additional Representations from Third Party –</b> Please see attached.
06	16/02944/FUL CT.4316/F	<p><b>Amended Site location Plan – Please see attached.</b></p> <p><b>Comments of Agent on the accuracy of the submitted drawings and status of the front boundary wall -</b></p> <p>'Further to the unsubstantiated and inaccurate comments made by Lesley Brain at the Committee Meeting on 9 November 2016 I wish to point out that the submitted plans have been professionally prepared on the basis of an up to date topographical survey undertaken in January 2016. You will note that in addition to site levels and other site information the survey also plots footway and carriageway levels on West Street, the height of the existing boundary wall together with the height of eaves and ridges of buildings adjoining the site and on the opposite side of the road. In accordance with accepted practice the proposed plans and elevations do not include dimensions because they are drawn to a recognised scale.</p> <p>As noted in your presentation the front boundary wall to the site is not 'listed'. This dry stone wall has a concrete capping and has been altered and partly removed at the eastern end to accommodate a side gate. To refer to this wall as 'historic' is a misrepresentation since although the wall is of some indeterminate age it is, by definition, not 'historic' since it were of importance historically it would be listed'.</p> <p><b>Additional Drawings – Please see attached.</b></p> <ol style="list-style-type: none"> <li>1. Section to illustrate the platform and steps adjacent to proposed dwelling.</li> <li>2. Drawing to show the position of the proposed roof in relation to the bathroom and landing windows on the adjacent properties.</li> </ol>

08	16/03021/FUL CD.9559	<b>GCC Highways</b> – No objection subject to conditions – see attached letter.
09	16/04208/FUL CD.4931/2/J	<p><b>One Further Letter of Objection</b> - 'I am objecting to the application of the above to carrying out quad biking and clay pigeon shooting. My main objection is the noise level this will cause. I live in Willersey which is directly below the hill where Farncombe is situated, any activity that causes loud noise echoes off this hill and disturbs all the residents that live here. We already have occasional firework displays which disturbs local cats and dogs, let alone farm animals and wildlife. This is an area of natural outstanding beauty, visitors to this area will not be impressed by the noise of quad bikes and clay pigeon shooting, they are attracted to this area because of its beauty and tranquility, so probably this will cause less visitors here not more! I hope you will take note of this objection as a resident and council tax payer of this area'.</p> <p><b>Officer Update</b> - Typing error in line 3 of paragraph 8 of Officer report (page 320 of the Schedule). The year 2007 should read 2013.</p>
10	16/04422/FUL CD.2288/W	<p><b>Supporting Letter from Applicant</b> – Please see attached.</p> <p><b>Email from Mickleton Parish Council</b> - 'I am making this objection on behalf of Mickleton Parish Council as chairman and mandated and minuted by the Parish Council meeting of 30 Nov 2016. The Parish Council are concerned that this application to build a bungalow is the fifth bungalow to seek approval from this land owner within a two year period. As a Parish Council we believe this to represent the building of a small development not a single bungalow as outlined in this application. This development is outside of the permitted village boundary and therefore we believe it should be rejected on the grounds of the proposed building creating an area of over development.'</p>
15	16/04166/FUL CT.4921/K	<p><b>Case Officer Update:</b> The applicant has clarified that the current tenant does not currently work in the village (Winstone) as understood by the Case Officer at the time of writing the committee report. The Case Officer can however advise that this has no material bearing on the assessment or recommendation made. It was specifically recognised in the committee report that the occupation of the current tenant could not be relied on since the property could be re-let. The recommendation</p>

		to permit, subject to condition therefore remains.
16	16/04343/FUL CT.4936/1/C	<b>Comment from Town Council</b> - "Fairford Town Council has no particular objection to this amended plan, except to note that the development will result in the loss of a bungalow, which as a house type, is sought after and needed in Fairford".

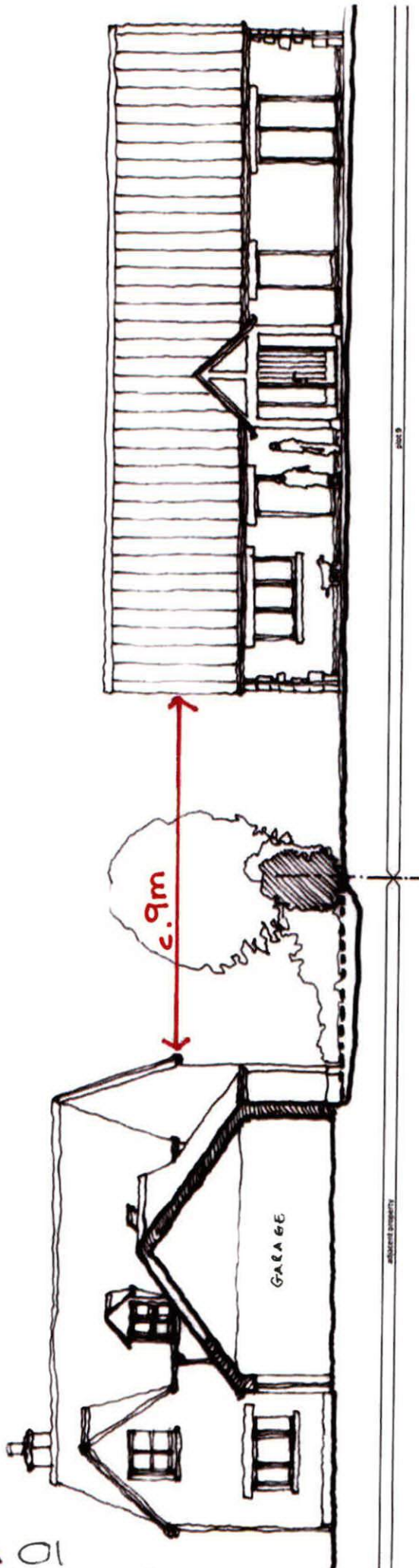


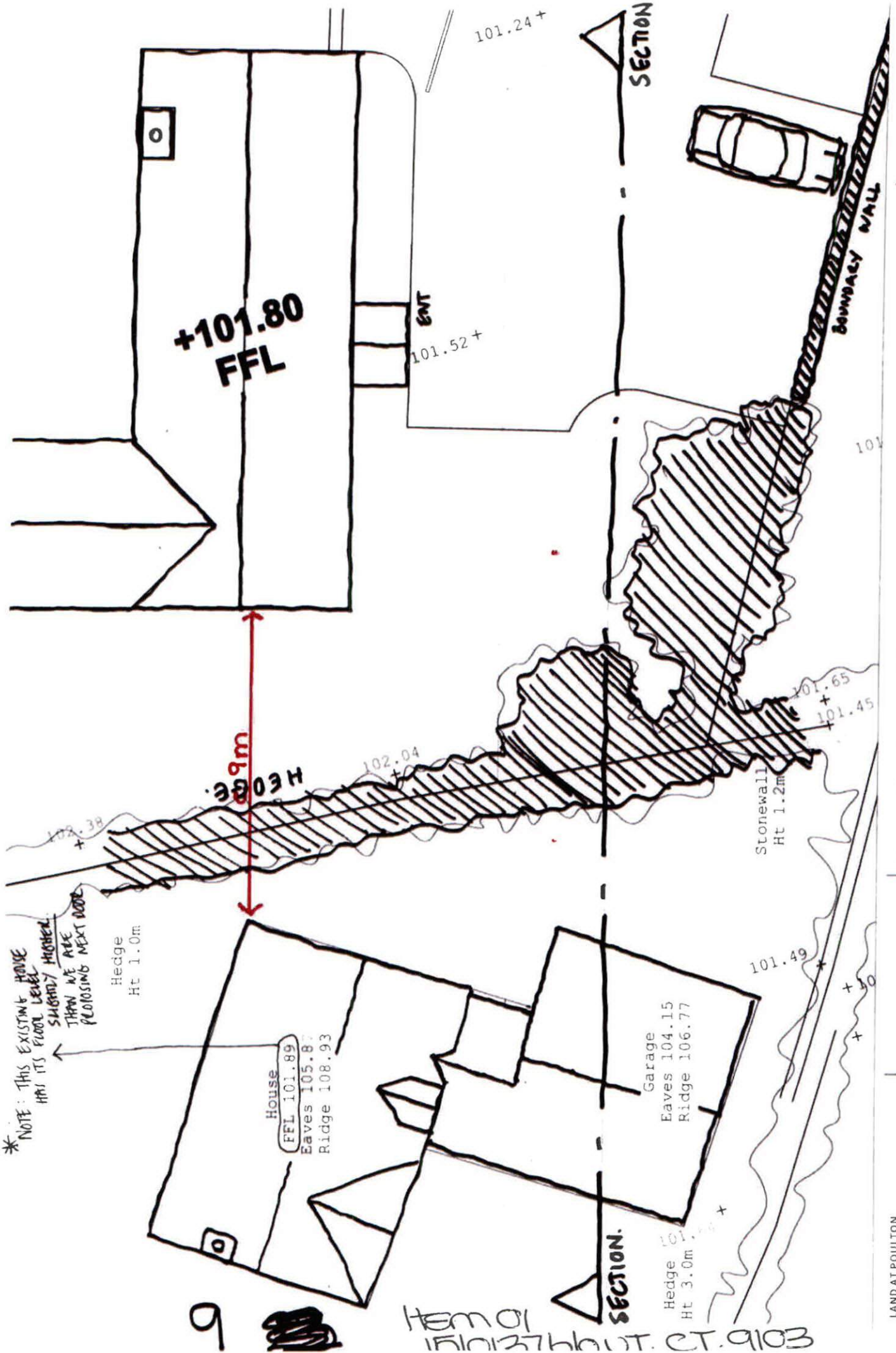
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Item 01  
15/01/2012





\* NOTE: THIS EXISTING HOUSE HAS ITS FLOOR LEVEL SLIGHTLY HIGHER THAN WE ARE PROPOSING NEXT DOOR

Part of Plan @ Northern End of Site at Plot 9  
Scale 1:100 @ A3

LAND AT POULTON  
CIRENCESTER, GLOUCESTERSHIRE  
DECEMBER 2016

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Item of 15/10/27/16/17. CT. 9103



**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**

We refer to the LLFA's support for Enzygo's rebuttal of all queries submitted by the Poulton Working Group. In view of the conflicting opinions being expressed by professionals on behalf of both the applicants and the objectors we feel that it is beholden on the LLFA to explain the grounds on which they have come to this decision.

We are concerned because Enzygo continue to get basic facts wrong (e.g. ownership of ditches, ornamental ponds rather than wells with reference to ground water levels etc.) and therefore it is difficult to have confidence in their submission.

We request that this Council is provided with the reasoning behind the LLFA's statement that "the latest Enzygo rebuttal answered all queries raised by the Poulton Working Group." We do not believe this to be the case especially bearing in mind the contents of the report provided by PFA Consulting (raising questions about catchment area, groundwater levels etc.) and does not address issues raised by this Council which are of great concern to the village (e.g. responsibility for maintenance of pipes/swales which is key to any system remaining operative, sewage overspill issues, the impact at the London Road/Bell Lane junction etc.)

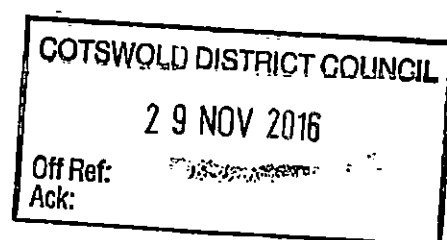
If an explanation is not provided then we are concerned that it might result in a challenge that "due process" has not been followed, that there is a failure of transparency and that a prejudicial approach is being taken.


It is imperative that this information is made public before a decision is made and before this application is sent to committee. Without this pellucidity how can the planning committee have sufficient information to help them to reach a conclusion and indeed how can the public have any faith in the decisions that are being made.



Poulton Parish Council

28.11.16



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11 15/01376/OUT.  
CT. 0103

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

GOTSWOLD DISTRICT COUNCIL

29 NOV 2018

Off Ref:

We comment concerning the recent file note submitted by Enzygo concerning a planning application.

Our first comment is on the patronising statement by Enzygo that it may be difficult for local residents, Poulton Parish Council and Poulton Working Group to understand the technical reports and to be able to track the changes as the design of the drainage strategy has evolved." The Parish Council and local residents speak from their practical experience of living in the village and from their knowledge of flooding and how water behaves in the village. At no time has Enzygo consulted us and over the course of this application it is local residents who have highlighted certain issues of which Enzygo were not aware (e.g. land drains, ownership of piping/ditches, groundwater and silt entering the sewage system) some of which (e.g. the impact of flooding at the Bell Lane/London Road junction) are being overlooked. In fact the changes in the design of the drainage strategy have been carefully tracked as evidenced by questions which were made at the meeting with the LLFA and subsequently with CDC. In addition there are residents involved with the Poulton Working Group with engineering and legal qualifications.

3.1 Enzygo still focuses on surface water and we refer to our previous comment: "There is groundwater flooding on the site and this is evidenced by the reality of the soakaway tests carried out in January 2015 (letter 21.01.15). Enzygo state that the trial pits were dry with no groundwater. This is not true. According to their correspondence the test results show that there was insufficient uptake. The reason for this was that the ground was waterlogged and not capable of absorbing any more water. In fact from one of the bore holes water was coming out rather than going in. The site was so saturated that the bowser had to be emptied so that a tractor could tow it away. It is misleading to state that there was insufficient uptake to calculate the filtration rate when in fact the ground was so waterlogged that it was not capable of taking any water at all. We would propose that there is therefore a significant groundwater matter to address."

Enzygo state that the bounding ditch is under the control of Gloucestershire County Council. This is incorrect and illustrates how unreliable some of their statements have been and still are. Ditches are the responsibility of the riparian owner and indeed this ditch has been cleared by the applicant in years past. Why would the County Council suddenly decide to take on this responsibility and, in view of the fact that many areas of Enzygo's submissions have been questioned, is it right that the LLFA and CDC put more reliance on their opinion than on that of others. Are Enzygo to change their minds yet again as they did over the ownership of the culvert previously declared by them to be that of Thames Water?

We would also ask, as we have done before, who is going to be responsible for the future maintenance of the ditch and indeed of the other parts of the system (oversized pipes, swale) which will be key in any flood control and should be established before any planning consent is granted. . If it is the responsibility of the riparian owners will it be subject to a maintenance agreement between the householders. If it is not maintained flooding will result as the system becomes blocked.

3.2 It is pertinent to note that Enzygo are now declaring that the capacity of the foul sewer in Poulton has reduced over the years due to additional surface water drains from newer developments (we actually believe some of the older properties also run surface water in to the foul system) and that the system can become overwhelmed. They are now accepting that there is actually a sewage problem within the village. Why has it continually been stated that the system in Poulton is foul only when it

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blatantly is not. They also state that groundwater flooding is a contributory factor. The fact remains that sewage is flooding in to people's property and, as evidenced by this summer's episodes, this is not solely due to surface water entering the system. This reinforces our stance that the sewage system in Poulton is broken and it is Enzygo that now refers to "damaged (cracked) infrastructure that can enable ground water to leak in to the system." We wonder why it is only at this stage that this has been recognised as a problem when we raised it from the outset. This reinforces our request for a Grampian Condition to be applied.

On the October 3<sup>rd</sup> 2016 the case officer wrote to Thames Water as follows:

"Whilst I am not saying that I disagree with the position being taken by Thames Water (with regard to a 'Grampian Condition') I do need to be in a position to explain clearly and succinctly in my committee report exactly what the problems during wet weather are in Poulton and therefore the impact of the application in this context."

In their response Thames Water make no reference to the known existing sewage issues apart from saying how distressing it is and that their drainage strategy may aim to confirm the root cause of the problem but with no guarantee of any corrective measures being taken. They also, despite previously saying that it was a foul only system, refer to surface water connections.

We have before reported that:

"The Ampney St Peter Drainage Strategy was presented to the Parish Council at a meeting on the 31<sup>st</sup> March 2015. The Drainage Strategy is purely a consultation and data collection process and **not a practical solution**. The report provided is only the initialisation and preparation stage and offers nothing concrete.

We were informed that capital funding would probably not be feasible until 2020 and then only if it was classed as 'major.' This is of no comfort at all to the households which will continue to suffer. In the meantime Thames Water is content to finance tankers to attend the Ampney St Peter works on a very regular basis, again emphasising how bad the situation is."

We wonder if anybody actually reads what we submit and we insist that permission is not granted until inspection, repair and necessary upgrading of the sewers is completed.

4. Enzygo do not address the issue of the maintenance of the oversized pipes. This has not been clarified and we draw your attention to the Environment Agency's guidelines regarding sustainable drainage. This states that "The arrangements for adoption and future maintenance of the system should be considered during the early stages of design. This is likely to influence the design just as much as technical considerations. It is recommended that maintenance should be the responsibility of a publicly accountable body. This will often call for the payment of a commuted sum or a legal agreement, possibly backed up by the deposit of a financial bond. The adopting organisation will probably wish to approve the design before construction."

In view of the confusion that Enzygo seem to suffer from regarding the ownership of various pipes and ditches, this needs to be established before any consent is granted. It is possible that no public body may want to take this on and that householders living on the site may not want the added expense of a communal maintenance contract.

They make the analogy of a bath and say that "the length of time the tap is turned on (the design rainfall event) is designed into the size of the bath to hold the water, so that the bath does not overflow."

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Item 01  
15/11/13 7:10 AM C.T. 01/13

Unfortunately rain cannot be turned on and off like a tap and, again as previously pointed out, flooding (property flooding has been reported in five of the last eighteen years) occurs here during periods of high intensity rainfall. If pipes are not maintained or groundwater gets in to them the system will fail with disastrous consequences.

5. Enzygo refer to sewage flooding at the London Road/Bell Lane junction. This is not the only issue here as surface water flooding is also relevant as water runs down Bell Lane as well as backing up when it cannot flow away. We are not sure if they really understand where the sewage flooding, groundwater flooding, surface water flooding and fluvial flooding occurs in the village and how it interacts and wonder why they have not sought this information from us. Paragraph 103 of the NPPF states that "when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere." Will the planning department be able to categorically state that this will not happen in Poulton especially at the Bell Lane/London Road junction? If not then the application must be refused.

Enzygo admits that there is poor sewer maintenance hence our request for a Grampian Condition.

It is wrong to say that the sewage issues associated with the development have been addressed by the Ampney St Peter Drainage Strategy. This strategy is only in its first stage of initialisation and preparation (data collection etc.) and has in no way presented a practical solution. Hence we repeat our request for a 'Grampian Condition' so as to protect existing households.

We do not question Enzygo's abilities but by the mere fact that they are working for a specific client means that they are not independent. They are not working for the LLFA, the Parish Council or the Poulton Working Group nor acting as an independent evaluator. It is of concern that both the LLFA and the case officer have admitted that they do not have the relevant technical knowledge to interpret their judgments. They must bear in mind that there are conflicting opinions being presented, by people with equal qualifications (PFA Consulting and local residents), and these must be given identical credence. In the circumstances the planning department should instruct an independent report before any decision is reached. Our concerns are increased when assumptions about basic issues (e.g. ownership of pipes, the sewage system being foul only) are incorrect and continuous changes to previously made recommendations are made, giving the indication that progression is reactive rather than pro-active.. This can only result in a lack of public confidence in the process over what has become a very contentious and drawn out application.

The financial arrangements between Enzygo and the applicants are immaterial to any planning process. We are not aware of this issue having been raised so reference to a defamatory statement is bizarre and unhelpful. Any professional person will tell you that there are differences of opinion and approach in all fields. The planning department has to be in a position to come to a decision in such a way that they can fulfil their role to the public and especially to ensure that the community are protected from the adverse effects of any development.

6.2 Enzygo state that their catchment area is clearly identified but there is debate as to if that area is correct. It is contested that this should be larger. Can the LLFA and the planning department confirm this or otherwise as obviously this has a marked influence on the validity of the calculations. To date the LLFA has only said it is "totally reliant on information provided by the applicant but that the applicant would be liable for any erroneous information" which, of course, could be disastrous.

Likewise are the LLFA satisfied that the oversized pipes are of sufficient capacity to also have to handle drainage currently being carried by the land drains, such that any deleterious effects are avoided especially at the Bell Lane/London Road junction. We are concerned as this aspect was only picked up by Enzygo after we had recently highlighted it. Has the impact of the loss of the land drains been

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15/07/2012

overspill. None of us would accept sewage running in to our own properties, so why should it be allowed here. As a community we must not risk making matters worse. Incorrect statements continue to be made (e.g. the ownership of ditches, the well in someone's garden said to be an ornamental pond, the level of the water table) and Thames Water are almost in denial about their broken sewage system.

The plain fact that this application has gone on so long and created differing opinions indicates that the proposal is flawed. It has not been conclusively proved that it will not exacerbate flooding and sewage issues and will threaten the status quo of existing households.

We consider that the wrong site for this estate style development has been chosen and, taking aside the considerable issues of flooding and sewage, in our opinion the applicant's site to the east of the village was preferable. We were told that this would extend the village but this is precisely what has been done in Bibury (where much needed social housing has also been provided). There are important issues such as design and maintenance arrangements that must be established before any outline permission should be granted otherwise confusion will result. We feel that this initial decision has resulted in the applicants being encouraged to follow the wrong route and placed the planning department in a problematic position.

Finally we come back to the matter of appearance which has slipped under the radar. Why should a proposal be allowed to "trash" for ever a rural lane in our village. It is solely for the purpose of trying to push through a large development on a site which is only suited to three to four individual properties, which would match the existing street scene (subject to flooding and sewage issues being resolved).

We have said it all before, this application must be refused.



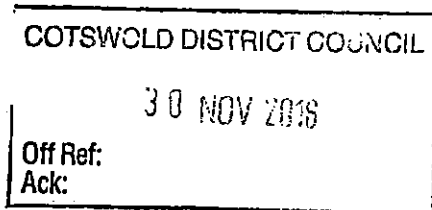
Poulton Parish Council

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Item 01  
15/01/16/OUT.





Oakwood  
Bell Lane  
Poulton  
Gloucestershire  
GL7 5JF

29<sup>th</sup> November 2016

Dear Mrs Brommage

15/01376/OUT Bell Lane Poulton

Following the submission of the Enzygo Drainage Summary and Rebuttal November 2016 we are writing to object to above application on three grounds:

- 1) the site will not provide a betterment when one is needed;
- 2) the site will continue to flood, but not where it does currently. It will increase the risk of flooding to the existing homes north of the site, contrary to NPPF paras 100 and 101;
- 3) whilst Enzygo has responded to some of the questions raised by the independent drainage consultant, they have ignored other significant questions about their proposed drainage scheme which means that we cannot have confidence in it.

#### 1. The site will not provide a betterment when one is needed

Under 'normal' rainfall conditions, the site cannot provide a 'betterment' because none is required at these times. Under 'normal' rainfall conditions, the proposed site currently drains effectively and there is no flooding, thus no betterment is needed here.

Under 'exceptional' rainfall conditions, such as a 1:100 year +40% climate change event, a betterment *would* be required. However, as we have consistently argued, supported by our independent drainage expert, a betterment would not be provided at this time. The reasons are as follows:

- i) the site is only attenuating less than 5% of the relevant catchment. Enzygo have stated that the relevant catchment was 29.7ha, but that it was agreed with GCC to reduce this to 1.37ha (p17 Enzygo Rebuttal). [Note that we dispute the size of the catchment, as does our independent drainage expert. We refer to this further below]. 1.37ha is less than 5% of 29.7ha.
- ii) The run off from 29.7ha is 433l/s (LLFA stated on 18<sup>th</sup> April 2016 that this was only 1:100 + 30%CC, so technically would be even higher). 5% of 433l/s is approximately 20 l/s. Thus Enzygo's drainage scheme is proposing to attenuate 20l/s to 5l/s. Enzygo argue that the flow from the remaining 28.3ha, which equates to 413l/s, is routed around the site (Rebuttal P18).

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However, they have not shown in any of their submitted designs *how* this 'routing' occurs.

- iii) Irrespective of the above, the remaining 413l/s flows into the Bell Lane system. Enzygo have shown in a previous submission (Detailed Design Works File Note June 2016 p2) that the Bell Lane drain has a capacity of 112l/s, **thus it is too small to accept 413l/s**. In a rainfall event generating anything over 112l/s, the drain would fill up, the water in the drain would back up, and the outfall draining water from the site would not work. Using the same 'bath and plug hole' analogy provided by Enzygo on p4, if the bath is being filled up from taps (rainfall) that you cannot turn off, and the plug hole discharges into a pipe (the ditch) which is already full of water, the bath will not empty, it will overflow. **Thus, the site cannot offer a betterment when one is needed, during the required 1:100 year + 40%CC, nor indeed during any rainfall event which generates more than 112l/s.**
- iv) At this point it is pertinent to mention that the 29.7ha is understated for several reasons. Firstly, water from above Betty's Grave to the north of Bell Lane drains into the Bell Lane drain, via drains positioned on either side of the road (see photos 1 and 2 in Appendix 1). Secondly, because the fields to the north and west of Bell Lane also have underground land drains, the surface water from these fields also flows into Bell Lane, not away from Bell Lane as suggested by the diagram provided by Enzygo on p19 of their Rebuttal (see photos 3 and 4 in Appendix 1). Thirdly, the site intercepts water from land drains in the fields to the east of the site (see diagram 1 in Appendix 2). Thus it is reasonable to assume that the catchment is far larger and relevant volume of water is far greater than Enzygo suggest.

**Therefore it is highly probable that under any rainfall event generating more than 112l/s and under exceptional rainfall conditions such as the 1:100 year + 40% CC event which generates almost four times that amount of water, the proposed drainage scheme could NOT provide the betterment claimed by Enzygo because the outfall into the ditch would not work.**

- 2) The site will continue to flood, but not where it does currently. It will increase the risk of flooding to the existing homes north of the site, contrary to NPPF paras 100 and 101**

As described above, as a result of the outfall from the site being blocked from discharging into the ditch when the drains are full, the water would back up and eventually the oversize pipes, manholes and swale would overtop, leading to flooding. Enzygo agree with this: on p4 of their Rebuttal they state, *'If the system is full it will overflow onto Bell Lane as at present, but will provide a betterment compared to the current situation. Any residual risk of flooding to the new units will be mitigated through the raised finished floor levels (+150mm).'*" As we have demonstrated above in Point 1, the site cannot provide a betterment when one is needed, in a flood scenario. We are pleased that Enzygo have acknowledged that flooding would occur. They are proposing to raise the finished floor levels of the nine

houses as mitigation. However, when flooding occurs, it will not occur where it does currently, for the following reason.

The proposed site, which is currently a green field, will effectively become 'a concrete plug'. Rainwater will flow off this concrete plug faster. At the moment, when there is exceptional rainfall, surface water from the catchment area can flow over the top of the field at the front of the site adjacent to Bell Lane and into the ditch at the side of the lane. However when the drainage system backs up as described above and the swales overtop, there will be flooding at the back of the site, not the front. Surface water cannot possibly flow westwards over the site as it does currently because there will be new hard structures such as houses, sheds, fences, kerbs (and garages) etc in the way, as well as oversized pipes taking up a huge volume of previously permeable ground. It also cannot flow eastwards because this is uphill. The houses on the site may avoid being flooded because their FFLs will have been raised +150mm. However, Enzygo cannot raise the FFLs of the existing houses to the north, which will have to endure the same flood conditions but are on much lower ground (see photo 5 in Appendix 1).

As has been pointed out before, the houses immediately to the north are considerably lower than the proposed site. Water will take the path of least resistance, and as well as flowing southwards (towards susceptible houses at the Bell Lane/London Road junction), water will flow down the slope northwards into the properties at Oakwood, Woodvale, Ringwood, Holly Cottage and Poulton Chase (see photo 5 in Appendix 1 which illustrates the height of the land at Oakwood compared to the height of the site, and diagram 2 in Appendix 2, showing the position of the lower ground)

As we have shown under point 1 above, because this proposed scheme CANNOT provide a betterment when one is needed, it will lead to flooding elsewhere, which is contrary to the NPPF.

**3) Whilst Enzygo has responded to some of the questions raised by the independent drainage consultant, they have ignored other significant questions about their drainage scheme.**

This would seem to be a very complex drainage scheme for nine houses and we are not drainage experts. We have consistently argued that this drainage scheme as currently designed will not work and we are very concerned that we are not being listened to. Thus, at our own expense, we engaged an independent drainage expert to look at Enzygo's submissions.

Enzygo themselves have not provided evidence to show that the catchment is only 1.37ha; indeed, we believe that this cannot be the case because the proposed site also drains water from the fields to the east via buried land drains (see diagram 1 in Appendix 2). Enzygo has not clearly stated the volume of water generated by these land drains.

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We do not believe that, as residents and ordinary members of the public, it is our job to go to yet more expense when it is reasonable to expect that CDC and the LLFA would provide a robust and independent evaluation of the drainage proposal themselves. **We believe that there is sufficient doubt over whether this Outline proposal will provide any betterment as claimed, and sufficient risk of harm to existing properties, that a thorough independent assessment is warranted before the application can be determined.**

As you know, residents are not against all development in Poulton but we do want to make sure that it is proportionate and in keeping with the surroundings and will not cause harm to existing homes. As we have previously mentioned, subject to resolving the drainage/flooding and sewage problems in Poulton, a few houses in a row along Bell Lane would probably overcome many of the planning issues which we have previously raised. We cannot understand why proper consideration has not been given to this.

Thus all of our previous objections on the grounds of unsustainability, design, landscape and scale, as outlined in our letters to you in May and October 2015 and October 2016 still stand.

Given the serious financial and health costs of flooding, if CDC is minded to approve this application we expect CDC, LLFA, GCC Highways and Thames Water to put in writing that the development will not increase the risk of flooding in the surrounding area, as required by the NPPF paras 100 and 101.

We would be grateful if you would take our comments into consideration when reaching your decision.

Yours sincerely



Poulton Working Group

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Appendix 1

Photos 1-5

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↑ NORTH



WATER FLOW

← POSITION OF PIPE UNDER ROAD

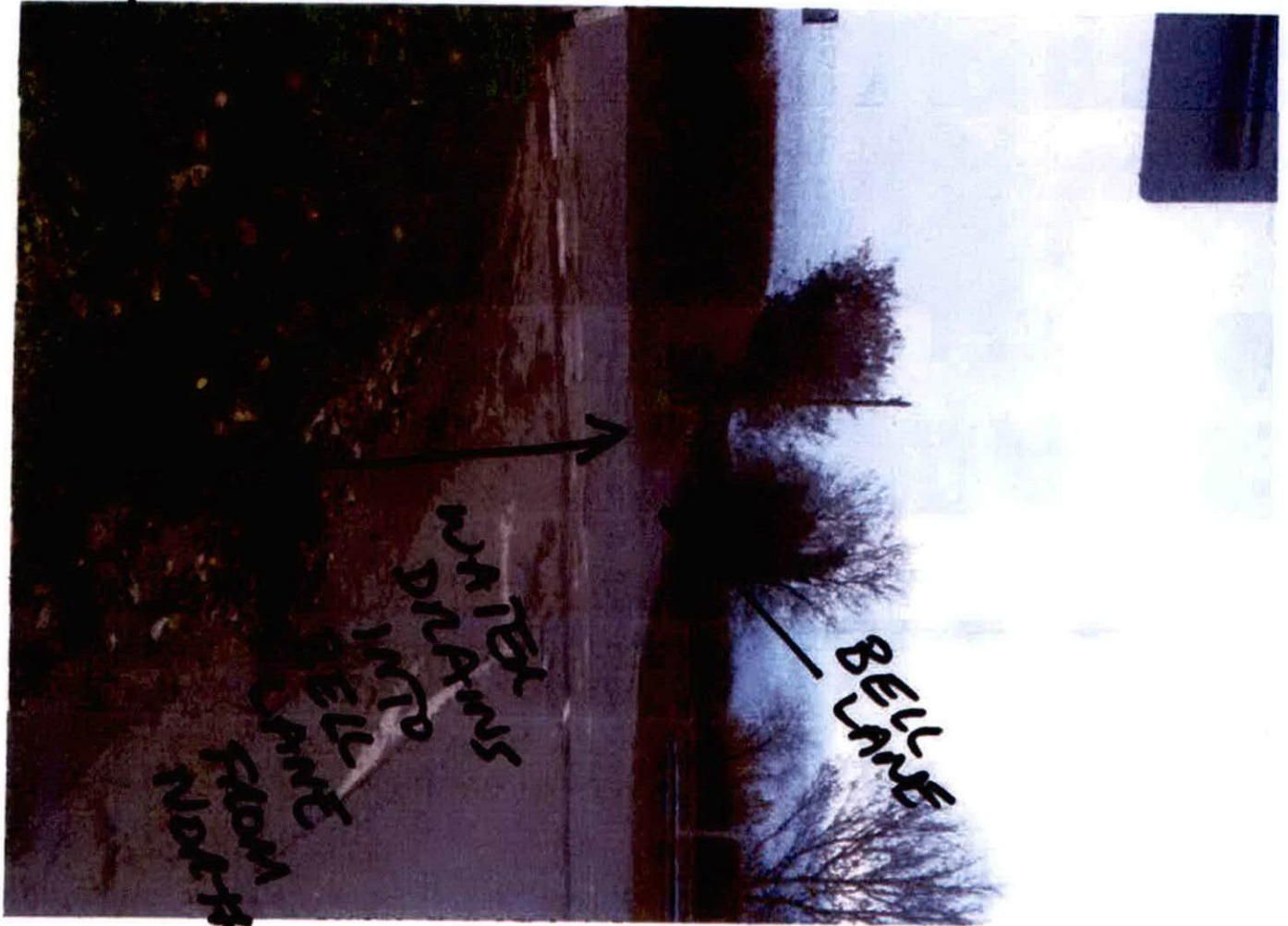
↓ SELL LAND

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②

BETTY'S  
GRAND —>

DRAIN —



WATER  
DRAINS  
INTO  
BELLY  
SPIT  
FROM  
NORTH

BETTY'S  
GRAND

↓  
SOUTH

↑  
NORTH

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3

EAST  
←

SOUTH  
TO  
PROPOSED  
SITE  
↑

COVER OF  
LAND DRAINS  
IN FIELDS  
AT WEST AND  
DITCH FROM  
NORTH  
↓



↓  
NORTH TO  
BETTY'S GRAVE  
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→  
WEST

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(4)

(SAME DRAIN AS SHOWN AT 3)

WEST



PIPE FROM FIELD LAND DRAIN (WEST)



WATER FLOW

PIPE TO HIGHWAYS DRAIN IN BELL LANE

PIPE FROM BELL LANE DITCH

NORTH

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HEIGHT  
DIFFERENCE  
BETWEEN  
LAND AT  
CATWOOD AND  
THE PROPOSED  
SITE



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**Appendix 2**

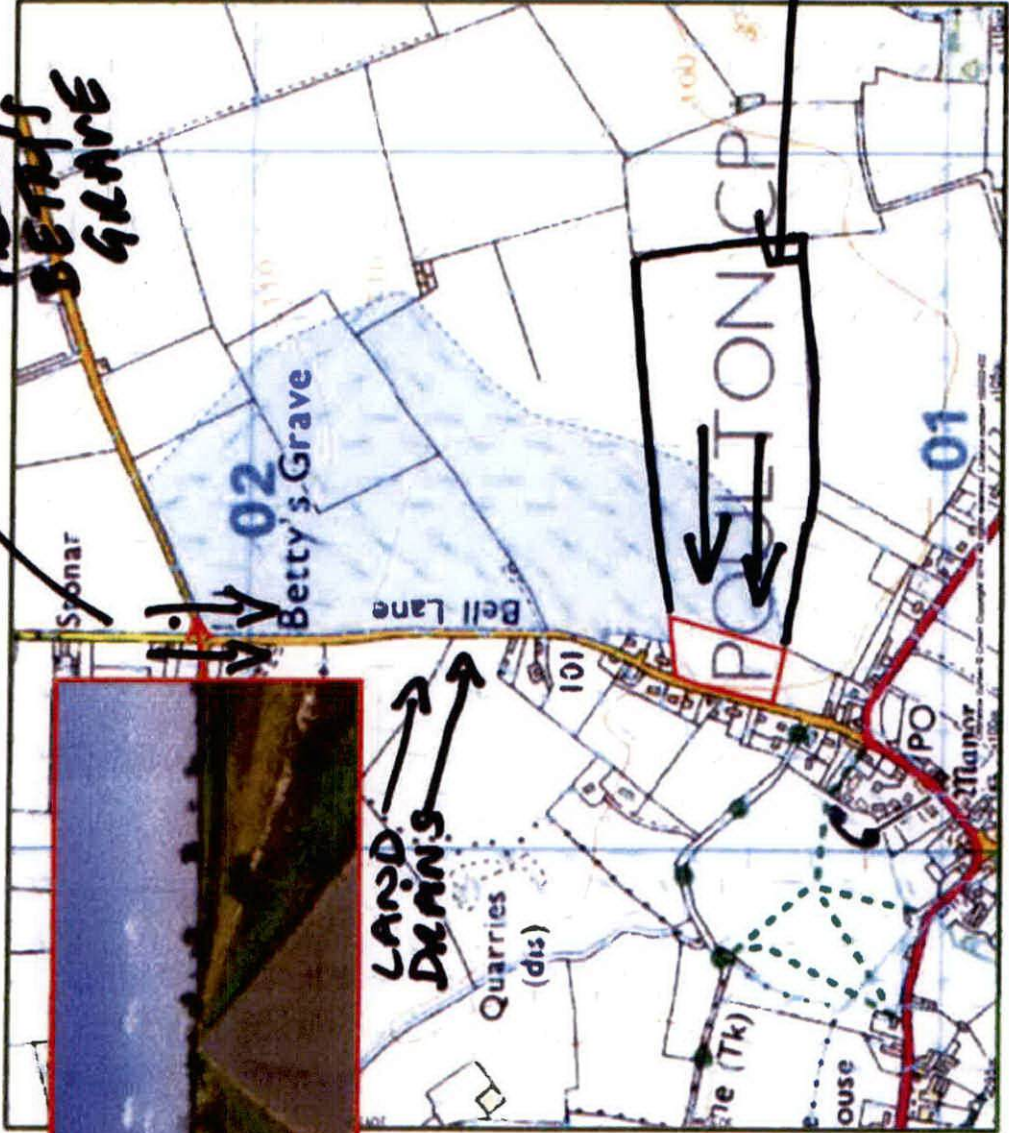
**Diagrams 1-2**

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HIGHWAYS DRAINS ABOVE BETTY'S GRAVE

Figure 7.1. Highway Drainage Catchment



(see photos 304)

LAND DRAINS

FIELD DRAINED BY LAND DRAINS THROUGH SITE

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## 10. Conditions/Refusal Reasons:

1. The development shall be started either by five years from the date of this decision notice or before the end of 2 years from the date that the last of the reserved matters is approved, whichever is the later.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority by three years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development shall not be started before approval of the details relating to Appearance, Layout, Landscaping and Scale have been given in writing by the Local Planning Authority.

**Reason:** These are "reserved matters" and were listed in the application for later approval. This is only an outline planning permission and these matters require further consideration by the Local Planning Authority. This condition is imposed to comply with the requirements of the Town and Country Planning Act 1990 as amended.

4. The development hereby approved shall be implemented in accordance with the following drawing number(s): Site Location Plan and SK03B.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Practice Guidance.

5. Development shall not take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Also it should include a strategy to show how the overland flow drains to oversized pipes inside property boundary and measures to ensure overland flow routes and interception drainage will be kept clear from any obstructions. The maintenance plan should set out appropriate means of access. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

**Reason:** To reduce the impact of this development on the surrounding surface water infrastructure. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality in accordance with the National Planning Policy Framework.

6. No development shall be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

**Reason:** To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with the National Planning Policy Framework.

7. Construction operations shall not take place outside the following times:  
07:30 - 18:00 Monday to Friday  
08:00 - 14:00 Saturdays  
No working on Sundays or bank holidays

**Reason:** To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy 5 and the National Planning Policy Framework.

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8. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

**Reason:** To prevent pollution of the environment in the interests of the amenity in accordance with Cotswold District Local Plan Policy 5 and Section 11 of the National Planning Policy Framework.

9. The building(s) hereby permitted shall not be occupied until the parking and turning facilities approved at reserved matters stage have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

**Reason:** 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 paragraph 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Local Plan.

10. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

**Reason:** To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Local Plan.

11. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 10m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

**Reason:** To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 of the National Planning Policy Framework and Policy 38 of Cotswold District Local Plan. It is important that these details are agreed prior to the commencement of development to ensure safe, suitable and secure means of access is provided during construction and the earliest practical stage.

12. 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 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 46m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

**Reason:** To reduce potential highway impact by ensuring that adequate 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.

13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

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- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

**Reason:** To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework and Policy 38 of Cotswold District Local Plan. The Construction Method Statement will need to be submitted to the Council and approved prior to construction in order for it to be effective.

14. The development shall not be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

**Reason:** To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

15. No works shall begin on site until a Ten Year Ecological Enhancement and Landscape Management Plan based on the recommendations in the amended Ecological Appraisal (All Ecology Oct 14) and illustrated in drawing no DLA-1615-L003-02 Rev D is submitted to and approved in writing by the Local Planning Authority.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

All the works must be carried out as per the approved Ten Year Management Plan and there after permanently maintained.

**Reason:** In order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006 and to ensure that birds & bats and their roosts are protected in accordance with the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, the National Planning Policy Framework (in particular Section 11) and Cotswold District Local Plan Policies.

16. No development shall take place until a full Tree Protection Strategy has been submitted to and approved in writing by the Local Planning Authority.

The Protection Strategy (to be prepared by a suitably qualified arboriculturalist and in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations') shall include where appropriate –

1. Arboricultural Implications Assessment
2. Arboricultural method statement
3. Tree Protection Plan
4. A timetable of arboricultural site inspections (to be carried out by a suitably qualified Arboriculturalist and all findings reported in writing to the Local Planning Authority).

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The approved strategy shall be implemented in full according to the timescales laid out in the strategy, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policies 10 and 45. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.

17. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy 45.

18. Notwithstanding any other approved plans shown on any outline planning permission, any reserved matters application shall show the existing and proposed ground levels on the site and on neighbouring land, the slab level(s) of the proposed building(s) and the slab level of adjacent buildings. Such details shall be agreed in writing and any works shall only be carried out in accordance with the agreed details.

**Reason:** It is important to clarify the height of the development in relation to existing levels and structures both on and off the site. The information is necessary to allow the impact of the development to be accurately assessed.

19. Prior to the development being brought into use, surface water attenuation/storage works for the dwellings hereby permitted shall be provided by the installation of a functioning water butt (minimum capacity 200 litres) in accordance with positions to be shown on plans that have been submitted to and agreed in writing by the Local Planning Authority. The water butt(s) shall thereafter be permanently maintained in working order in the agreed positions unless an alternative siting is submitted to and approved in writing by the Local Planning Authority.

**Reason:** To enhance water conservation and as a precautionary measure to reduce the possible increased risks of flooding associated with water runoff.

20. The development hereby permitted shall not exceed a combined gross floorspace (gross internal area) of 1000 square metres.

**Reason:** In accordance with adopted Cotswold District Local Plan Policy 21 there is a requirement to provide affordable housing on the site at a level of 50%. Consideration has however, been given to the advice contained in National Planning Practice Guidance (NPPG) (Planning Obligations, Paragraph 012) which states that affordable housing contributions should not be sought from self-build or small scale residential developments that are 10 units or less, subject to the combined gross floorspace (gross internal area) being less than 1000 square metres. This is a material consideration that has been accorded significant weight in the determination of this application. The combined floorspace must therefore be controlled at reserved matters.

21. No dwelling hereby permitted shall be shown at reserved matters to have a floorspace (gross internal area) exceeding 225 square metres.

**Reason:** Weight has been accorded to the mix of dwelling sizes to be provided on the site as a benefit of the proposals and must therefore be controlled at reserved matters.

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## INFORMATIVES :-

### 1 LLFA NOTES TO APPLICANT/DEVELOPER:

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency.

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

### 2 GCC HIGHWAYS NOTES TO APPLICANT/DEVELOPER:

The applicant is advised that to discharge Condition 14 the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

### 3 NOTES TO APPLICANT/DEVELOPER REGARDING BIODIVERSITY

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works.

Further information can be found at the following websites:

Cotswold District Council website:

<http://www.cotswold.gov.uk/residents/planning-building/wildlife-biodiversity/biodiversity-developmentmanagement/>

<http://www.cotswold.gov.uk/residents/planning-building/wildlife-biodiversity/ecological-consultants/>

Biodiversity Planning toolkit:

<http://www.biodiversityplanningtoolkit.com/stylesheet.asp?file=621> what are nationally protected species

Bat Conservation Trust:

<http://www.bats.org.uk/>

Natural England:

<https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

### 4 NOTES TO APPLICANT/DEVELOPER REGARDING ACOUSTIC DESIGN OF DWELLINGS

The development should ensure that a scheme to protect the dwelling from external noise is done accordance with BS 8233:2014:

- The impact of external noise to be achieved in bedrooms in residential properties post construction is 35 dBLAeq T (where T is 23:00 - 07:00).

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- Noise levels in gardens and public open spaces should not exceed 55 dB LAeq 1 hour when measured at any period in accordance with the WHO figure BS8233:2014.

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**REF: Planning Application 16/03437/FUL - Erection of 2 detached self-catering holiday accommodation buildings in the grounds of the Inn at Fossebridge, Chedworth, GL54 3JS.**

Having now had sight of the officer's report in respect of the above application, we find it necessary to provide you with a further note in advance of next week's Planning Committee meeting. This is due to the fact that both the justification presented within the report and the conclusions drawn from it clearly misrepresent key facts and other relevant evidence associated with the proposed development. This note therefore seeks to address our most significant concerns in order to allow Members the opportunity to make a fair and balanced assessment before reaching a decision.

1. It is important to make clear that the proposal is for tourist accommodation and not new-build housing. Whilst the two uses may fall within the same use class, robust planning controls exist to limit occupation of the buildings to tourist use only. Most importantly, tourist accommodation is subject to a completely different set of planning considerations and any implied parallels with new-build housing included within the officers' report should be disregarded.
2. Of the two tourist units proposed, The Stables' incorporates accessible rooms and bathroom suitable for occupation by disabled persons. CDC's Tourism and Business Support Manager has confirmed that this represents a unique aspect to this proposal and, as confirmed by a recent 'Visit England' report, 'accommodation and travel options that can cater for people with reduced mobility will be in great demand'. She identified only two existing sites in the Cotswolds (Chipping Campden and Naunton) which cater for this sector whilst pointing to evidence from Visit Britain that, with an annual spend of over £3bn from this sector, improving accessibility would result in an increase in trade.
3. The officer report dismisses the existing bus service as impractical and the first reason for refusal actually claims that "there are no public transport options available to allow sustainable travel". However, Members should note that there are three bus stops within the near vicinity of the site (see attached plan) and that Pulhams operate a daily school bus service which collects children from the existing lay-by on the Fosseway. Furthermore, the Pulhams request stop service takes the Coln St Dennis turn onto/off the Fosseway opposite the Inn where it can easily stop to pick up or drop off passengers. Members should also note that the officer report fails to mention a second bus service which runs alongside the application site (along the Yanworth road). Therefore, despite officers having acknowledged within the report that the lack of a bus service does not make the proposal unsustainable, their conclusions on public transport provision (and the suggested reason for refusal) are both inaccurate and entirely unfounded. (See appendix 1)
4. The officer report misrepresents relevant evidence from other appeals (i.e. the Cornwall appeal decision), including inspector's reasoning which confirms that:-
  - There is no evidence that tourists staying in more rural locations travel any further than those that stay in existing settlements;
  - Those whose main reason for coming to an area is to enjoy the natural beauty of the countryside will be more attracted to rural accommodation and the corresponding inspectors conclusions that "..such tourism will fulfil the economic role of sustainable development by increasing spending in locations that will benefit the smaller local businesses" [my emphasis]
  - The Middle Duntisbourné appeal site referred to within the officer report was totally isolated and accessed via 'narrow single track lanes' (not sited adjacent to an established tourist Inn/existing self-catering accommodation on a major A road/tourist route). As such, it was acknowledged by officers at the pre-app stage that it was not comparable to the current application. (See appendix 2)

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5. Having correctly stated that planning is attributed to land and not the applicant (ie. land ownership), the report goes on to present ownership of the site as a material consideration. Clear evidence has been presented as part of the application that the existing hotel and self-catering accommodation available at and adjacent to the Inn at Fossebridge is often fully booked and prospective visitors have to be turned away. The Case Officer has not identified in his report that Lakeside House is currently managed by the Inn at Fossebridge, but is separately owned. This is proven to have provided the current owners of Inn at Fossebridge with direct income for the last 2 years.  
Furthermore, national policy is to support all rural business and enterprise irrespective of ownership (as this is not a material planning consideration) and the type of accommodation proposed complements that available at the Inn, provide much needed accessible accommodation (see point 2 above) and bring direct benefits to the existing business.
  
6. Although the officer's report concludes that harm caused by the proposal outweighs the benefits, no evidence of actual harm is identified within the report nor is there any detailed assessment of the associated benefits. Of the two units proposed, the landscape officer has no concerns over the Honeymoon suite and the conservation officer has confirmed that any remaining concerns over the design are insufficient to warrant refusal (in any event, these have since been addressed by further revisions made to the design). ). It is worth noting that the placement and general design of the proposed Stables building was suggested by the conservation officer during pre-application meetings. The landscape and conservation officers also have no objection to the principle of The Stables building and any remaining concerns over the detailed design are being actively addressed. Although the alleged harm arising from the proposal is evidently unfounded, the officers report also understates the clear benefits arising from the proposal. Most notably, it fails to mention the clear evidence from the Flood Risk Assessment (FRA) which identifies that, unless the lake is de-silted, and the weir is re-built and enlarged, there is a serious flood risk to the Inn at Fossebridge. The only resources available to the applicant to bring forward the associated benefits is that which will arise from the rental income provided by the proposed tourist units. However, this will at least ensure that the site continues to make a positive contribution to the area over the longer-term. (See appendix 3)
  
7. The officer dedicates 2 paragraphs to discussing the proposal and its relationship to Cripps Barn. It is claimed that the proposed honeymoon suite is targeted at Cripps Barn wedding guests, stated as being 4 miles away is incidentally is 3.1 miles away. The use of the term honeymoon suite was to generate the idea of romantic seclusion. Due to viability, the design incorporates 2 bedrooms for wider usage. The reference to wedding guests in the submission refers to weddings and receptions held at the Inn at Fossebridge (seen on the Inn at Fossebridge Website), 0.0 miles from the proposed units. It is clearly documented that the Inn at Fossebridge has to turn away guests looking for accommodation and has no accessible units. The attempt to claim an intrinsic link between Cripps Barn and the proposal, whilst ignoring the wedding venue on the same site is disingenuous and unfounded. It is a clear attempt to disassociate the Inn and the lake, when anyone who has visited the site can see they are one and the same.

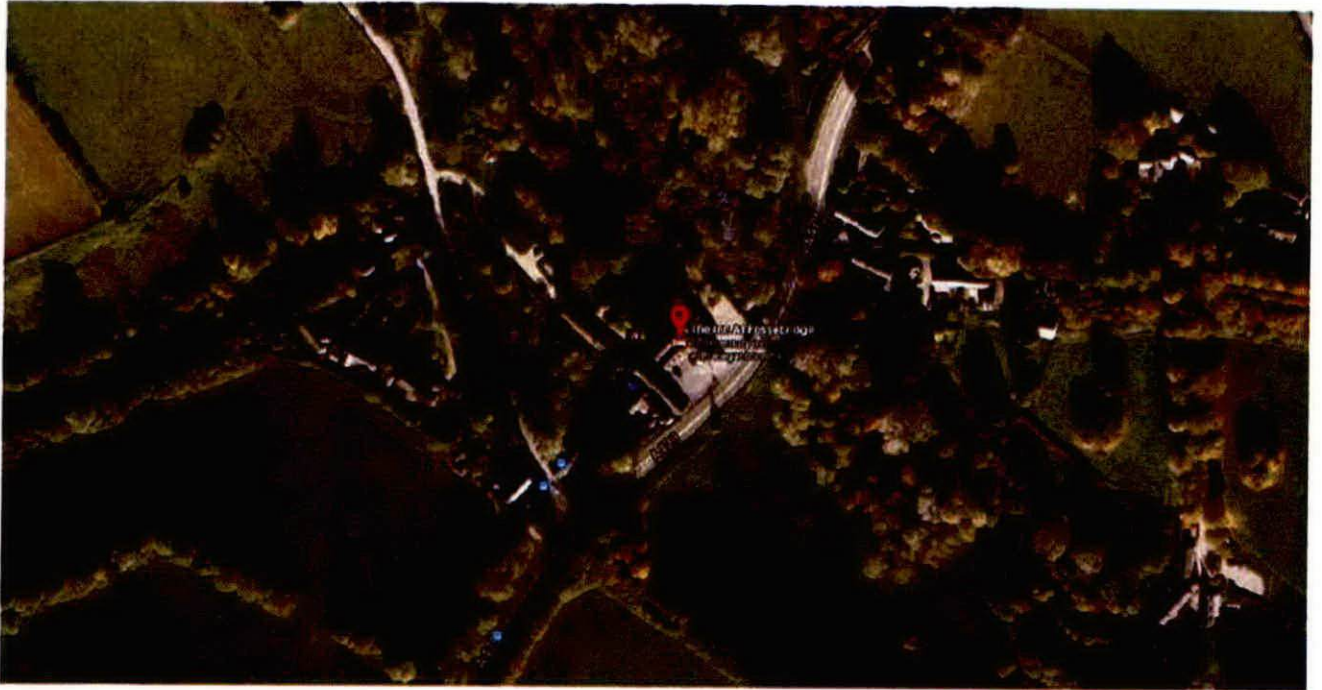
Whilst there are also many other issues and inaccuracies contained within the officers report, this note has sought only to identify the most serious flaws and omissions within it. The extent to which the proposal has had to be misrepresented in order to generate only two reasons for refusal, should speak volumes about the merit of the scheme.

We hope these examples will provide Members with a more balanced overview of those considerations that will need to be addressed when reaching a decision on the application.

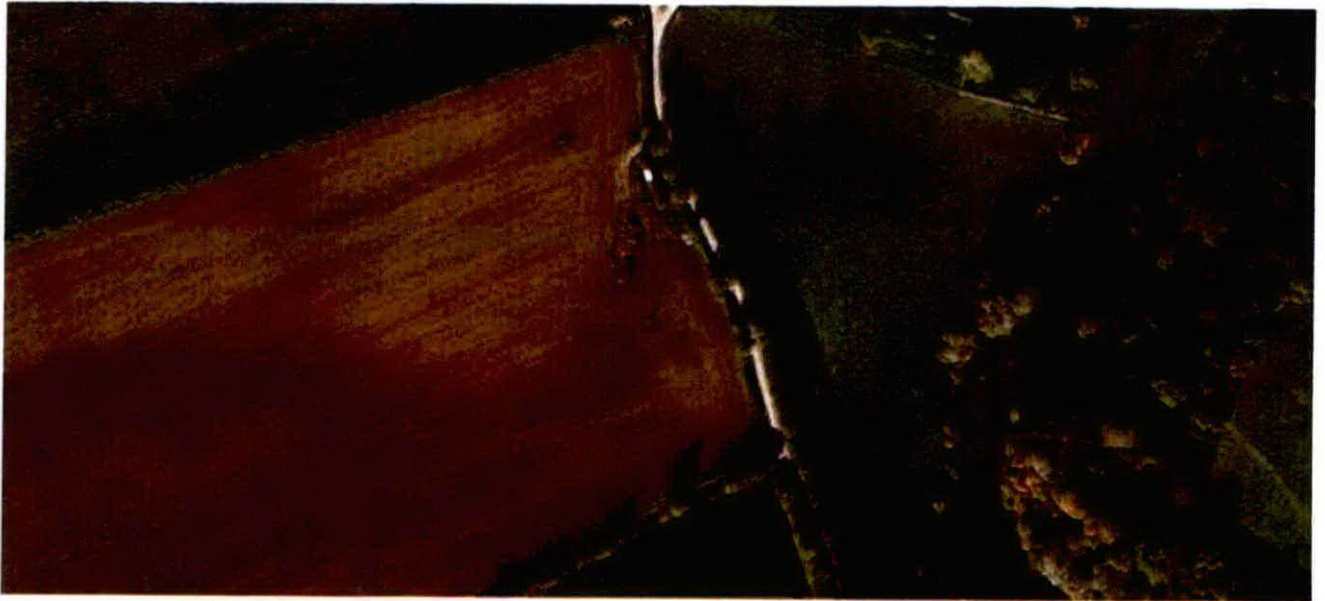
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Appendix 2: Comparison to appeal site



PROPOSAL AERIAL PHOTO, SHOWING PROXIMITY TO THE FOSSEBRIDGE INN AND LOCAL BUS ROUTES



LOCATION OF APPEAL DECISION APP/F1610/W/15/3135647 CLAIMED TO BE "NOT DISSIMILAR" TO THE FOSSEBRIDGE APPLICATION SITE.

LAKE AT FOSSEBRIDGE - PROPOSED HOLIDAY LETS  
COMPARISON SHOWING LOCATIONS OF SITES CLAIMED TO  
HAVE SIMILAR CONTEXTS

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Appendix 3: Extract from Flood Risk Assessment

Figure 4-9: 1 in 2 year predicted flood extents (base case with wall)

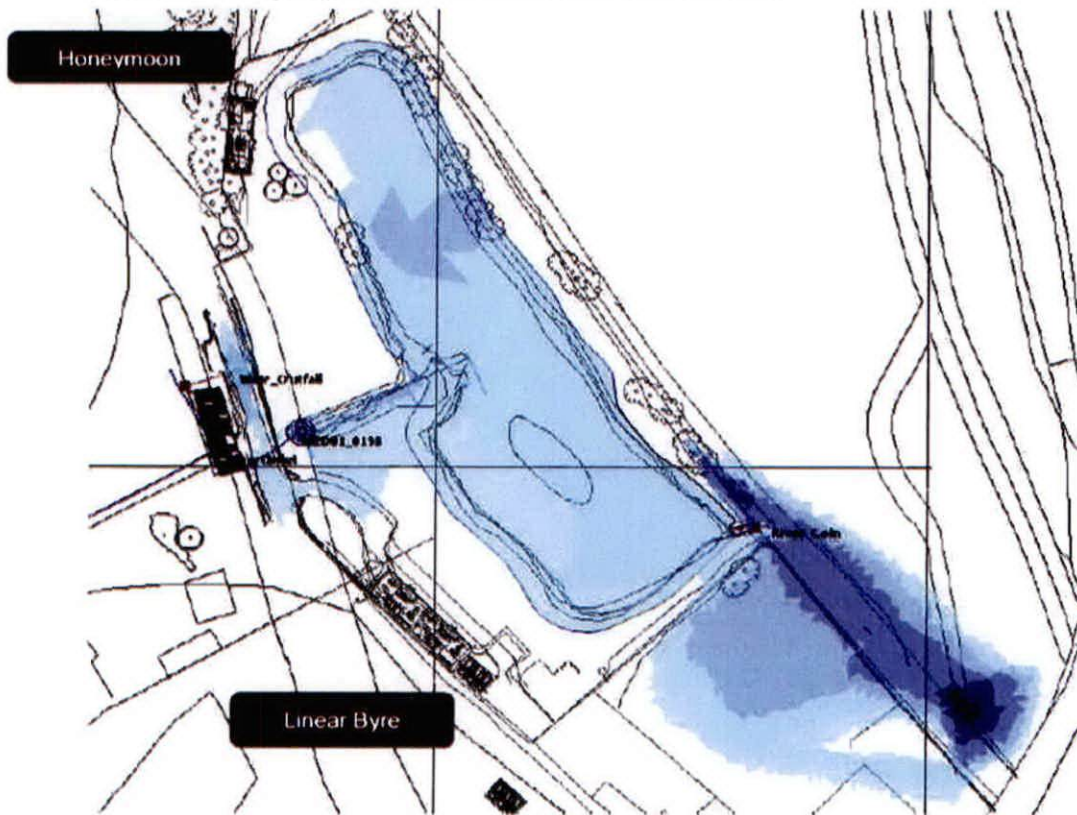
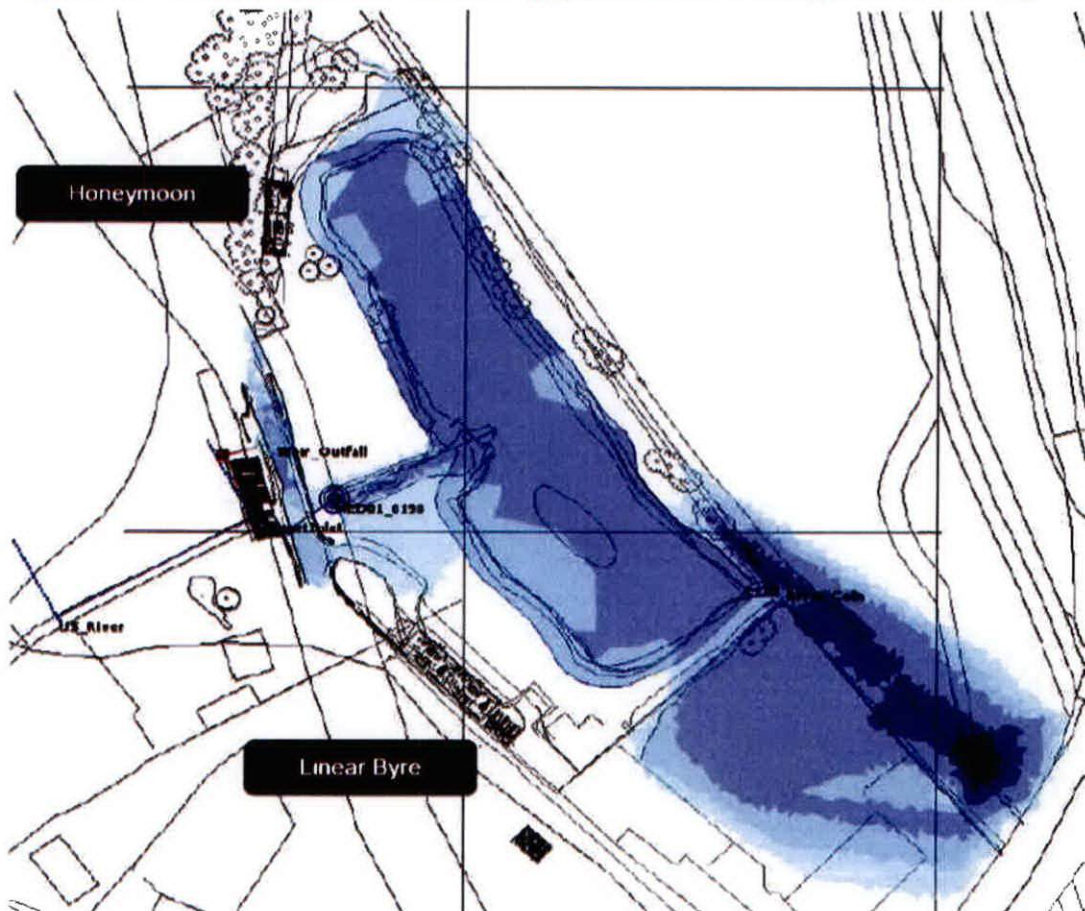


Figure 4-10: 1 in 100 year plus 70% climate change predicted flood extents (base case with wall)



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## Comments on Change of Use application: Bourton Newsagent Windrush Restaurant (ref 16/03958/FUL).

Planning Committee meeting on 14<sup>th</sup> December, 09.30 hrs.

To: Cotswold Planning Committee

From: Peter Jeans, 3 The Paddocks, Bourton on the Water, GL54 2LS.

Date: 06/12/2016

I wish to argue that the planning application for change of use (from Newsagent to hot food takeaway) should be **refused**, on the grounds that:-

- This is the only newsagent in Bourton, and as such provides an important service **to local people**, as well as to visitors, as the source of newspapers, magazines, local community newsletters, tobacco, stationery, and confectionary. It also serves as a focal point of the community, where local residents, especially the elderly, can meet, swap stories, and catch up on local news.
- None of the above services will be provided by a hot food takeaway, whose customers will be almost exclusively visitors and tourists, not locals.
- Given its reliance on tourists, the hotfood takeaway will be little used during the winter months, and so we'll have a large, high-profile section of the Main Street either closed or moribund for a significant part of the year.
- A hot food takeaway only means that the food and all the packaging will be taken out of the shop, not removed from the town. Hence it is likely that the centre of the town will be even more full than it is now with tourists eating their takeaways, resulting in even more unsavoury and unsightly litter and garbage once they've finished their meals.
- As shown on the accompanying Powerpoints, there are already 22 tea-rooms and fast food outlets, plus 6 pubs and hotels, in the centre of Bourton, in an area of only 200 x 100 metres. The last thing the town needs is another fastfood outlet.
- Far more important is the provision of services to local people. These are the people who pay their local council tax, and as such deserve the support of their local councillors.
- At risk if this application is approved, is the unique character of the town: excessive development will result in spoilage, and the eventual demise of the goose and its golden eggs.

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Bourton on the Water: overview of town centre, with main tourist area highlighted.



Bank

Post Office

Newsagents

~200m



Bourton on the Water town centre, with all food outlets indicated.

- Tea Room / Fast Food outlet (22)
- Pubs / hotels (6)

Newsagents

Bank

Post Office

The last thing this attractive small town centre needs is another fast food outlet. In an area of ~200m x 100m there are already 22 tearooms and fast food outlets and 6 pubs/hotels.

Far more important is the provision of services to local people, and the preservation of the unique and valuable character of the town.

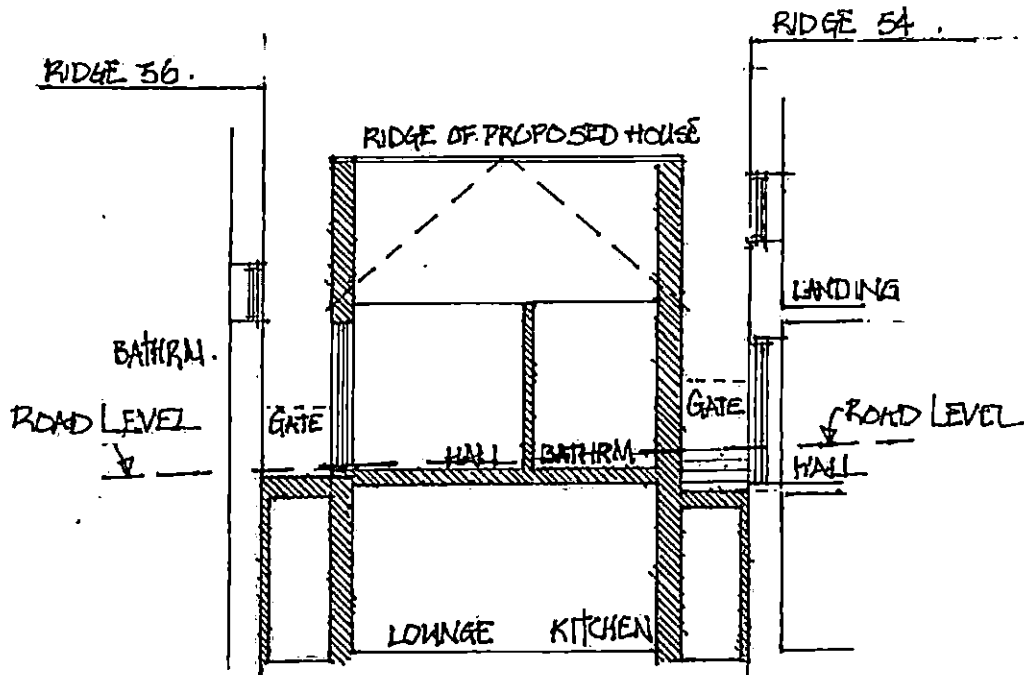
SITE : 54 West Street  
Tetbury  
GL8 8DR  
PROPOSAL: Erection of dwellinghouse  
SCALE 1:1250  
DRG NO. 880/16/1A  
DATE September 2016



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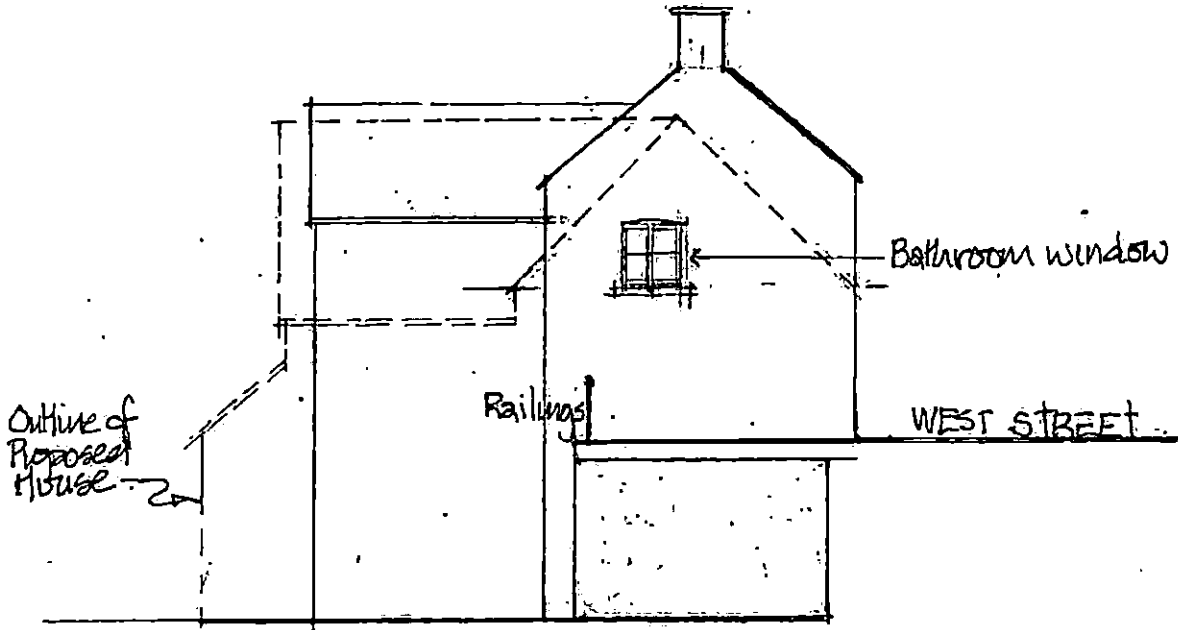
Scale: 1:1250, paper size: A4

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CT 12/2016

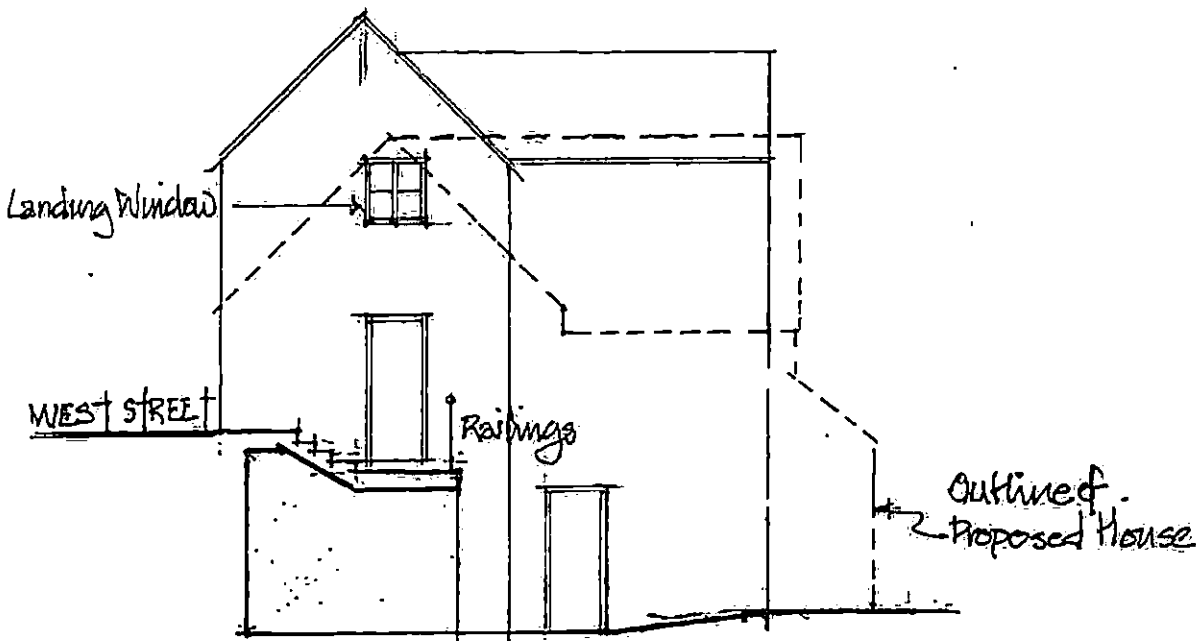


1:100(A4) SECTION THRO' RIDGE OF PROPOSED HOUSE  
 WEST STREET, TETBLURY, GLOS.  
 BARRIE PIERCE BUILDING DESIGN. STROUD GL5 4JA

Mem 06.  
 16/02/94/FUL  
 44 CT.4316/F



SIDE ELEVATION OF 56 (South East)



SIDE ELEVATION OF 54 (North West)

PROPOSED HOUSE WEST STREET TELBURY

1:100 (A4)

BARRIE PIERCE

December 2016

STROLID GL5 4JA

Ham 06

16/02/2014/FOL

45

PT 11311E

16103021/FUL



Highways Development Management

Shire Hall  
Gloucester  
GL1 2TH

Martin Perks  
Cotswold District Council  
Trinity Road  
Cirencester  
Gloucestershire  
GL7 1PX

email: wendy.gray@gloucestershire.gov.uk

Please ask for: Wendy Gray

Our Ref: C/2016/037038

Your Ref: 16/03021/FUL

Date: 8 December 2016

Dear Martin Perks,

**TOWN AND COUNTRY PLANNING ACT 1990  
HIGHWAY RECOMMENDATION**

**LOCATION: Land East Of Evenlode Road Evenlode Gloucestershire**  
**PROPOSED: Creation of equestrian yard and manege with associated access and landscaping**

Evenlode Road is a Class 3 highway with no footways or street lighting, the carriageway is of varying widths and the area has a posted speed limit of 60 mph: The results of a speed survey were submitted, this shows that vehicles are travelling slower than the posted limit. The 85 percentile speed northbound is 49mph, and southbound 48 mph. This requires visibility splays of 109m northbound and 106m southbound. This is achievable if the vegetation is removed and maintained. Swept path analysis has been submitted on drawing 1623 TR01 showing that vehicles can enter the site manoeuvre and reenter the highway in a forward gear. Drawing no 1623 has proposed works to formalise the access to accommodate large vehicles, this will require a Highway works legal agreement.

I refer to the Amended Plan(s) numbered 1623 02, 1623 TR01, 1623 05 and 1623 TR02, in respect of the above planning application received on 6th December 2016 to which no Highway objection is raised subject to conditions:-

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 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road to the South 109m and to the North 106m (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the

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CN AREA

X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To reduce potential highway impact by ensuring that adequate 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.

The development hereby permitted shall not be occupied until the vehicular parking [and turning] [and loading/unloading] facilities have been provided in accordance with the submitted plan drawing no 1623 TR02, and those facilities shall be maintained available for those purposes thereafter.

Reason:- 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.

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

### 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.

Yours sincerely,

Wendy Gray  
Technician

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CD.9559.



16/04/22/ful

**ECONOMIC JUSTIFICATION FOR ONE BUNGALOW AT TOPS NURSERY.**

TOPS Plants is a horticultural business based in Mickleton. The nursery has been in the same family ownership since the 1950's. Originally, it was a market garden/tomato growing enterprise but production was shifted to young plug plant propagation in the early 1990's. Today TOPS is an EU-approved nursery; one of the leading independent young plug plant producers in the UK and probably the largest horticultural-based enterprise within Cotswold District.

UK Horticulture is an incredibly competitive marketplace with much of the competition from continental growers. During the past 15 years there has been significant consolidation of the industry. More than one-in-three horticulture enterprises have closed and there are now, nationally; about 9,000 enterprises instead of 15,000 in year 2000. (Source - AHDB Horticulture)

Neither does UK horticulture have a good track record in productivity – its growth of 3.0%+ pa currently lags well behind the US, Holland, France and Germany and most OECD countries.

Industry-specific challenges also include recruitment and retention of senior staff – particularly in a post-Brexit environment.

Investment is therefore essential at both national and enterprise level.

**We currently employ 16 staff (12 FTE) and in order to retain TOPS Plants as a viable and profitable enterprise, the directors have already:**

- Invested in a biomass – heat installation – replacing natural gas as a heat source.
- Invested in a second robotic transplanting line.
- Invested in developing the higher-value, retail offer at the nursery including currently building an ancillary tea room – opening March 2017 and which will add 2 x FTE staff numbers to above.
- Invested in new site security and land drainage.
- Invested in an “in-house compost-to-plug” production line – replacing outsourced product.
- Investment in new Crop Protection monitoring technology – to reduce use of chemical intervention – aligned to the EU Directive of Sustainable Use of Pesticides.

**This investment has only been made possible by the recent planning permissions.**

The one further bungalow, which is very much aligned to the nursery site, will further aid this process. Specifically, we would expect to rent this unit to one of our senior members of staff. Not only would this undoubtedly help staff-retention it would also add to the “on-site security of heat” resilience/capacity that is essential when propagating and nurturing delicate young plants where the monitoring and maintenance of protective temperatures are absolutely vital on a 24/7 basis.

DAVID STOWE | Director

Trade Only Plant Sales Ltd | TOPS Plants

Arbour Fields | Mickleton | Chipping Campden | Gloucestershire | GL55 6PT

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