

M I N U T E S (subject to agreement at the next Planning Committee meeting)  
Of A MEETING of Twynning Parish Council Planning Committee  
held at <https://us04web.zoom.us> on Monday 12<sup>th</sup> October 2020 at 7.00pm

Councillors Present: Cllr Hadley (Chair), Ellis, Horsfall, Murray, Nottage  
Also Present: Clerk/RFO, County Councillor Kevin Cromwell, Cllr Holden, 15 members of the public

**114. To receive Apologies**

There were no apologies for absence

**115. To Receive Declarations of Interest/Requests for Dispensation**

There were no declarations or requests

**116. Planning Applications:**

**19/01084 – Land North of Fleet Lane – representations to Planning Committee meeting**

The parish council would be making a statement at the planning meeting. Cllr Cromwell advised that the committee meeting postponed due to outstanding issues. Councillors expressed their concern that the road was being narrowed to accommodate a pavement and had wanted a meeting with a highways officer. Cllr Cromwell advised that the officer could not confer with the parish council in these circumstances. GCC have no planning reasons against the access proposal and the PC should provide other objections.

**19/0081/TWMAJM (District Reference 19/1231/CM) Bow Lane Proposal:** Proposed new vehicular access off A38, plus haul road, weighbridge/office, processing plant and equipment (including concrete batching plant), creation of clean water ponds, silt ponds, stock piles and other works and ancillary development associated with the extraction of sand and gravel and import of inert materials with restoration using site derived material to wetlands, nature conservation and agriculture (cross-boundary application with Worcestershire). Location: Land At Bow Farm – comments invited on the additional information submitted

**OBJECTION:**

**Prematurity**

The fundamental objection to this application is that Worcestershire's Local Minerals Plan has been submitted for approval by the Secretary of State, but the approval process has been disrupted by the Covid outbreak and has yet not been completed. WCC have not yet completed their examination of preferred site bids and the Minerals Site Allocation Development Plan has not been produced. Until such time as both documents are 'made' this application cannot be considered as its submission is premature.

In addition to the premature status in relation to the Minerals Plan, it is highly questionable that WCC will nominate this as a preferred site under the guidance in the NPPF.

**Omissions and anomalies**

There are numerous omissions, inconsistencies and inaccuracies in the application which reinforces the prematurity of the submission as well as its status in the planning process.

The application contains a number of conflicting statements, for example, whether the site would be worked dry (increased dust problem) or wet (increase noise by 24-hour use of pumps). There is a confusing timeline, some pages are missing from the Hydrogeological & Hydrological Assessment and FRA and the documentation format appears different to that in the Worcestershire application. There is no explanation as to the likely long-term effects of de-watering on licenced extractions and the area impact on the aquifer. Puckrup Hotel and its Golf Course not identified as a sensitive receptor which lies adjacent to the processing plant.

**Extent of the development**

Although the excavation and extraction of the minerals will take place in Worcestershire, the biggest impact will be on Gloucestershire as the Applicant intends to put all his heavy equipment, weighbridge/office, processing plant and cement batching plant on the Gloucestershire side of the site.

Several other industrial installations are mentioned in the body of the application but with no indication of where they are to be sited. Gloucestershire will suffer the main impact from this proposal which will create traffic turmoil, destroy the rural setting and damage local businesses whilst delivering nothing to Gloucestershire's minerals obligations.

Amenity will be lost with several Public Footpaths crossing and adjoining the site which are used by walkers and visitors to Puckrup Hall Hotel. The proposed industrial processing plant will be an unsightly, noisy and dirty facility spanning at least 500m x 200m.

The concrete batching plant structures can be up to 30 metres tall, according to information previously available on Cullimore's website. These will tower above the proposed bunds and any additional landscaping.

There is very limited information on the equipment to be used in the processing area and production processes (sorting, washing, storing and conveying) are not identified which will be the source of the noise, dust and contaminant (powdered concrete) associated with the concrete batching process. There is also no reference to storage facilities for fuel, hazardous material, machinery and septic tanks. The elements of the pollution generated can be summarised as follows:

### **Noise and Vibration**

As examined in detail in the Residents Comments and Objections the noise values are highly suspect and at best an underestimate and have not been drawn at the most sensitive points. The level of noise alone will be highly damaging to Puckrup Hall Hotel - people will not want to have a luxury break, play golf or have their wedding celebrations competing with noise from an adjacent industrial site. The concrete batching plant, spoil heaps and washing plant will be in full view from the golf course with nothing to reduce the noise of industrial operations. The submission of Reg25 technical details are considered to be unreliable. This is contrary to NPPF paragraph 180a in that the levels are significantly underplayed in the application and are liable to give rise to significant adverse impacts on health and quality of life.

The approximated noise limits are subjective and unbalanced and fail to protect the tranquil area of the open countryside. The noise would disrupt recreational and amenity value contrary to paragraph 180b of the NPPF. The Applicant has not shown that Puck Cottage will not be damaged by vibration from the excavation.

### **Traffic generation**

The extremely heavy traffic joining the A38 with up to 144 38 tonne lorries per day, accessing the site 5.5 days per week is totally unacceptable. The fact that major alterations are required to local rural lanes to accommodate the turning circles of these vehicles confirms how incongruous this development is with the local surroundings. The level of CO2 pollution created by the HGV movements, the accompanying noise levels and wear and tear on local roads have not been addressed fully by the Applicant.

This level of traffic is completely contrary to:

NPPF Para 108 - Sustainable Transport Modes

NPPF Para 109 - Unacceptable impact on Highway Safety

GCC Minerals Plan Policy DM03

GCC Minerals Local Plan Paragraphs 297/298 & 299

We note that the Highways Agency are currently recommending refusal of the application as it stands: The proposed junction at the proposed exit route onto the A38 and Pages Lane appears extremely dangerous, particularly with heavy lorries using the junction on average every five minutes, leaving deposits on the roads. This road could easily be gridlocked with closure of the M50 and M5. It seems unusual that Gloucestershire should have to accept the proposed altered layout on the A38 to provide access for heavy lorries to a site which has no benefits to the County or the local economy.

The Applicant is currently refusing to entertain taking the minerals out by river on the basis that the land on the river frontage is apparently not currently owned. Further due diligence is required in this regard as there is also an option to collaborate with Cemex in the use of their existing wharf.

Given the lifetime expectation of the project, it is not unreasonable to suggest that in order to comply with these policies, the applicant should invest in this alternative option. Stating the access to the river cannot be achieved on land owned by the applicant is clearly questionable. (Area B?)

### **Dust**

There is no accurate data on particle size, assessment of air quality, health hazards and nuisance with the Applicant not answering key questions or providing essential information.

There has not been proper consideration of the impact on the most sensitive receptors close to the site e.g. private residences, Church End Nurseries and Puckrup Hotel and Golf Course. This pollutant poses a huge risk to health, wildlife and vegetation and the beauty of the countryside with processing operation proposed for up to 10 years. As with the noise data, dust particulate distribution has been significantly underplayed and the construction of 3 metres high bunds will have the effect of ramping particulate distribution.

The application therefore fails to comply with NPPF Para 205c in that unavoidable dust and particulate emissions will not effectively be removed at source.

The cumulative effect of the pollution would almost certainly have a devastating impact on the businesses at Church End Nursery, Puckrup Hotel, Hillview Lakes fishing complex, Tewkesbury Riding School and other sensitive sites along Pages Lane.

### **Health Risk**

There are also health considerations for local residents. The Applicant has given insufficient data on the type and quantity of dust that will be generated and nothing about wind directions. The inevitable increase in wind-borne particles can only be to the detriment of all and particularly those with respiratory conditions.

### **River Pollution and Flooding**

Risks of pollution of the River Severn, damage to wildlife and high risk of flooding to the whole site during rainy months will be inevitable.

Certain parts of the site regularly flood and the proposals will increase flood risk and increase contamination of the land and run off into the River Severn. The Applicant's proposals to mitigate this are questionable, incomplete and they admit there could be serious pollution.

The expectation that bunds will be used to minimise dust and noise, will in fact have the opposite effect as regards flooding. The lower end of Bow Lane already floods every time the Severn rises and the bunds will create a damming effect which will prevent the water from draining away. Impervious backfill will change the underlying aquifer structure with the effect that water will not drain and properties in the east may well flood.

#### **Historic Environment**

The Reg 25 responses on the historic environment in themselves identify areas of high risk. Great weight should be given to asset preservation and conservation, not deliberate destruction. Any such activity is contrary to para 194 of the NPPF.

#### **Local employment and impact on businesses**

The need for local jobs is equally not in question. However, the number of people to be employed in this enterprise (up to 20 quoted in the Supporting Statement to the application) may be existing employees of the Applicant's company and will be negligible compared with those employed by some of the sensitive receptors in the area. These receptors are completely ignored in the application i.e. Puckrup Hall Hotel, Church End Nurseries and Hillview Fishing Lakes and Cabins.

Puckrup Hotel and Golf Course employs 110 people, has a total of 1250 members of the Golf Club and Leisure Club combined and clearly contributes greatly to the local economy. Church End Nurseries consists of glasshouses growing soft fruit. The glasshouses will be covered in dust which reduces the light available to the growing plants and dust will also contaminate the crop rendering it unsaleable as it cannot be washed prior to sale. Other sensitive receptors include 3 Grade 2 listed properties and other residences which are far too close to the excavations for safety. The Applicant identifies 8 properties within 15-210 metres of the site, including some with listed status. Many local authorities have statutory stand-off distances of 250 metres from mineral workings to residential properties. The distances in this case are only a fraction of that figure. Hillview Lakes fishing complex will suffer as a result of damage to the aquifer and may drain or de-oxygenate the fishing ponds.

#### **Restoration**

The restored site may look acceptable at the end of the working but there will be no assumed access to the public. Biodiversity is irreparably damaged and potential land use severely impaired. In addition, it seems unlikely that the Applicant will be able to source sufficient acceptable replacement material leading to probable flooding and the use of potentially hazardous waste for infilling. There is no guarantee that the workings will cease after the stated time.

#### **Summary**

This application is premature and should not be considered until the relevant Minerals Plan and the Minerals Site Allocation Development Plan have been approved.

The application is contrary to Para 204 of the NPPF in that the proposal will have an unacceptable adverse impact on the natural and historic environment and human health. The proposal fails to demonstrate that the noise and dust from mineral extraction operations can be mitigated to an acceptable level so as not to have a severe adverse impact on local businesses and residents' use and enjoyment of their property contrary to GCC Minerals Local Plan policies DC1 and E14, the Tewkesbury Borough Local Plan policy EVT3 and Paragraph 144 of the NPPF. The data provided is hardly credible, assuming as it does, that none of the accumulated work practises or pollutant potential will have an impact on sensitive receptors greater than the stated level of 'negligible'. Selective data extraction and poor-quality assumptions have masked the major issues and impact of these proposals.

Moreton Cullimore are seeking to create an industrial site in the beautiful and historic rural parishes of Ripple in Worcestershire and Twynning in Gloucestershire with unnecessary access to the A38 and a commercial maximisation of the extraction process which will not return any positive benefits to either Worcestershire or Gloucestershire.

Indeed, Gloucestershire does not need extra sand and gravel resources to fulfil its quotas as it has adequate preferred sites elsewhere and the relatively small quantity of minerals to be extracted would be an extremely high environmental price with the destruction of a natural site with sensitive wildlife and of historical importance.

The desk-based Archaeological Report submitted by the Applicant himself admits that "...the site is likely to contain important prehistoric and Roman archaeological remains and that gravel extraction will have a negative impact of a number of designated and undesignated heritage assets". There is also an active underground oil pipeline crossing the site which is at high risk of being damaged and causing pollution of the River Severn and the land. Its owners and managers are seriously concerned and have not been consulted by the Applicant.

Twynning Parish Council wholly recommends **REFUSAL** of this application.

Parish councillors questioned whether the sand/gravel extraction would actually benefit Gloucestershire or just cause traffic nuisance to Tewkesbury. Cllr Cromwell advised that under the County Green Plan it was likely that materials would be used in the locality and transport would be via the M50/M5.

20/00636/OUT: Outline application including access, with all other matters reserved for up to 36 (maximum) residential dwellings for over 55's LOCATION: Parcel 4967 Opposite, Cherry Orchard Lane, Twynning

#### **OBJECTION:**

The application does not meet the strategy for distribution of new housing development in Tewkesbury Borough. It is therefore contrary Policies SP2 and SP10 and Policy GD1 of the TNDP. In addition, the application does not

meet any of the exceptions in Policy GD1 of the TNDP for new housing in the open countryside and is therefore not an appropriate location for new rural development;

The site lies outside the recognised Development Boundary in the made TNDP and is therefore contrary to Policy RES3 of the Preferred Options version of the Emerging Tewkesbury Borough Plan which restricts new housing outside the recognised Development Boundary. It is also contrary to the National Planning Policy Framework (NPPF Paragraph 12) which states that where a planning application conflicts with a Neighbourhood Plan that has been brought into force, planning permission should not normally be granted; The application is contrary to Policy ENV2 of the TNDP and the site forms part of the Strategic Gap identified between Twyning and Church End in Policy LAN3 of the Preferred Options version of the Emerging Tewkesbury Borough Plan; The application is contrary to JCS Policy SD6 which protects the landscape and visual sensitivity and the environment from harmful development. The expansion of Twyning into the open countryside would inevitably harm the settlement pattern, the landscape and the character of the village and would be contrary to Policy GD4 of the TNDP. The development would erode the Strategic Gap and open character of the countryside between Twyning and Church End, preserving the character and setting of these settlements, also contrary to Policies GD4 and ENV2 and Policy LAN3 of the Preferred Options in the ETBP; Twyning Parish Council are in complete agreement with Tewkesbury Borough Council Urban Design Officer's comments on this application relating to the design and layout of the proposed development and: "...do not consider this an appropriate location for further expansion of the village, as it does not respond to the urban structure of the village, or the character of the surroundings and it encroaches into open countryside". Furthermore, the appearance and layout of the houses will not respond positively to the character of the site or the character of the village and will therefore be contrary to policies SD4 and SD11 of the JCS, Policy GD3 of the TNDP and the NPPF and will not enhance local distinctness or address the urban structure and grain of the Twyning locality; The size of the development represents an urbanised intrusion into the open countryside and would cause irreversible harm to the character, appearance and biodiversity of the rural landscape. Whilst several local trees are protected, the protection of local wildlife and biodiversity is not adequately addressed in the application; The continued poor quality and inaccuracy of applications for this site are indicative of the disregard for the local context, providing a generic and poorly argued case for development (particularly on Objectives of Sustainable Development which are wholly inaccurate). There is insufficient attention to the distinctiveness and sense of place of this locality; Detailed infrastructure proposals in the application are inappropriate and unsustainable: a. The site cannot connect into the mains sewer and the management of surface and foul water through a self-contained water treatment system and SuDS system with detention pond is simply unsustainable and contrary to Policy GD7 of the TNDP leading to an adverse impact on the natural environment; b. The nature of the development will require extensive street lighting contrary to Policy GD8 of the TNDP. The location is isolated and residents will undoubtedly use cars for normal day to day journeys leading to an unacceptable impact on the rural road system conflicting with Policy INF1 of the JCS and TP1 of the TNDP and NPPF sustainable transport policies; d. There is only a very limited bus service (one return journey to Tewkesbury per week) through Twyning and the application is therefore inaccurate in its assumptions on the use of public transport; e. Pedestrian access at the eastern end of the site is assumed using the public footpath section of Kilmore Lane which is owned by the Parish Council. The proposed tarmac and lighting of this historic pathway would not be acceptable; f. Pedestrian access from the west (Church End Lane) would be hazardous with car, agricultural and recreational traffic (horses and cyclists) converging at a junction with limited visibility and pavement access; There has been no consultation with the Parish Council, despite the original documentation stating that it was a condition of the landowner. There has been no liaison since the refusal of the first application in order to assess the Parish future housing needs. This makes the shift in emphasis to target over 55 residents more surprising, reinforcing the speculative and poorly researched approach ultimately focused on short term financial gain;

20/00761/FUL: Erection of detached single storey outbuilding comprising a domestic workshop, craft room and W.C./shower room, to be used solely for purposes incidental to the enjoyment of the principal dwelling known as Long Thatch, Stratford Bridge

**NO OBJECTION**

20/00920/TPO: 0858 Atlas Cedar, Remove Broken Branch Sweet. 0132 Chestnut Crown Clear & Crown reduce to circa 10 m 0228m. Elm fell, 00120 Hybrid Black Poplar lateral branches SW Reduce by 3m. 00117 Hybrid Black Poplar Remove hanging branch & canopy reduce by 3m. 00165 Common Lime to be pollarded. 00143 oak NW Limb reduce at 4.5m. 0229 Common Lime N reduce back by 3M, crown thin 15% to remove dead wood. 00172 Scarlet Oak remove broken branch. 00151 Common Lime (3) crown thin by 15 % to remove dead wood. 0230 English oak remove dead wood. 0232 Myrobalan Plum fell at the Hilton, Puckrup

**NO OBJECTION**

20/00905/FUL 12 Lynworth Lane - Two storey extension and front porch.

**NO OBJECTION**

### **117. Planning Decisions:**

20/00510/FUL **PERMIT**. Change of use of land to residential use (associated with Dingle House), formation of a new access and hardstanding together with associated fencing to western site boundary

18/00497/APP **APPROVE** Approval of reserved matters layout, scale, appearance, landscape and access for 2no dwellings following outline approval under reference 14/01081/OUT

20/00581/FUL **PERMIT**- 7 Greenacres – dormer window and second storey loft

20/00656/FUL **PERMIT**- 16 Paxhill Lane – single storey side and rear extension

#### **118. S278 improvement works – Bockeridge Paddocks/Shuthonger Lane – Council to discuss:**

Condition (11) was attached to the planning permission for the Persimmon development. As the speed of the road is being decreased to 30 mph, GCC require street lighting (shown in drawing 2462-D-01). However, there is another condition attached to the planning consent stating no street lighting shall be erected on any part of the site (con 23), which was added to the consent from discussions which the Parish Council raised during the planning inquiry. At the last meeting the PC were advised that a further plan was due. The developer has not confirmed this.

**Councillor Cromwell confirmed he was seeking confirmation of the correct plan and legislation regarding street lights. Cllr Horsfall stated that he had concerns about the management of the site in particular the pond and would be writing to the management group. Condition 7 of the original planning permission now discharged - action PH to provide details to BP Management Committee**

#### **119. Worcestershire Minerals Local Plan**

As part of the examination, the previously postponed public hearing sessions will be held from Tuesday 10th November 2020 until Thursday 12th November 2020. Morning sessions generally start at 10.00am. Afternoon sessions generally start at 1.30pm. Exact timings will be published on the Programme Officer's examination website <http://www.hwa.uk.com/projects/worcestershire-minerals-lp-examination> closer to the time.

**Cllr Horsfall and Cllr Ellis to attend**

#### **120. Public Comments (if time allows)**

There were no comments.

#### **121. Date of Next Meeting**

9<sup>th</sup> November 2020