



PLANNING COMMITTEE

Wednesday 28th February 2024

To: Cllr. Joanne Raywood, Cllr. Simon Raywood, Cllr Alan Hayes, Cllr. Paul Jones, Mr Ryan Maggs and Mr Richard Carey

You are summoned to a meeting of the Planning Committee, to be held in the Court Room,
Tewkesbury Town Hall, on

Wednesday 28th February, at 7.30 pm.

Members of the public and press are welcome to attend.

Debbie Hill
Town Clerk
21st February 2024

AGENDA

- 1. Welcome.**
- 2. To receive apologies for absence**
- 3. To receive declarations of interest**
- 4. To receive and consider requests for dispensations**
- 5. To approve the minutes of the Planning Committee meeting held on 7th February 2024**
- 6. To receive updates on matters arising from the minutes – for information only**
- 7. Public participation** *(to provide members of the public/press with the opportunity to comment on items on the agenda or raise items for future consideration. In accordance with Standing Orders this will not exceed 12 minutes in total and 3 minutes per person)*
- 8. To note correspondence**

9. To receive the Borough Councillor's report (if applicable)
10. To agree a response to Tewkesbury Borough Council's Regulation 18 Strategic and Local Plan
<https://strategiclocalplan.org/consultations/>
11. To agree a submission to the Planning Inspector re:
Residential Development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.
Part Parcel 2352 Mythe Road Tewkesbury Gloucestershire
Ref. No: 22/00610/OUT
12. To determine whether Tewkesbury Town Council should register as an interested party or maintain a watching brief, with regard to the M5 Junction 10 Improvements Scheme.

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/having-your-say-guide>
13. **Replacement illuminated fascia sign. Replacement illuminated projecting hanging sign and Hello Tewkesbury illuminated sign**
Planning Application
26 - 29 High Street Tewkesbury Gloucestershire GL20 5AT
Ref. No: 22/00895/ADV
14. **Retention of signage fascia design.**
Planning Application
50 High Street Tewkesbury Gloucestershire GL20 5BH
Ref. No: 23/00654/LBC
15. **Four trees are growing on top of a main inlet pipe which may lead to the root systems potentially damaging underground pipes T1 Cherry remove to ground level T2 Alder remove to ground level T3 Alder remove to ground level T4 Hawthorn remove to ground level Stump grind all roots. We will however be more than happy to replant as per the LPA request to the south of the site beyond the flood defence and as suggested trees that can cope with seasonal flooding on the land in the south such as willow, alder, aspen, Betula nigra and swamp cypress**
Planning Application
Mythe Water Treatment Works Mythe Road Tewkesbury Gloucestershire GL20 6AA
Ref. No: 24/00116/TCA
16. To note any additional information on the Planning Portal regarding applications to which this committee has already responded, and agree further actions
17. To note any additional applications on the Planning Portal which will expire before Wednesday 28th February and agree further actions
18. To note the decisions made in January 2024, in respect of planning applications to Tewkesbury Borough Council



PLANNING COMMITTEE

Wednesday 7th February 2024

Present: Cllrs. J Raywood, M Dimond-Brown, H Bowman, E Ash, Mr R Carey and Mr R Maggs (arrived at 7.25pm)

In attendance: Mrs J King (Deputy Town Clerk)

MINUTES

P.23/24.370 Welcome.

The Chairman welcomed everyone present when the meeting opened at 6.00 pm

P.23/24.371 To receive apologies for absence

Cllrs. S Raywood, A Hayes, P Jones

P.23/24.372 To receive declarations of interest

Cllr Dimond-Brown – member of TBC Planning Committee

Cllr Bowman – substitute member of TBC Planning Committee, also Treasurer of the local branch of Friends of the Earth (item 8)

P.23/24.373 To receive and consider requests for dispensations

None

P.23/24.374 To approve the minutes of the Planning Committee meeting held on 17th January 2024

Proposed by Cllr Dimond-Brown and seconded by Cllr Bowman

It was resolved to **approve** the minutes.

P.23/24.375 To receive updates on matters arising from the minutes – for information only

Re. **P.22/23.392** – no further news available.

Re. **P.23/24.358** - The Mayor, Deputy Mayor and Cllr J Raywood attended an in-person briefing that the Strategic and Local Planning Team arranged for all town and parish councils across the area. The event was well attended and many concerns were aired, including housing land supply, flooding and land east of Bredon Road. We are urged to encourage as many residents as possible to respond to the Regulation 18 Consultation before it closes on 12th March.

The Accessibility Working Group has now met with representatives from Gloucestershire County Highways. A report of progress so far will be submitted to Full Council in March.

P.23/24.376 To approve the payments list

Proposed by Cllr Dimond-Brown and seconded by Cllr Bowman

It was resolved to **approve** the payments list. Total payments = £57,252.49

P.23/24.377 To receive the current budget and earmarked reserves report

Received

P.23/24.378 To consider a request from Friends of the Earth, to fund the purchase of two water testing kits and associated consumables, for use in testing the Carrant Brook.

The water testing kits cost £180 each and a year's worth of consumables for each kit costs £60.

Proposed by Cllr Ash and seconded by Mr Carey

It was resolved to **approve** the purchase of two water testing kits, plus associated consumables, for use by Friends of the Earth to test water in the Carrant Brook, on the understanding that the test data obtained will be provided to the Town Council. Total cost - £480.00, to be taken from 400/4810 – Outreach.

P.23/24.379 To approve a response to the pre-application consultation on the Hinkley Point C Material Change 1 Application - Preliminary Environmental Information Report - Volume 3: Proposed Changes Off-Site

Members agreed to change the answer to question 1 from 'no comment' to 'Yes – Tewkesbury Town Council would prefer that an Acoustic Fish Deterrent be installed, rather than the mitigations being proposed'.

Subject to that change being made, the proposed response was **approved**.

Proposed by Cllr Dimond-Brown and seconded by Cllr Ash.

Mrs J King left the meeting at this point.

P.23/24.380 To agree a response to Tewkesbury Borough Council's Regulation 18 Strategic and Local Plan

<https://strategiclocalplan.org/consultations/>

Some changes to the draft document were proposed. Due to pressure of time, it was agreed that the changes would be made and the document recirculated, prior to being brought back to this committee on 28th February.

P.23/24.381 To agree a submission to the Planning Inspector re:

Residential Development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.

Part Parcel 2352 Mythe Road Tewkesbury Gloucestershire

Ref. No: 22/00610/OUT

It was agreed that the Town Council should strengthen its previous response with regard to flood alleviation, now that we understand more than we did. It was also agreed that we should quote the actual gradient of the road on Mythe Hill, in order to make our point that most people will not choose to travel that way by sustainable/active means.

P.23/24.382 Remove - 2 x Cypress Trees at front of building

Planning Application

Sanctum Hall Barton Street Tewkesbury Gloucestershire GL20 5PX

Ref. No: 24/00043/TPO

The committee took tree warden advice before making the following response:

Observations:

Objection. We don't have enough mature trees in our built environment, for shade and to improve air quality.

P.23/24.383 Proposed replacement front door, new signage and replace concrete blockwork within stallriser with traditional brick.

Planning Application

67 Barton Street Tewkesbury Gloucestershire GL20 5PX

Ref. No: 23/01185/LBC

Observations:

No objection

P.23/24.384 Reinstate window in side elevation

Planning Application

Flat 6 Barton Street Tewkesbury Gloucestershire GL20 5PP

Ref. No: 24/00011/LBC

Observations:

There is insufficient information for the Town Council to know whether or not the proposed window would overlook another property at the expense of neighbour's privacy. Since the window will not be in a habitable room we would not object if the risk of overlooking was mitigated by the use of obscure glazing.

P.23/24.385 To receive the Borough Councillor's report (if applicable)

The most recent meeting of the borough Planning Committee focused entirely on **Residential Development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.**

Part Parcel 2352 Mythe Road Tewkesbury Gloucestershire

Ref. No: 22/00610/OUT

Committee members were unanimous in being minded to refuse.

One problem that the Borough has been struggling with is maintaining sufficient planning officers. This is common to many authorities, but the Borough is now only short by one officer and it has been able to reduce its backlog of applications to a position that is above national standards. The Borough has been looking at CIL and realises it does not work for this area. It doesn't bring in enough money. Even by combining the CIL for all three authorities that working together on the SLP, there is not enough funding from CIL to pay for any one project on the list. In addition, the Borough is aware of the need to balance rural against urban needs and there is a concern that rural needs might not be prioritised.

P.23/24.386 Public participation (to provide members of the public/press with the opportunity to comment on items on the agenda or raise items for future consideration. In accordance with Standing Orders this will not exceed 12 minutes in total and 3 minutes per person)

None

P.23/24.387 To note correspondence

None

P.23/24.388 To note any additional information on the Planning Portal regarding applications to which this committee has already responded, and agree further actions

None

P.23/24.389 To note any additional applications on the Planning Portal which will expire before Wednesday 28th February and agree further actions

Supply and fit flush casement black upvc windows to replace all existing windows.

Planning Application

The Boat House St Marys Lane Tewkesbury Gloucestershire GL20 5SF

Ref. No: 23/01038/FUL

Observations:

Although the Town Council is in favour of the resultant energy savings obtained by double glazing, it would prefer to see the use of wooden frames rather than upvc for greater sustainability and to be in keeping with other properties nearby.

As two hours had passed since the start of the meeting, committee members **agreed** unanimously to stay in order to complete the last item on the agenda.

Proposed by Cllr Dimond-Brown and seconded by Mr Carey

Removal/Variation of condition 2 (approved documents) of the planning application ref number 23/00478/FUL (part retrospective)

Planning Application

Plot 7100 Severn Drive Ashchurch Tewkesbury Gloucestershire

Ref. No: 24/00052/FUL

Observations:

No objection

There being no further business, the meeting closed at 8.06pm

Chairman's signature

28th February 2024

Strategic and Local Plan - Summary of questions and responses

Please note that, due to time constraints, we need to come to the Planning Committee meeting armed with proposed responses/amendments to what is written below. There won't be time to read through the consultation document together. All responses in red have already been agreed by the Planning Committee but can be amended further. All responses in blue are suggestions by JR and should be challenged.

Strategic and Local Plan

1. The SPL covers a minimum of 15 years, how far into the future should the Strategic and Local Plan cover?

25.

2. Are there any strategic policy topics, not identified above (paragraph 2.4), which should also be considered?

The policy topics lack a consideration of farming and the use of farmland.

3. What local policy topics are unique to only a council area, neighbourhood or community?

The following local policy topics are unique to our parish:

- Water management
- Tourism
- The preservation of historic fabric
- Social hubs
- Nature reserves/SSSIs
- Rights of way

Draft Vision and Strategic Objectives

4. Do you agree with the draft Vision?

Yes

- a. If not, what changes would you like to see?

5. Do you agree with the draft Strategic Objectives?

Yes

- a. If not, what changes would you like to see?

Planning for climate change and nature recovery

6. In what ways do you consider the Strategic and Local Plan can most effectively address the impacts of climate change?

While not discouraging development, the local plan should set a high bar for water management on sites that might be developed for housing; not just on allocated sites, but on sites that come forward during the plan period. This should include finance to ensure that organisations appointed to manage SUDs cannot fail, measures to effect a reduction in the threat of flooding in vulnerable downstream neighbourhoods, improvements to infrastructure so that sewers cannot become overwhelmed and roads so choked with traffic that cars stand idling for longer periods, and proper provision for sustainable modes of transport.

There should be an encouragement for owners of listed buildings to embrace low carbon sources of energy, with perhaps a scheme similar to the HAZ, to enable the installation of heat pumps, double-or-secondary glazing, photovoltaic roof slates and solar panels.

The design of roads and parking strategies should aim to create a more cycle-friendly environment and also a more pedestrian-friendly environment.

There should be a requirement for new and converted homes to have access to an EV charging point. There should be a requirement for new industrial and commercial properties to contain a proportion of EV charging points.

Community spaces could include drop-off hubs for the delivery of internet and mail-order purchases, from which people can choose to collect goods.

There should be greater access to E-bikes throughout our communities.

The cycling network between communities needs to be strengthened and made safer.

The plan must not inhibit the ability of natural water courses to deal with increased rainfall.

The plan should allow for and encourage safe movement of wildlife, via wildlife corridors, toad passes, etc

7. What measures and standards should the Strategic and Local Plan introduce in respect of the:

a. Construction and operation of new buildings?

Encourage developers to aim for zero carbon, in both the development stage and in the running of new buildings.

Encourage the use of reclaimed materials where practicable.

Encourage groups of self-builders to work together to source supplies of materials and renewable energy.

b. Retention and reuse of existing buildings?

Redevelopment of brownfield sites must be encouraged above the use of, say, greenbelt land. Perhaps such sites could be used for modern farming methods, such as hydroponics. Perhaps the development of key brownfield sites could be linked to the development of greenfield sites, so that the relative expense of developing the former can be partially offset by the opportunity to develop the latter. Planning authorities could carry out a 'de-risking' strategy for stubbornly undeveloped brownfield sites (as with Healings Mill).

8. Should the Strategic and Local Plan require more than the mandatory minimum 10% Biodiversity Net Gain through development?

Yes. 10% can be relatively easy to gain, particularly if the land, watercourses, trees and hedges have not been well cared-for for some years previously. The level needs to be set at a point which requires a real effort on the part of the developer, to attain a level that is at least 10% above what can be evidenced to have been on the site, during the history of the site. Local people can be encouraged to keep records of biodiversity in their areas.

9. Are you aware of any land that could be identified for environmental purposes, such as wildlife /biodiversity net gain, recreation, flood risk mitigation, cooling and shading, carbon storage and food production?

The fields off Walton Cardiff lane, on the opposite side of the Derek Graham Playing Field.

10. Which key services and facilities do you think are most important to be provided within easy reach of developments?

Medical and dental services, schools, general stores, banking facilities, sporting facilities, community halls, play spaces, high speed broadband, places of worship, places for burials and interment of ashes etc

11. Should we allocate sites in the SLP specifically for renewable energy generation or storage?

Yes

a. If so, what forms of renewable energy would be appropriate and in which locations?

Ground source heat pumps at central locations in new housing developments and also in rural areas. Solar panels, pv slates and air source heat pumps in already developed areas. Hydro-electric turbines watercourses.

Planning for new homes and businesses

New Homes

12. Should the Strategic and Local Plan use the local annual housing need calculation from the Standard Method?

No

a. If no, please set out what you consider the councils should use instead.

The number derived from the local annual housing need calculation needs to be reduced, to take account of the following factors:

- The proportion of the total plan area that cannot be developed because it is in a flood plain
- The proportion of the total plan area where development is restricted because it is in an AONB
- The proportion of the total plan area that has special characteristics, eg a particular historical environment, that would be harmed by the close proximity of modern development.
- The proportion of the total plan area that is protected by SSSI or listed Ancient Monument status
- The proportion of the total plan area that needs to be allocated to major infrastructure, eg roads

13. Are there any constraints or other reasons why the number of houses to be actually planned for in the Strategic and Local Plan should differ from calculated needs?

Yes. Due to the densely developed nature of Cheltenham and Gloucester, there is a pressure to bring forward sites in areas that are also very much subject to the pressures described in 12a.

14. Are there any specific types, sizes or tenures of housing that the SLP should require for particular groups in the community?

Yes

a. If so, please explain further.

Given the relatively elderly demographic of the northern part of the plan area, there needs to be housing that is suitable for retired people, and is also designed to be easily adaptable for their changing needs, so that they can live independently for longer. There needs to be accommodation for growing families, that again can adapt to their needs as they grow older. There needs to be suitable and affordable accommodation for young people, close to the facilities that enable them to socialise and lead healthy lives, without having to leave the area.

Traveller Communities

15. Should sites for traveller communities be provided as part of large developments for housing and/or employment?

16. Are there any other ways that sites for traveller communities could be met in our area?

17. What site characteristics and locations would be most suitable for different traveller communities?

Jobs and the economy

18. What economic and regeneration needs should the Strategic and Local Plan address in supporting businesses to invest, expand and adapt?

Where possible, economic development should be focused on existing centres in order to help them to remain, or become more, vibrant. Empty sites in town and city centres need to be given new economic uses. Local planning authorities should encourage 'in-the-meantime' uses for some town centre sites, perhaps for the erection of temporary start-up business premises and/or entertainment/leisure venues, so that there is still footfall in those areas, until more permanent premises can be found.

19. How should the Strategic and Local Plan best seek to accommodate employment needs and provide an environment that is attractive to inward investment?

The Strategic and Local Plan could identify the types of businesses that work well in close proximity to each other and encourage them to locate in premises near to each other. A fast broadband connection throughout all urban and rural areas is vital to ensure good connectivity and thus allow businesses to flourish. Some businesses don't need huge physical movements of goods, and these should be encouraged in areas where the road network is less robust, and areas which can be cut off due to floods.

20. How should the Strategic and Local Plan support and encourage rural employment?

There are modern types of farming and market gardening methods that don't require huge tracts of land and these may be more manageable for young people who haven't actually inherited a farm. Strong internet connections will enable businesses that don't rely on extensive sewerage networks to flourish in rural areas. Access to renewable energy will also be beneficial.

Retail and town centres

21. How could the Strategic and Local Plan best enable change and encourage investment to support our city and town centres to adapt, evolve and thrive?

The Strategic and Local Plan could incentivise modifications to existing buildings in order to make them more accessible and also more energy efficient. It can also incentivise the repurposing of existing structures and sites for new businesses and accommodation.

22. How can the Strategic and Local Plan protect and encourage essential shops, services and facilities in villages and rural areas?

It can help to encourage banks/post offices to maintain a presence. It can encourage the provision of sustainable transport options and provide well-lit, well-overlooked, safe pedestrian routes, that will make it more possible for residents to use those facilities without having to get into a car.

Infrastructure

23. What types of infrastructure do you consider are most critical to be delivered alongside new development?

A sewerage system that is fit for the 21st Century, strongly managed SUDs, roads, strong internet and mobile phone connectivity, schools, health facilities.

24. Given their size, if strategic scale new settlements were to form a part of the Strategic and Local Plan, what accompanying infrastructure would be necessary?

Good links to existing settlements, additional infrastructure provision, so as not to disadvantage users of existing provisions.

25. What key services and facilities do you consider most important in deciding if a rural settlement is a suitable location for new homes and other forms of development?

Would it be possible to live a fulfilling life here and not have ready access to a car? There needs to be a community hub, shop, local jobs, open space, play areas, safe and sustainable access to other communities and a fast broadband connection.

26. Should the Strategic and Local Plan safeguard sites or routes for longer term infrastructure projects?

Yes

Planning for sustainable development

27. Are there any additional development scenarios that should be considered?

a. If yes, please describe what they are.

28. Are the pros and cons identified for the six development scenarios a fair and accurate assessment?

Yes

a. If not, which one(s) and what are your reasons?

29. Which of the development scenarios, or combination of them, do you consider the most appropriate for the Strategic and Local Plan?

Tick all scenarios

30. Are there any places not currently identified in the rural settlement hierarchy, which could/should be included?

Conclusions and Next Steps

31. Is there anything else you would like to raise – has anything been missed, or are there any general comments you would like to make?

Accommodation needs to be made in the plan for residents who will pass away. As our population increases, so will our need for cemeteries and memorial spaces. There needs to be a range of different options, from the reuse of existing plots of a certain age, to the establishment of woodland cemeteries. We must be mindful that, within the Severn Valley, opportunities to accommodate such sites within easy access of communities is limited by the height of the water table and we should take care not to allow housing for the living to take all the high ground.

We could learn from Dutch experiments with amphibious homes and offices – ones that can rise above the water in times of flood and those that don't rise but can cope in flood conditions. The Dutch are even now creating such homes in heavily developed areas and areas with a high-quality historical environment. The Dutch also have a 'Make Room for the River' programme from which we could learn.

We should challenge the assumption that we have to keep growing. What about keeping a balance that sets a comfortable maximum level of growth that retains a good quality of life and allows it to still be nice to live here. Unless we cap our economic growth, we are in danger of losing the characteristics of our area that make it attractive to come and live here.

Application Number: 22/00610/OUT Address: Land East Of Mythe Road, Tewkesbury
Proposal: Residential Development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.

Tewkesbury Town Council objected to this application, on the grounds that there is insufficient information to enable the Town Council to reach a conclusion, on 11th July 2022. Following further investigations of its own, the council wishes to make the following observations.

The applicant has suggested that the SUDS and open spaces could either be managed by a management company or adopted by the local authority. The Town Council is concerned that, unless they are adopted by the local authority, there could be difficulties in ensuring clarity of responsibility in the future. It is really important to us to be assured of the appropriate ongoing maintenance of the SUDS in particular, to ensure that properties downhill and downstream of this development are protected from the possibility of flooding due to development on this site. Recent discussions with an independent consultant hydrologist have highlighted the importance to residents of Tewkesbury, of having a maintenance plan which includes details of scheduled regular inspections, which is implemented for the proposed attenuations basins. The SuDS features should be maintained for the lifetime of the development.

Local residents are aware that, during the wet weather of January 2024, water was running downhill on this site. This emphasises to councillors that, far from reducing the permeability of the surface of this land, actions should be taken to improve it. One of the strategies for the management of surface water offered by the applicant is the use of permeable surfaces in the gardens. Unless it can be conditioned that subsequent developments in and modifications to those gardens, (for example, the laying down of paving and sealed surfaces,) do not adversely affect permeability, then this is not a realistic strategy at all.

The site developer, the contractor and future dwelling occupiers should sign up to Flood Risk Alerts and Warnings.

The Planning Authority should ensure that independent assessments of runoff and discharge are undertaken including cumulative impacts due to other developments nearby.

Betterment of the existing flood risk to the town could be considered by the developer, through oversizing of the mitigation measures to provide a clear reduction in future runoff potential from the Site.

Identification of an appropriate company with responsibility for management and maintenance of the SuDS features for the lifetime of the development should be a condition of planning permission.

The Town Council is concerned that the local sewerage network is already under considerable strain, as it has not been updated to cope with the developments of recent years. To ensure that the local sewerage system is not overloaded, the Planning Authority should require a detailed analysis of the capacity of the system to take the effluent from the development and accompanying confirmation from the sewerage undertaker as a planning condition.

The Town Council would encourage the adoption of the recreational facilities by a local authority.

With regard to the Landscape and Visual Impact Assessment, the Town Council concurs with the recommendations of the Borough Conservation officer. This site is one of the few elevated green

spaces that can be seen from within the town and therefore provides an important amenity for residents of upper floor apartments with the town centre.

The energy plan lacks sufficient strategies for the reduction of energy use and carbon emissions. Tewkesbury Borough Council has recently declared a climate and nature emergency, to include the whole borough. The Town Council would therefore expect the developer to make a commitment to, for example, the provision of electric car charging points, the incorporation of solar panels, the use of heat pumps, or grey water recycling.

The Town Council appreciates the reduction in houses and increase in the number of trees shown in the amended masterplan, which it hopes will lead to an increase in biodiversity over the site and surrounding fields.

The Town Council cannot find evidence of any response by the applicant to the recommendations made by the arboriculturist.

We cannot find, within any of the documents provided, any consideration of the Mythe Railway Nature Reserve, which is very close to the site. Consideration must be given to whether or not this proposed development will have an impact on the wildlife within the nature reserve.

The Town Council would like confirmation that these plans are developed in accordance with the latest Borough Plan. The Town Council is concerned that the location of this site will encourage suburban sprawl to the north of the town that would overwhelm the identity of Tewkesbury as a small market town with a built environment that is rich in historical heritage.

The Town Council still has a question regarding how much of the travel plan within the application documents is based on data specific to Tewkesbury and how much to another town altogether.

The proposed strategies to encourage active and sustainable travel are not obligatory on householders so cannot be cited as a strategy. In any case even if, initially, householders opt for active and/or sustainable transport, they are not obliged to encourage the same in future buyers of their property. However, the options for householders to manage without recourse to a car are so small in this location as to be almost negligible for most people. We note that the applicant has acknowledged that there is no bus service for this site, and that the County Council has indicated the unlikelihood of there being one.

This application is for 165 houses but we do not know how big the houses will be and therefore we do not know how many car owners they will accommodate. Therefore, there is insufficient reliable data on which to base a robust transport assessment.

There is already an issue with air quality where Mythe Road meets Bredon Road and the top end of the High Street. Traffic from this development is highly likely to exacerbate that, and indeed the Transport Assessment acknowledges that there will be increased queuing on the approaches to the Black Bear mini roundabout. There is already significant queuing here during peak times. We don't recognise the numbers for queuing at the Black Bear roundabout, as given in the Transport Assessments, as they don't match our own experiences of what already happens there. This is probably due to the fact that traffic flows were still abnormally light when the surveys were done, as many people were still working from home, following the Covid pandemic.

The Transport Assessment suggests that there is plenty of provision for active modes of transport such as cycling and walking. This is simply not the case. The assessment does not seem to take account of the local terrain, the rivers and the floodplain. While there are a lot of footpaths located

near the site, most of them lead away from local services and many of them are not accessible. Some of them are impassable during floods and no walking or cycling routes into town can avoid the A38 Mythe Road/A38 High Street/B4080 Bredon Road mini roundabout. This roundabout cannot easily and safely be negotiated by walkers and cyclists, particularly schoolchildren and there is no nearby pedestrian crossing. The proposed development is half-way up a hill; in places there is a footpath on one side of the road only and the speed limit is 40mph at the entrance to the site. On the downhill side of the road, motorists will only just have reduced their speed from 50mph. The comments made in the response to GCC do not convey the reality of what the A38 is like on a normal day, let alone on occasions when it is being used as a relief road.

Councillors' investigations suggest that while the Mythe Road, between the proposed entrance to the site and the junction with the A438 has an average incline of around 6%, there is a 50m long section just around the half way point where the gradient averages 10% with a maximum of 26%. We note that GCC has advised that the applicant's cycling plan is not plausible. We have concerns that the proposed traffic calming measures will have a minimal positive impact. Ascending the hill to the site will be a challenge to many cyclists, people carrying shopping, very young, elderly, or disabled walkers, people who suffer from breathing difficulties, parents/grandparents pushing prams and pushchairs and also to users of mobility scooters.

A safe crossing to the western side of the Mythe Road is a necessity, in order to create safe sustainable access to the Garden Centre and the Mythe Railway Nature Reserve. This development is likely to make the Mythe Road busier and visibility is already not good for people turning into the road from the garden centre. Just down the hill from the site, the Ledbury junction is known to local people as an accident black spot.

According to the transport assessment, the MSOA data indicates that 8% of commuters cycle in Tewkesbury. This does not take into account the fact that the terrain in the northern part of the area (within which this site is situated) is totally different from that in the southern part. The Mythe area is almost exclusively different from the rest of the MSOA, which is much flatter, more densely populated, and contains elements of a suitable network of routes for cycling on. A more detailed interrogation of the data will show that the 8% figure is largely due to the unusually high proportion of people who commute by cycle from Priors Park, which is at the other end of town. In the Town Councils opinion therefore, this statistic does not demonstrate that residents of this site are likely to commute by bicycle.

With regard to local rail services, the local railway station is not realistically accessible from this site by active or sustainable travel means unless travellers have plenty of spare time. Car journeys to the station can also take a long time, especially at peak times, due to traffic congestion and this is exacerbated during times of flood. The commute time by rail to Cheltenham may only be 10 minutes but the journey from the Mythe to the railway station will take very much longer. In any case, not many trains currently stop at Ashchurch and it is not clear when, or by how much, this will improve.

We note that National Highways has requested a construction traffic plan prior to the commencement of work on this site. We also note that National Highways has requested that the properties on this site should not be occupied until after M5 junction 9 has been improved. This is very important, since queuing on either side of the motorway is reaching epic proportions and this is forcing the use of adjacent, residential roads and lanes to become rat runs.

Tewkesbury is an ancient settlement. The Town Council is concerned that, with the pressure to develop within and around this parish there seems to be no provision for the accommodation of

artefacts that are found during archaeological explorations prior to development. As more sites are developed around Tewkesbury the need for such a facility grows. The local museum has now had to pause on taking in any more archaeology because it doesn't have any more space for it. It could manage an additional facility if one was provided. There is nowhere else for the archaeology to go.

The Town Council recommends that much more substantive on the ground research needs to be carried out by the applicant in order to demonstrate the suitability of this site for a housing development if, indeed, it can be considered suitable. Development on this site would exacerbate problems for the people who already live in this parish, with respect to a deterioration in air quality, and additional strains on road and drainage infrastructures that are already overstretched. That is a prospect which the Town Council cannot support.



National Infrastructure
Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer 0303 444 5000
Services:
e-mail: M5Junction10@planninginspectorate.gov.uk

By email

Your Ref:

Our Ref: TR010063

Date: 9 February 2024

Dear Mr Tim Pearce,

**Application by Gloucestershire County Council for an order granting Development Consent for the M5 Junction 10 Improvements Scheme
Planning Act 2008 – Section 89(3)**

The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 9

Procedural Decision following issue of Acceptance decision

Following my recent appointment as the lead member of the Examining Authority (ExA), I have reviewed the submitted application documents received on 19 December 2023 and I have decided to make a Procedural Decision to request further information.

This will enable the Examining Authority to utilise the pre-examination stage more efficiently and to ensure that it has the necessary information as early as possible in the overall process. To this end, the Examining Authority primarily seeks reassurance that the outstanding application documentation will be sufficiently complete prior to the Preliminary Meeting such that the Examination can begin.

I refer to the s51 advice issued on 23 November 2023 and in particular the need for updated information in respect of the Transport Assessment and the Flood Risk Assessment which will be required in advance of the Preliminary Meeting.

The ExA therefore requests the Applicant to provide the following information:

1. The updated Transport Assessment (TA) information as set out in the s51 advice.
2. The updated Flood Risk Assessment (FRA) information as set out in the s51 advice.

These should be provided by 23:59 on Friday 22 March 2024.

In addition, the ExA also request the following:

- a plan on an OS base showing the green belt boundary, overlaid by the DCO works plans, and including the local authority boundaries;
- a Road Safety Audit (Stage 1/2). It is suggested that an appropriate Road Safety Audit is undertaken and submitted to assist in the assessment of the road safety aspects of the proposals having regard to the relevant requirements of the National Planning Policy Statement for National Networks (ref: Section 4.60 – 4.66);
- landscape and visual photomontages from key viewpoints preferably agreed with the Local Planning Authorities clearly showing the scheme including the link road, the A4019 and the M5 junction at year 1 and year 15. These should be undertaken in accordance with the advice of the Landscape Institute. These should enable the ExA and IPs to understand the visual effects of the Proposed Development from within the scheme as well as viewing the scheme from further afield;
- Outline Management Plans.

The draft DCO (dDCO) seeks to secure the following management plans, however draft or outline versions would not appear to have been provided setting out in any detail the likely content, structure and mitigation measures proposed. The ExA would find it helpful if these could be provided to better understand how the mitigation proposed would be effective and ultimately be secured and can be readily understood.

- (i) Materials Management Plan;
- (ii) Soil Handling Management Plan;
- (iii) Noise and Vibration Management Plan;
- (iv) Air Quality Management Plan;
- (v) Landscape and Ecology Management Plan;
- (vi) Emergency Preparedness and Response Plan including Flood Management Plan and Severe Weather Plan;
- (vii) Pollution Prevention and Control Management Plan;
- (viii) Archaeological Management Plan;
- (ix) Operational Unexploded Ordnance Emergency Response Plan;
- (x) Traffic Management Plan including Emergency Vehicle Movement Management Plan;
- (xi) Site Waste Management Plan;
- (xii) Public Rights of Way Management Plan;
- (xiii) Community Engagement Plan;
- (xiv) Carbon Management Plan;
- (xv) Nuisance Management Plan.

Draft Legal Agreements

A draft of any legal agreements envisaged to secure mitigation.

Please can you confirm when you will provide the specific information (aside from the TA and FRA) requested in this letter as this will be helpful to the examination process.

Timely receipt of this updated evidence is essential to ensure all persons with an interest in the application will have the opportunity to make Written Representations based on evidence that comprehensively describes the Proposed Development.

Where the requested FRA and TIA updates are not submitted by the deadline provided there may be implications for the date upon which the Preliminary Meeting can be held.

I would also like to take this opportunity to request that the Applicant has the facility to display plans at hearings so they can be viewed at the venue, while those participating online can view them remotely. This will aid a smooth running of hearings and ensure all participants can see the plans being referred to.

If you have any queries on these matters, please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely,

Edwin Maund

Edwin Maund
Lead Panel Member for the Examining Authority

This communication does not constitute legal advice.
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Planning outcomes in January 2024 for applications to Tewkesbury Borough Council.

Planning Reference	Description	Location	Outcome
23/00180/CONDIS	Application for approval of details subject to condition 4 (CEMP) of the planning application ref number 23/00855/FUL	Corus Panels And Profiles Severn Drive Ashchurch	Discharge
23/01090/LBC	Addition of a new cast iron rainwater pipe down the face of the building	5 Barton Street	Consent
23/01050/FUL	Change of use from ground floor laundrette (Class E) to residential	5 Chance Street	Permit
23/01030/TPO	T1 Large Oak Reduce any over extended branches back from neighbour's by approximately 1-1.5m, also on the right side of tree needs to be reduced back by 1m to balance. T2 Beech Reduce height by 0.5m to reshape and crown lift lower branches over neighbour's to give a clearance of 2m.	11 York Road	Consent
23/01027/LBC	New awning over fascia	105 High Street	Consent
23/00979/FUL	Proposed conversion of an ancillary outbuilding into a new one bedroom single storey dwelling	1 Union Place Chance Street	Permit
23/00892/FUL	Demolition of an existing extension and boundary wall. Construction of new single and two storey rear extensions, covered link and replacement boundary wall.	10 East Street	Permit
23/00625/FUL	Change of use of the first and second floors from office (Use Class E) to residential flats (Use Class C3) and associated works.	First Choice Recruitment Service 62 High Street	Permit
23/00505/FUL	Proposed single storey rear extension and single storey side extension with garage conversion.	85 York Road	Permit
23/00633/FUL	Change of use of property to use as a pharmacy.	101 Queens Road	Permit

22/01297/FUL	Restoration of playing surface to school playing field, involving improved drainage, removal of tipped material, demolition of outbuilding and associated leveling and reseeded. Establishment of perimeter hedging, repair/replacement of all weather cricket square and provision of all weather pitch on previously surfaced area.	Orbis Abbey Rose Gloucester Road	Permit
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