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10 March 2017

Tewkesbury Borough Council
Council Offices
Gloucester Road
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For the attention of Ciaran Power

Dear Sirs

Application Reference 17/00072/FUL: Erection of biomass-based anaerobic digestion facility and associated works at land parcels 7946 and 9067 Ashchurch Gloucestershire

I write to set out CPRE's objections to the proposed development.

CPRE has examined all the documents submitted with the revised application, in particular the Planning Statement, the Landscape and Visual Assessment and Transport Assessment.

We are aware that the previous application (16/00241/OUT) for a similar development on a larger scale was recommended for approval at the meeting of the Planning Committee on 25 October 2016, but was refused. Notwithstanding the recommendation, and the smaller scale of the revised proposal, CPRE still considers that the present application should be refused, for the reasons which follow.

We note also that County Highways raised no objection to the proposed development in its response to application 16/00241, and it follows that it is unlikely to do so in any response to the current application owing to its smaller scale.

We ask the Council to take into account our letter of 30 May 2016 in relation to application 16/00241 to the extent that it remains relevant.

The new Planning Statement provides at paragraph 2.22 a useful summary of the changes. It indicates expected output of about 55% of the original, with commensurate reductions in site area, footprint and traffic movements. However, we consider that the reduction in scale does not make the proposal acceptable.

The Site and its Surroundings

Representatives of CPRE revisited the site, walking the public roads and rights of way in the vicinity, on 7 March 2017. On this occasion, there was evidence of damage to verges caused by large vehicles in the vicinity of the site.

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The Campaign to Protect Rural England exists to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

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The Development Plan

The development plan still consists only of the adopted Tewkesbury Borough Local Plan 2001-2011. However, consultation on the proposed Main Modifications to the Joint Core Strategy is currently taking place. We note that both reasons for refusal for application 16/00241 referred to some of its policies; policies which are not the subject of significant modifications. We consider therefore that more weight can be attached to them.

The Emerging Joint Core Strategy

We note that the decision notice for application 16/00241 refers to JCS policies SD7 and INF6 in both reasons for refusal, and also to SD15 and INF7 in the second.

Policy SD7: Landscape

We consider that the proposed development is clearly contrary to the first part of this policy as a result of its height and scale in an extensive area of flat landscape.

Policy SD15:

We consider that the proposed development would be contrary to part 2i of this policy. For reasons given below in relation to Policy INF6, we do not necessarily think it would be contrary to the other clauses of part 2 of the policy.

Policy INF6: Renewable Energy/Low Carbon Energy Development

Our previous letter referred to a similar proposal by the same applicant at Sparsholt College in Hampshire. Since this development is located in close proximity to the college buildings, we are not sure that it can reasonably be argued that there would be adverse impacts in respect of emissions, noise or odour. However, we consider that there would be significant adverse impacts on the amenity of residents and users of the area, the fourth specific issue to which part iii of the policy refers. We consider this sufficiently serious to warrant refusal on its own.

In relation to the second reason for refusal, we concur with the Council in particular respect of the effect of likely traffic movements on *“the enjoyment and perception of safety of all users of the local highway network”*.

Planning Statement

The applicant's Planning Statement is a substantial document which goes to some lengths to address concerns about the previous proposal and to justify in policy terms the present one. We deal with matters arising in order.

The PS refers at paragraph 2.12 to an earth bund with a maximum height of 4 metres. We regard this in itself as an intrusive element in the local landscape.

Paragraph 3.14 repeats the point made in the previous Planning Design and Access Statement about the lack of any guidance requiring sequential or alternative sites testing for this kind of development. Once again however the rest of this section provides no clear justification for the location of the development in its own terms or in relation to applicable planning policy.

In respect of other material considerations, our letter of 30 May 2016 stated *“Most of the OMCs described in paragraphs 5.28 to 5.61 of the PDAS arise from EU and national policy and constitute high level support for renewable energy generally. It could not reasonably be argued that these provisions do not support a proposal of this kind in principle. However, their high level of abstraction and lack of specificity mean in our view that even taken*

together they do not mitigate the lack of compliance with the development plan to the extent needed to outweigh that lack of compliance". Precisely the same can be said of paragraphs 6.29 to 6.62 of the present Planning Statement.

In support of the application, paragraph 6.69 refers to paragraph 28 of the NPPF on the subject of economic growth in rural areas. The PS itself acknowledges that the number of jobs likely to be created will be very small, and the extent of wider economic benefits to the area is far from clear.

We conclude that the Planning Statement does not provide an adequate justification for the proposed development.

Landscape and Visual Impact

Paragraph 2.22 of the applicant's PS, in summarising the differences between the previous and current proposal, makes it clear that the maximum height of the proposed structures will be about 12 metres rather than 13.5 metres. We consider the main element of landscape impact in this case to be height, so that notwithstanding the reduction in footprint, adverse landscape impact will be scarcely any less. As a result, the first reason for refusal for application 16/00241 could stand with equal force.

We would also ask the Council to again take into consideration the more detailed assessment of this issue under the heading in our previous letter.

Highways

The stance of the County Council as highways authority has already been acknowledged. Our previous letter noted among other things that the narrow road leading to the site from the junction at GR 3919 2312 was signed as being unsuitable for heavy goods vehicles. We would still ask the Borough Council to consider whether the road network in the area is suitable even for the reduced level of traffic movements which the revised proposal would give rise to.

Our letter also referred to similar developments in other parts of the South West region which have had particularly serious adverse impacts in respect of damage to and mud on roads, and blocking of roads by large vehicles. This is not necessarily because planning permission should have been withheld; but is more likely to be the result of ineffective conditions and inadequate monitoring.

For the avoidance of doubt, however, we believe that planning permission should be refused; but in the event of it being granted, suitable conditions should be imposed and effective monitoring arrangements put into place.

Conditions and Monitoring

Once again, if the Borough Council is minded to grant permission for the development, CPRE would expect appropriate and strict conditions to be imposed in respect of permissible feedstock.

CPRE would also expect conditions relating to the maximum height of the storage of material and regular monitoring to ensure that the condition is adhered to, and to size of vehicles.

Conclusion

The conclusion to our previous letter included the following: *"...the proposed development in CPRE's opinion constitutes the industrialisation of the countryside on a significant and*

unacceptable scale. It is not in a location in which any development for example in the B use classes would normally be contemplated, let alone permitted. No justification has been offered for the development's remote and isolated location. It is significant that the application places some emphasis on the lack of noise, odour and other potentially adverse environmental effects – meaning that a location for example close to existing built development, particularly non-residential development, could be more appropriate”.

The reduced scale of the development now proposed does not alter this view. Having now considered the policies in the emerging JCS referred to in the reasons for refusal for application 16/00241, we can still find no support in the development plan, or in the emerging development plan as an important other material consideration, for a proposal of this kind in such a location. As indicated above, we consider that the landscape impacts remain unacceptably adverse.

For all these reasons we again respectfully request the Borough Council to refuse the application.

Yours faithfully

Richard Lloyd

Richard Lloyd
Vice Chairman