



## PLANNING COMMITTEE

**MINUTES of the meeting of the Planning Committee held on Thursday 26 January 2023 commencing at 10.00 am.**

**PRESENT  
MEMBERSHIP:**

Cllr Paul Baker	Cllr Chris McFarling
Cllr David Brown	Cllr Graham Morgan
Cllr Bernard Fisher	Cllr Gill Moseley
Cllr Terry Hale	Cllr Emma Nelson
Cllr Tim Harman	Cllr Pam Tracey MBE
Cllr Alex Hegenbarth	Cllr Robert Vines
Cllr Mark Mackenzie- Charrington	Cllr Susan Williams

**Substitutes:**

**Apologies:** Cllr Phil Awford

**1. DECLARATIONS OF INTEREST**

Councillor Vines declared he was a member of Tewkesbury Borough Council

**2. PUBLIC QUESTIONS**

The Committee noted the public questions and responses were available to view on the GCC website and a copy had been circulated to members of the Committee by email prior to the meeting.

**3. MEMBERS' QUESTIONS**

No member questions had been received.

**4. MINUTES OF PREVIOUS MEETING**

**Resolved**

**That the minutes of the previous meeting held on the 7th July 2022 were approved as a correct record.**

**5. MEMBERS SITE VISIT**

The Committee received the Member Site Visit notes.

**6. APPLICATION REFERENCE: 19/0081/TWMAJM (DISTRICT REFERENCE 19/01231/CM) SITE: LAND AT BOW FARM, BOW LANE, TWYNING, TEWKESBURY**

A summary of the application was presented by Marcus Sparrow, Senior Planning Officer aided by a PowerPoint presentation.

This planning application by M C Cullimore (Gravels) Ltd, reference number 19/0081/TWMAJM was for a proposed new vehicular access off the 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. The Committee were advised that it was a cross-boundary application with Worcestershire.

In terms of background information, the committee noted the following key points:

- Whilst application 19/0081/TWMAJM related to a cross-boundary development with Worcestershire, the agenda report and committee presentation for application 19/0081/TWMAJM focused on the proposed development within Gloucestershire.
- The proposed development in Worcestershire had already been considered and approved by Worcestershire County Council (WCC) on the 31<sup>st</sup> October 2022.
- Planning condition 11 of approved WCC application 19/000048/CM stated: "No development shall commence until planning permission has been obtained for access to and from the site via the haul road and access onto A38 as shown on approved drawing numbered: 2636-4-4-2-1-DR-0002-S4-P9, titled: 'Initial Works and Phase 1 Extraction'."

The applicant had submitted a Section 38 application under the Common Land Act 2006 to seek prior approval from the government's Planning Inspectorate to undertake restricted works on Common Land within Gloucestershire. It was reported that the Section 38 application was still under active consideration by the Planning Inspectorate.

The application site was within the borough of Tewkesbury and the parish of Twyning. The Bow Farm application site covered an area of approximately 65 hectares. The site straddled the administrative boundaries of both Gloucestershire (9.1 hectares) and Worcestershire (55.9 hectares) and the site was in the sole ownership of Moreton C Cullimore (Gravels) Ltd.

The case officer explained that the Site was located about 1.3 kilometres west of junction 1 of the M50 Motorway and about 3.6 kilometres south-west of junction 8 of the M5 Motorway. This was depicted on a map and the village of Twyning was located approximately 895 metres north-east of the application site red line

boundary (about 1.7 kilometres north-east of the extraction area); the village of Ripple was situated about 550 metres north of the proposal on the northern side of the M50 Motorway; the village of Church End was located approximately 310 metres east of the application site red line boundary (about 1.2 kilometres east of the extraction area); and the town of Tewkesbury was located approximately 3.1 kilometres south-east of the site.

Members were advised that the Site was currently in agricultural use and comprised of several field parcels that were separated by internal boundaries that lay in the open countryside of south Worcestershire, within Malvern Hills District, and north Gloucestershire, within Tewkesbury Borough. The neighbouring land uses were dominated by agricultural activities such as the large greenhouses at Church End Nursery, the northern most corner of which is located approximately 54m to the south of the proposed haul route that would serve the Site. Land immediately north of the Site consisted of the grounds to Hilton Puckrup Hall Hotel & Golf Club.

The map at slide 5 displayed the land edged red (application site) on the Site Location drawing included approximately 0.29 hectares of registered Common Land in Gloucestershire. Twyning Bridleway ATW37 within Gloucestershire crossed the proposed haul road north to south. Twyning Footpath ATW34 also within Gloucestershire ran west to east from Puckrup Lane to the A38, to the north of the application site.

The plant site map displayed at slide 6, showed the topography of the site in Gloucestershire sloping downwards east to west across the Site. The proposed access onto the A38 at the Site's most easterly point had a ground surface contour of 34m Above Ordnance Datum. To the far west of the Site, in Gloucestershire, the western edge of the proposed clean water pond would have a ground surface contour of 11m Above Ordnance Datum. The topography of the area of land proposed for the processing plant site was at approximately 15 metres to 16 metres Above Ordnance Datum.

It was noted that an underground Exolum Pipeline System oil pipeline and Defence Infrastructure Organisation redundant oil pipeline ran north to south though the application site on land between the proposed processing plant site and the access onto the A38 in Gloucestershire. The pipelines were located outside the proposed extraction boundary.

The committee noted that approximately 40,000 tonnes of mineral extraction would take place in Gloucestershire, which would be derived from the creation of the proposed silt and clean water lagoons. These lagoons would be surrounded by a soil bund measuring approximately 1 metre in height and post and rail fence measuring approximately 1.2 metres high where they boarder Bridleway ATW37. The maximum depth of extraction in Gloucestershire would be 9.5 metres to create the silt lagoons and 7.5 metres in Worcestershire. The maximum depth of each of the two silt ponds would be 9 metres and would be created with sloping internal sides with stepped benches.

A post and rail fence measuring approximately 1.4 metres high would run along the eastern boundary of the proposed haul route, for the safety of users of the bridleway.

It was estimated that the Site would be exhausted of mineral and restored within 9 years of the commencement of the development. The case officer explained that the applicant stated that this 9-year period could be subdivided into the following activities: the extraction was anticipated to take between 6.5 to 7 years. Site set up and mobilisation was expected to take approximately 3 to 6 months. To complete infilling / restoration it was anticipated to take 1 year and a margin of error of 6 to 9 months to allow for market fluctuations, and delays to site operations due to climatic conditions.

It was noted the feed conveyors of the processing plant were the tallest structures within the proposed site, the tallest of which would be 10.44 metres. The top of the middle feed conveyor would be at a height of 8.64 metres, and the top of the feed conveyor at the end of the processing plant would be 7.57 metres. The overall length of the processing plant would be 98.64 metres. In addition, the water source for the processing plant would come from the smaller of the two clean water ponds.

Members noted both the weighbridge office and the welfare office would be single storey structures, each one being 10.5 metres long, and 3.3 metres wide. The height of the weighbridge would be 3.5 metres and the height of the welfare office would be 2.79 metres. The external colour finish to these two structures, the processing plant and concrete batching plant, including silos, would be dark Leaf Green RAL 6002.

At 9.55 metres high, the tube at the top of the mixing tower was the tallest structure within the concrete batching plant. The two cement silos would each be 6.65 metres high. It was reported that the applicant stated that approximately 55% to 60% of the extracted sand and 40% to 50% of extracted gravel would be used as feedstock in the proposed onsite concrete batching plant

The committee were advised of the proposed operating hours associated with the mineral extraction, processing and import / export of material would be between 07:00 to 18:00 hours Mondays to Fridays; 07:00 to 13:00 hours Saturdays; and no working on Sundays, Public or Bank Holidays.

Whilst there were no residential properties within the red line of the application site, as displayed at slide 10, the site was in close proximity to a number of residential properties. The nearest residential property to the red line boundary within Gloucestershire was Fairfield, an occupied detached bungalow in the ownership of the applicant, the boundary of which was sited approx.11m north of the proposed haul road near the proposed access onto the A38. Bow Farm Farmhouse, which was also owned by the applicant, lay approximately 689 metres to the north-west of the proposed screening and washing plant and 780 metres from the proposed concrete batching plant.

The committee noted on Puckrup Lane in Gloucestershire to the north-west of the proposed plant site area were the following residential properties:

- Dadsley Cottage: approximately 200 metres east of the proposal in Worcestershire, 473 metres from the proposed screening and washing plant and 522 metres from the proposed concrete batching plant.

- Bowbridge Cottage: approximately 260 metres east of the proposal in Worcestershire, 502 metres from the proposed screening and washing plant and 541 metres from the proposed concrete batching plant.

Accessed off Puckrup Lane in Gloucestershire and sited north of the proposed plant site area are a number of residential properties, including:

- The Cider House: approximately 536 metres from the proposed screening and washing plant, 470 metres from the proposed concrete batching plant and 689 metres north-east of the application boundary in Worcestershire.

- Puckrup Hall Farm Cottages: approximately 513 metres from the proposed screening and washing plant, 441 metres from the proposed concrete batching plant and 693 metres north-east of the application boundary in Worcestershire.

- Gardeners Cottage: approximately 452 metres from the proposed screening and washing plant, 376 metres from the proposed concrete batching plant and 681 metres north-east of the application boundary in Worcestershire.

It was also noted accessed off the A38 (Gloucestershire) and sited to the east of the proposed plant site area, the closest residential properties, included:

- Far End: approximately 317 metres from the proposed screening and washing plant, 213 metres from the proposed concrete batching plant and 771 metres east of the application boundary in Worcestershire. The middle of the proposed site access off the A38 would be approximately 197 metres to the north-east of Far End.

- A cluster of residential properties located on the east side of the A38, approximately 218 metres south of the proposed Site access. These properties were sited between 492 metres and 507 metres from the proposed screening and washing plant and between 400 metres and 427 metres from the proposed concrete batching plant.

To the south of the proposed concrete haul route adjoining the A38 and south-east of proposed 'Silt Pond 1', the nearest residential properties were:

- Twyning Farmhouse: approximately 421 metres from the proposed screening and washing plant, 453 metres from the proposed concrete batching plant and 810 metres south-east of the application boundary in Worcestershire.

- Rose Bank: approximately 561 metres from the proposed screening and washing plant, 556 metres from the proposed concrete batching plant and 992 metres south-east of the application boundary in Worcestershire.

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- Le Bourg des Templiers: approximately 423 metres from the proposed screening and washing plant, 481 metres from the proposed concrete batching plant and 777 metres south-east of the application boundary in Worcestershire.
- Owl's End: approximately 470 metres from the proposed screening and washing plant, 551 metres from the proposed concrete batching plant and 764 metres south-east of the application boundary in Worcestershire.

Approximately 411 metres south of the Site boundary adjoining 'Silt Pond 1' was the property known as Redpools Farm, which was approximately 606 metres from the proposed screening and washing plant, 717 metres from the proposed concrete batching plant and 750 metres south-east of the application boundary in Worcestershire.

With the exception of surrounding farmland, there were multiple commercial properties/developments within the vicinity of the application boundary, the most notable of which were:

- Hilton Puckrup Hall Hotel & Golf Club in Gloucestershire: approximately 455 metres from the proposed screening and washing plant, 364 metres from the proposed concrete batching plant and 740 metres from the application boundary in Worcestershire.
- Church End Nursery in Gloucestershire: the northern most corner of the greenhouses is located approximately 54m to the south of the proposed section of concrete haul route that would serve the Site off the A38.
- Sunset View Park in Gloucestershire: the entrance to this established holiday home development is approximately 661 metres south-east of the proposed screening and washing plant, 608 metres south-east of the proposed concrete batching plant and 1.1km from the application boundary in Worcestershire.
- Dawleys Caravan Park in Gloucestershire: the entrance to which is approximately 764 metres south of the proposed screening and washing plant, 880 metres south-west of the proposed concrete batching plant and 910 metres from the application boundary in Worcestershire.
- Curtilage of land at Padsview Stables, Bow Lane, in Worcestershire: approximately 586 metres north-west of the proposed screening and washing plant, 650 metres north-west of the proposed concrete batching plant and 45 metres east of the proposed extraction area in Worcestershire.

Slide 11 advised the committee of the approaching the Bridleway crossing from the south, users of the bridleway would be flanked by 1.4-metre-high timber post and rail fencing that followed the base of the bunding around silt pond 2 and contour to the larger of the two clean water ponds. The speed on the haul route would be limited to 10 miles per hour and would be accompanied by suitable signage that would be strategically located.

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The width of the haul route would be 5 metres, which was wide enough for one dump truck to traverse. Whilst there would be no land raising to facilitate the proposed haul route, the bridleway crossing would be slightly elevated to allow water to drain away. The middle 10 metres by 5 metres section of the crossing would consist of a textured concrete finish and be flanked on either side by a 5-metre-wide grassed waiting area that would be enclosed by a 1.4 metres high protective post and rail fence. It was reported that the details of which had been discussed on site with the Field Officer from the British Horse Society and later agreed in writing.

The Committee were informed that each of the two dump trucks that would use the haul route weighed between 28.3 tonnes and 32.6 tonnes, with each having a net load capacity of between 32.5 tonnes and 36.3 tonnes.

The average distance between the proposed post and rail fencing and the middle of Bridleway ATW37 was 4 metres. Whilst the width of a bridleway was 3 metres, users of that bridleway would have between 8.5 and 9 metres of useable space in which to navigate from the proposed bridleway crossing and the exit onto Puckrup Lane. The minimum distance from the 1.4-metre-high protective post and rail fence and the edge of the bridleway would be 3.5 metres. As there was no land raising to facilitate the proposed haul route, the ground level for the horse and rider and other bridleway users would be approximately the same as the ground level for the dump trucks.

Slide 12 displayed the 'Bridleway and Haul Route' and the area of Common Land that would be taken up by the proposed development would be 0.29 hectares.

It was explained with regard to internal dump truck movements, the applicant estimated that there would be approximately 50 internal dump truck movements per day within the site. Material would be transported between the proposed extraction and processing plant areas along the connecting haul road using 2 dump trucks operating rotationally. The two dump trucks consisted of a Bell 35 and a Caterpillar 740. The haul route would be constructed from Ministry of Transport Type 1 material, which was a crushed gravel no larger than 40mm, which would be located between the proposed processing plant site in Gloucestershire and Phase 9 of the extraction area located in Worcestershire.

At slide 13, the plan showed a cross section of the proposed bridge over the pipeline and a plan view of where the proposed haul route would cross over the pipeline.

At slide 14 (titled Heritage Assets), the case officer referred to Church End Conservation Area being located approximately 320 metres east of the application site. It was noted that a number of Listed Buildings were located within the village of Church End, including the Grade II\* Church of St Mary Magdalene located about 1.4 kilometres east of the proposed extraction area and 510 metres from the application site. Further Listed Buildings were located on the western bank of the River Severn including the Grade II\* Listed Buildings of Church of Saint Nicholas

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and Pull Court, Screen, Archway and Gates located approximately 1.1 kilometre north-west and 760 metres west of the application site, respectively.

Slide 15 referred to the heritage assets at approximately 747 metres north-north-west of the boundary to the proposed plant area is Towbury Hill camp, which was the nearest Scheduled Ancient Monument.

The case officer stated that there were a number of Listed Buildings within the vicinity of the application site, this included the Grade II Listed Building of Puck Cottage which was located approximately 50 metres east of the extraction area in Worcestershire. The Grade II Listed Buildings of Bow Bridge Cottage and Barn (circa 10 metres north-east of Bow Bridge Cottage) were located on Puckrup Lane approximately 250 metres to the east of the application site. Six further Grade II Listed Buildings (Barn, Barn and Pigsties, Stable Block, Puckrup Farmhouse, The Bothy, and Puckrup Hall) were situated about 680 metres east of the extraction area and 350 metres north of the proposed access haul road onto the A38 at their closest point.

The Grade II Listed Building of Twyning Farm including Walled Garden and Dairy was located approximately 310 metres south of the application site and approximately 810 metres south-east of the proposed extraction area. Further Grade II Listed Buildings (Shuthonger Villa, Shuthonger House, boundary wall, gates and gate piers to Shuthonger House and Crown Cottage) were located beyond in Hamlet of Shuthonger.

Slide 17 depicted the landscape and displayed a photograph taken from the base of the old dead oak tree, this photograph showed the site looking north towards the golf course at Puckrup Hall Hotel. The application site comprised Grades 2 (very good quality) and Grade 3 (good to moderate) quality agricultural land and, therefore, comprised, in part, of Best and Most Versatile agricultural land.

Taken from the base of the old dead oak tree, the photograph at slide 18 showed the site looking east towards Far End. Bredon Hill which formed part of the Cotswolds Area of Outstanding Natural Beauty National Landscape was located about 4.3 kilometres east of the application site and was also designated in part as a Special Area of Conservation and National Nature Reserve. The Malvern Hills AONB National Landscape was located about 7.6 kilometres broadly to the west of the proposed extraction area. Dixon Wood Special Area of Conservation was located approximately 9.8 kilometres broadly south-east of the application site.

Slide 19 was taken from the base of the old dead oak tree, this photograph shows the site looking south-east towards Twyning Farm.

Slide 20 was taken outside the north-west corner of the garden to Far End, this photograph shows the site looking south-west. The orange coloured circle showed the location of the dead oak tree that was proposed to be removed to facilitate the proposed development. Slide 21 was taken outside the north-west corner of the garden to Far End, this photograph showed the site looking west. The orange coloured circle showed the location of the dead oak tree.



Slide 22 was taken outside the north-west corner of the garden to Far End, this photograph showed the site looking north-west. The orange coloured circle showed the location of the dead oak tree. Slide 23 was taken outside the north-west corner of the garden to Far End, this photograph showed the site looking north-north-west towards the golf course at Puckrup Hall Hotel.

Slide 24 showed the view looking south-south-east towards Far End from the footpath outside the boundary to Gardeners Cottage. Slide 25 showed the view looking south-west from the footpath outside the boundary to Gardeners Cottage. Slide 26 was the view of land in the applicant's ownership looking west. Slide 27 displayed the view of Church End Nursery as seen from the southern boundary of Puckrup Hall Hotel. Slide 28 gave a view of a section of the extensive glasshouses at Church End Nursery as seen from the boundary of the application site.

The tree protection plan was detailed at slide 29 and members were advised following the retention of all veteran trees across the site, the estimated mineral yield of approximately 1.5 million tonnes was reduced to approximately 1.44 million tonnes.

The case officer stated there were a number of statutory and non-statutory wildlife designated sites within 3 kilometres of the proposal, and that the application site was hydrologically linked to the Severn Estuary Special Protection Area and Special Area of Conservation which are European designated sites.

In terms of the trees affected by the cross boundary development proposals, there was only one small confirmed pipistrelle bat roost, which was shown on the Tree Constraints Plan as T91 (slide 30). This was an isolated dead oak and sat in an arable field within the curtilage of the proposed processing area. The committee were advised that a Natural England licence would be required to remove this tree which was what the applicant intended to do. The approach to be taken to close down this small pipistrelle bat tree roost was considered to be acceptable by GCC's Principal Ecologist and had not been questioned by Natural England.

At slide 31 (Continuous Dust Monitoring), the case officer informed committee that continuous dust monitoring would be undertaken using equipment that measured real-time concentrations of PM10 and PM2.5. Values would be recorded every 10 seconds, and were typically presented as 15 minute averages. The dust monitoring equipment could send email alerts when an agreed threshold was breached and all data could be viewed by the operator in a real-time dashboard. The monitoring equipment used would satisfy the Environment Agency's Indicative Monitoring Certification Scheme (MCERTS) standard.

The proposed monitoring for respirable crystalline silica would need to be undertaken using a different type of monitor, which was a gravimetric filter reference sampler that collects a physical sample of dust that can be sent off to an accredited laboratory for crystalline silica analysis. This type of monitoring would not provide any measurements in real time; it typically collects each sample over 7 days and used a respirable (PM4) size selective inlet - so concentrations would be

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presented as 7 day averages. The costs associated with this type of monitoring were high, and the applicant's dust consultant did not recommend this was undertaken continuously, but for a short period of three months that ideally included a baseline before any work commenced. It was reported that at the moment there was no ambient UK limit/target/objective for respirable crystalline silica.

The committee viewed the photograph at slide 32, this was taken looking north along the A38 from a point south of the proposed site entrance. It was estimated that the proposal would generate approximately 144 HGV movements per day (72 HGVs entering the site and 72 exiting the site), equalling approximately 13 two-way HGV movements per hour, or approximately 1 HGV movement in either direction every 5 minutes during a weekday. It was also estimated that staff vehicular movements to and from the proposed development would be a worst-case scenario of approximately 40 vehicle movements per day (20 vehicles entering the site and 20 vehicles exiting the site per day).

The photographs at slide 33, were taken from inside the proposed site. The photograph in the bottom left corner looked north-east. The photograph in the top right looked east towards Church End.

In terms of the highway, slide 34 displayed details of the proposed 'Ghost Junction' on the A38, from where access into the site would be gained and lead to an internal haul road spanning approximately 300 metres long by 7.3 metres wide and be constructed from concrete. This section of haul road would be constructed between the proposed processing plant site area and the A38 junction, and be lined by a grassed bund measuring approximately 1-metre-high to mitigate noise and dust impacts resulting from HGV movements. The case officer explained the applicant had confirmed that imported inert material would be stockpiled within the plant site area and transported for deposit within the extraction area by dump truck.

Visibility splays measuring approximately 4.5 metres by 160 metres in each direction were proposed (slide 35), and to achieve this, trees on the boundary frontage with the A38 would be removed and the hedgerow managed to a level of no more than 0.6 metres high. In addition, a wheel washing facility would be provided within the proposed processing plant area in Gloucestershire to service HGVs when exiting from the proposed processing plant site. Water would be sourced from the proposed clean water lagoon to feed the facility.

It was also noted that all of the applicant's fleet of HGV vehicles met Euro 6 standard, which meant the fleet met the highest standards regarding minimising emissions. The load capacity for the HGVs operating at the proposed quarry would be 20 tonnes. It was estimated by the applicant that 90% of the HGVs entering and exiting the site would be from the applicant's own fleet of vehicles.

A photograph at slide 36, showed the site area west of the 'Dismantled Railway' line falling within Flood Zone 2 and 3 of the Environment Agency fluvial flood risk map. The Site east of the 'Dismantled Railway' line that included the processing plant area was within Flood Zone 1. The yellow star on the map showed the location from where the two photographs of flooding were taken on the 19th February 2020. On

the matter of groundwater, details supplied to support the application have satisfied all queries raised by the Environment Agency and the Lead Local Flood Authority.

Slide 37 displayed two photographs that were more recent and showed the extent of the flooding at the bottom of Puckrup Lane and the gate through which Bridleway ATW37 would be accessed off Puckrup Lane.

The site would be progressively restored using a combination of site derived soils, overburden and imported inert waste material, as defined in slide 38. The application submission defined imported inert waste as “including uncontaminated or treated sub-soils, as well as construction, demolition and excavation waste such as, but not limited to concrete; bricks; tiles; and ceramics that would not undergo any physical, chemical or biological transformations of significance and would not give rise to environmental pollution or risk harm to human health as a result of coming into contact with other matter”.

Approximately 1.4 million tonnes of inert waste material would be required to return the proposed linear Phases 1 to 9 in Worcestershire back to pre-extraction levels. The estimated annual rate of disposal would be about 165,222 tonnes per year. During the restoration phases in Worcestershire, imported inert material would be stockpiled within the plant site area and transported for deposit within the extraction area in Worcestershire by dump truck.

The case officer confirmed that the applicant stated that compared to the current baseline, the proposed restoration scheme would result in the replacement of over 25 hectares of lower-grade agricultural land with biodiversity and nature conservation gain. Within Gloucestershire there would be a gain of ponds with a good deal of wet grassland and scrub.

The proposed restoration plan includes the removal of the following temporary structures:

- Bridge over Ripple Brook;
- Bridge over brook adjoining clean water pond;
- Haul route: including all MOT type 1 stone and concrete;
- Post and rail timber fencing on common land;
- Concrete batching plant;
- Processing plant, including stockpiles and bunds;
- Welfare Office, Weighbridge Office and associated development.

It was explained that site access would be retained to provide long term agricultural access into the site.

The case officer concluded that Planning Committee be mindful to grant planning permission for the reasons set out within the report, summarised in paragraphs 7.505 to 7.537 and subject to the planning conditions detailed in Section 8.0 of the report. The case officer advised the committee that the proposal gave rise to no material harm that could not be mitigated or controlled by planning conditions or by regulatory bodies, was in accordance with the Development Plan, the NPPF and

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NPPW and there were no sustainable material considerations that could justify and sustain a reason for refusal.

In light of the above, the Mineral Planning Authority (MPA) concluded that the proposal was acceptable in planning terms and that all amenity matters could be adequately controlled by planning condition and the function of environmental regulatory bodies. The issues raised on the application and the main planning matters considered were all contained in the report.

The Committee were advised that in order to assist with questions, officers were joined by the following consultees who provided the Mineral Planning Authority with technical advice on a range of topic areas. On matters concerning highways: Mr John Patey, the Principal Development Co-ordinator in Highways Development Management. For ecology and biodiversity: Mr Gary Kennison, GCC's Principal Ecologist. For landscape and visual impact: Mr Nick Rowson from Atkins Global. For matters related to the Lead Local Flood Authority: Mr David Lesser, and for issues concerning noise and dust: Mr Steven Williams and Mr Joe Geesin, Senior Technical Officers from Worcestershire Regulatory Services, who had provided technical responses on behalf of Environmental Health at Tewkesbury Borough Council.

The Chairman invited the following registered speakers to address the Committee:

**Objecting: Nikki Reeves**

*"Ripple's 10-year extraction from 2005-2015 saw homes plagued by dust. What a nuisance, but it's harmless, it's just dust. This was our perceived wisdom, perhaps it would have been yours. But it wasn't dust it was silica particles, one of the most lethal airborne particles in the world.*

*Since 2020 REACT have collated research undertaken over two decades by worldwide experts, not experts in Cullimore's pay. This research confirms these particles cause silicosis, lung and childhood cancers and COPD. Silica dust has killed millions worldwide.*

*The UK's Health and Safety Executive have at last acknowledged global concern, it is now recommended that site workers should have sealed cabs, specialist cab cleaning equipment, overalls that don't harbour dust and are laundered by the company. The UK still uses exposure levels up to four times higher than other countries, so there continues to be health risks to those who work in the industry. Initial X-rays and lung capacity tests are advised to assess worker's vulnerability. These recommendations only apply to workers on an 8-hour day in a sealed cab. Of course residents who live nearby are exposed without safety equipment 24/7.*

*By 2018, three years after Ripple Quarry was restored four residents from just 21 houses had died from diseases directly linked to silica, and another resident is currently battling COPD.*

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*Unlike other countries the UK doesn't have a hospital track and trace system for silica related diseases so there is no actual medical proof that these deaths were related to the quarrying, but that doesn't mean that they weren't. These diseases don't happen overnight they're slow and debilitating.*

*The health hazard is in the small dust particles. Cullimore's experts say the presence of the most lethal particles, below 2.5 microns, is negligible, but scientific calculations show that 1.4 million tons of sand and gravel will contain 5% of microns below 2.5, so that's 75000 tons. Invisible to the naked eye, 100 times smaller than a grain of sand and easily airborne. Quarter of a teaspoon in the lungs is lethal, and its effects are irreversible.*

*Whilst the Health and Safety Executive admit their equipment is unable to record these particles. Cullimore's confirm that they do have equipment sensitive enough to detect these small sized microns. We wonder why the applicant has not provided data on the smallest microns. What are they hiding?*

*Before making a decision on this application we hope you will have visited a local concrete batching plant and viewed aerial photographs. They show vast swathes of yellowish dust, where no vegetation survives. Bunds, far from limiting the spread of silica dust, create airstreams that distribute particles over a wider area.*

*Silica has been internationally recognised as the next asbestos. Recently the widow and son of a 1970's asbestos worker were both diagnosed with asbestos related cancer. They had never worked in the industry. But the little boy enjoyed seeing the dust flying up in the air when he and his Mum shook overalls before washing them.*

*It took forty years for this country to recognise asbestos was lethal, sadly history is repeating itself. Our fight is about the right to quality of life, it's never been about Nimbyism, it's based solely on worldwide recognition that silica particles cause life changing illnesses and death. The 2019 Ethical Standards seven principles of public life, which you signed up to, state you must uphold impartiality, truthfulness and accountability for your actions and decisions. So I ask, would you approve this application if your family lived alongside this extraction and plant site - I think not"*

**Objecting: Mr Bill O'Dell**

*"I want to cover in this brief presentation the noise issues created by the proposed development and their effect on Puckrup Hall Hotel and the residents of Church End Nurseries.*

*British Standard 8233 which has been quoted in the report pack in relation to the noise to be experienced at Puckrup Hall Hotel. The Scope from this Standard - "does not provide guidance on the effects of additional noise to occupants of these buildings". The sole purpose of the Standard is to advise on providing noise insulation and sound attenuation in existing buildings. It is clearly therefore wrong to use this Standard to assess noise levels at the Hotel buildings, it's grounds or the golf course. The Standard also states that "it cannot differentiate between pleasant and unpleasant sounds". There is*

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*also a statement in the Standard that there should be a feasibility check on moving the noise source to a more remote location. Clearly this has not been undertaken in any meaningful way. The Standard goes on to confirm under 'design considerations' that ambient noise conditions should be those appropriate to the building. So a quiet country house hotel would not have the same acceptable noise conditions as commercial or industrial premises and the appropriate acceptable level needs to be agreed with the buildings operator. There has been no consultation with the Hotel on acceptable noise levels. Also only guidance noise levels are given in the Standard - they are not fixed standard of acceptability.*

*Now this Standard also refers to another British Standard BS5228 as the method for predicting the noise levels from sites as proposed in the application. That seems sensible - if you quote one British Standard you should also use the other. Except here that hasn't happened. The predicted noise calculations have been made using 'library' figures from the Applicant's consultants for all the machinery to be used on site. Are these figures the actual ones of the plant to be used - no. Are they 'more accurate' - again No. So why are they used. Quite simply - because they are much, much lower than the British Standards ones. In some cases, half the noise values. This application would fail the noise requirements if the correct values were used. We would also query why the way the noise value calculation is totally opaque. It's because the calculations are not based on the worst case locations of the equipment. We've asked multiple times to see the full calculations so our supporting noise experts can verify them - and all our calculations show this to be the case.*

*So in summary the information provided to support the application on noise uses a British Standard that is not appropriate for the task and then fails to use the right British Standard to calculate the noise values - and none of the workings for those calculations are given. This is a basic flaw with the application and with the potential implications to business and tourism being very significant.*

*Just a final thought. If you look at the correct British Standard for calculating noise values for those items of the plant near the resident owners of Church End Nurseries and the golf course some individual pieces of equipment are rated at 111 decibels. That's as loud as a rock concert at source. Please refuse this application as it fails to show acceptable noise levels. Thank You."*

**Objecting: Mr Mike Jones**

*" Good morning. This speech is about the effect on tourism and local business if the planning application were approved. This is split into 3 sections:*

- The business model of local hotels.*
- The specific situation around Puckrup Hall Hotel.*
- The effects on the local economy in Tewkesbury.*

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*Hotels typically have high fixed costs - such as lease costs, insurance, heating costs, maintenance, business rates and personnel costs that are independent of how many guests they host. This means the businesses are very sensitive to the number of guests they have - so occupancy rates and returning visitor rates are crucial to their businesses survival. A small change in visitor numbers can have a disastrous effect on their profitability. Fact.*

*It is in the public domain that Puckrup Hall Hotel has made significant losses for 10 years. During this time, it has been supported by its parent company Hilton - but that won't last forever. It is also just recovering from the Covid and now faces a bleak economic climate. It is a very important part of the local tourism business and it supports a range of other local businesses such as taxi firms, florists, maintenance companies, etc. From data these can be 20% extra to those employed directly by the hotel. Its business is based around the peaceful country house atmosphere. The quarry and process plant don't represent a blip in their business - the 9-year time frame will likely be terminal.*

*So what would happen if Puckrup Hall Hotel closed. There is only a single local competitor that has the range of features that Puckrup has and could be classed as a country house hotel - it is significantly smaller, 20% less rooms and certainly couldn't accommodate all the new business. Elsewhere there are no similar establishments in the town or Borough. So what will be the local effect. We have analysed the data from a report Tewkesbury commissioned in 2021 from The South West Research Company Ltd and it can be demonstrated that this will be the effect:*

- The data shows local hotel occupancy is primarily from May to October typically when guests can use outside facilities. This is when the detrimental effects from the quarry and process plant will be at their height affecting Puckrup's business.*
- Tourism jobs support £54M of local business - 3 times as many visitors spend nights in accommodation compared to day visitors.*
- Visitors spend £18M on shopping, food and drink, visiting attractions in addition to accommodation.*

*It can be estimated from the data that at least 12% of local tourism jobs will be lost with a similar 12% reduction to the local economy if Puckrup ceased trading - some £6.8M - per year probably gone for ever.*

*Within Tewkesbury, Puckrup represents some 38% of hotel specific jobs due to its size and facilities.*

*If you approve this application, you are going to put at extreme risk a large proportion of the local economy and jobs. You will also make a significant reduction in business rate income. What due diligence has been given to the fate of the tourism industry and in particular the fate of Puckrup? I would suggest little or none. Please refuse the application. Thank You."*

**Objecting: Philip Martineau**

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*"Church End Nurseries is a business that has been built up over 60 years and is now specialist soft fruit grower, supplying raspberries to major supermarkets.*

*There are some 20 thousand plants in 3 acres of glasshouses and a 1-acre polythene tunnel complex. They involve year-round attention by a staff varying in size up to a maximum of 50 people in the picking season with an average equivalent to 20 full time jobs. Growing raspberries is a specialised undertaking based around a 5-year cycle. At the end of last year, the nursery was cleared of 5-year old plants and early in January a specialist company started repairing and cleaning each house. Planting will take place in rotation as each section is ready.*

*All the glasshouses and tunnels use a ventilation system which draws in fresh air from outside and this then circulates around the plants. The mechanisms for actuating the ventilation would be damaged by any dust entering their workings and their replacement would be a significant cost to the business.*

*More importantly the raspberry crop is highly sensitive to any dust. If a crop has a single event of dust contamination it is ruined, resulting in a major negative impact for the business. You can't wash dust from this fruit and any attempt to do so would result in spoilage.*

*The yield of fruit is highly dependent upon the light entering the glasshouses and tunnels. If they are covered with a layer of dust this can significantly reduce this yield. Any dust falling on the roof can bond to the glass surface and then specialist cleaning. Additional sources of dust would mean that cleaning would have to be more frequent with a significant additional cost. Regarding green algae, these tend to form primarily in the more shaded regions low down on the inside of the northern walls, rather than the roof and therefore have only a small effect on the amount of light entering the glasshouses.*

*From the Applicant's Dust Management Plan, we see that dust particles of intermediate size will travel up to 250 – 500m and smaller particles will travel up to 1 km. Note that in the closest regions, the processing area is only 150m from the polythene tunnels and less than 200m from the glasshouses. Similarly, the haul road is only 54m from the glasshouses. Note also that the directions from which wind-borne dust could arrive from these dust sources cover an arc of 180 degrees.*

*To summarise The business of growing raspberries is highly sensitive to dust. It is unlikely to survive loss of crop from dust contamination or the major business costs involved in frequent specialist glass cleaning or replacement of ventilation systems. Note that there is no way any wind-borne dust can be filtered out before entering the glasshouses.*

*There is no doubt that the proposed processing area and haul road would put the business at significant risk. Failure of a single crop would result in the loss of the equivalent of 20 full time jobs.*

*Nobody we can agree, would start up a soft fruit growing enterprise downwind from a processing plant of a gravel quarry and no expert can be certain that dust would*



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*not migrate in a way that would affect our premises and business. From the data in the Applicant's Dust Management Plan more than 34% of potential dust bearing winds would be directed from the processing area or haul road towards our glasshouses. As we see it contamination would be bound to happen.....with potentially disastrous results for the business.*

*DustScan, the consultants, deny liability by stating that their reports, prepared for the Applicant, should not be relied upon by any third party. Please can it be confirmed that the Council would accept liability for what is clearly a foreseeable event? "*

**Objecting: Ahmet Donmez**

*"Good Morning Everyone, I met some of you at the officer requested the site visit.*

*We are a major tourist and hospitality venue in the area with 112 bedrooms, 16 meeting rooms/event space with the capacity for 450 guest, restaurant & bar, a golf course with some 450 members and with over 800 health club members.*

*We host around 70,000 sleepers in our rooms and we serve over 28,000 guest in our event space. Around 50,000 of these people, who come to our town and stay with us, visit and spend money in local shops, cafes, bars, restaurants and attractions in and around Tewkesbury, Gloucestershire and Malvern area. I estimate the local economy generates about £4m revenue from these visitors in the area.*

*WE are a service business and people incentive that base on people serve, the people. We cannot operate with machines or technology. Thus, we are a major local employer with up to 200 permanent and contract staff, we pay our staff £2.5m per year and goes up every year.*

*We also create and support significant local jobs, the list can be endless such as taxi firms, hairdressers, dry cleaners, window cleaners, florists, carpet cleaners, horse riding schools, etc. We pay about £2m to our local suppliers.*

*We also support Tewkesbury Foodbank, Gloucestershire Bundle, Tewkesbury Abbey and some local charities. We support Alderman Knight School, Tewkesbury College, Hartpury University with different activities and support. in 2022, we had 19 community engagement projects totalling 473 team member volunteer hours, plus £15,000 local donations.*

*So with Covid just gone and another recession is on the way, for all we know. The last thing we would like is another impact on our business that would reduce our profitability and our membership because if that happens we will struggle.*

*Our guests come to our countryside setting feeling*

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*If you choose today to change our setting, most likely it will impact it. Please trust that as a Hilton we know our field, what we have seen this planning application will impact our business and will definitely will have a negative impact.*

*We can envisage a 20% to 30% reduction in our revenue, if this happens it will affect our profitability and that means it will have an impact for our owner. That impact would unfortunately mean we would not be able to operate as a hotel.*

*We look at different scenarios of this application, the dust, noise and traffic these would have a knock on effect on our business, local staff and the local economy. Therefore, I would ask you to think very carefully about the 200 people and the local economy and please refuse this application. Thank you"*

**Applicant: Moreton Cullimore**

*"I am Moreton Cullimore, landowner of Bow Farm and Managing Director of the Cullimore Group of Companies. We are an independent family company, established in 1927 in Gloucestershire. We employ people who mostly live within a 10 to 15-mile radius from their place of work. Our customers and suppliers are mainly from within the County intrinsically linking us with local economies. If our application is successful, it will enable us to maintain and grow our staff and other businesses over the next decade.*

*This application then is the very immediate future of our business and employees. Our revenue is generated and kept in the local economy unlike some of our competitors operating nearby. The raw materials we extract are the primary resource for all construction, be it for infrastructure, homes, schools, retail and business areas, the A417 missing link, Tewkesbury and Cheltenham developments.*

*We have successfully extracted minerals in the Cotswold Waterpark in both Gloucestershire and Wiltshire for over 60 years. Our experience is second to none. Cullimore's are a conscientious, and we understand the concerns of those living and working near Bow Farm. We believe our application addresses those concerns, but we will establish a liaison group and maintain an open dialogue with representatives of the local community throughout the life of the quarry.*

*Members will be aware that in October 2022, Worcestershire County Council's planning committee resoundingly approved our application for sand and gravel extraction at this site, Bow Farm. In adopting your officer's recommendation today, the committee would be facilitating access to this proven sand and gravel resource, for which there is a clear and demonstrable need in both Gloucestershire and Worcestershire.*

*Central to the discussion from those opposing the development at Worcestershire's committee was the potential health implications for local residents. In response, I reiterate here what was emphatically agreed by Worcestershire's planning committee. There are many misconceptions of the effects of a sand and gravel quarry operation, particularly when it comes*

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*to health. Concerns are typically raised of likely increases in respiratory related illnesses, however this is never experienced in practice.*

*You may be aware that the Health and Safety Executive, a statutory consultee to mineral-related planning applications, have unequivocally stated that: "No cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficiently high to cause this occupational disease."*

*Our employees are fitted with PPE, however that is for visibility and for protection of their bodies, they are not fitted with respiratory devices. The cabs on the machinery are no more sealed than a domestic vehicle on the road today.*

*Questions have been asked why we do not propose to barge material via the River Severn to an alternative site for processing and onward transport. The simple answer is we do not own and cannot reasonably secure access to a processing site. Highway officers and National Highways are satisfied that the proposed access and network are suitable to accommodate our proposal.*

*With respect to public rights of way, members can be assured that it is not uncommon for mineral sites to interact with public footpaths and bridleways up and down the county. We have operated a site within the Cotswold Water Park which was bound on all sides by footpaths and a bridleway, interacting not just with haul routes but extraction areas also. No safety issues arose in over ten years of operation. This scheme has evolved to take account of recommendations made by public rights of way officers and the British Horse Society, both of whom have been consulted extensively and raised no objection to the development.*

*Three years of detailed assessment and wide ranging consultation has led to the comprehensive report from your officer which demonstrates that this development can operate harmoniously within the landscape, and with existing businesses. The proposed attenuation measures, requirements for continuous monitoring, the strict and numerous planning conditions set out by your Officer's report will all combine to ensure that a proven mineral need is fulfilled without adverse effect.*

*To summarise, the material at Bow Farm is the highest quality, quartz aggregate perfect for local building and infrastructure projects. There is a proven and accepted need for this material. Once exhausted, the restored landscape would deliver over 28 hectares of wide-ranging biodiversity. habitat; a benefit which would remain in perpetuity for the benefit of Gloucestershire.*

*Please be assured that our planning application at Bow Farm is robust. We have categorically proven that a quarry can exist in this landscape, for a temporary period, without detriment to the local environment at the same time as delivering a much-needed sand and gravel resource to the local economy. I ask you to follow the recommendations of your officers and align with the experts who have been consulted on this application and support this development."*

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**Cllr David Lockett (Twynning Parish Council)**

*"Good Morning Councillors, so 1.46 million tonnes of sand and gravel and 1.4 million tonnes of infill over a 9-year period. A net loss of 3.36 hectares of agricultural land, a haul road and a processing and concrete batching plant. My comments are predicated on the likelihood that you may be mindful to permit.*

*The question is, how do you reconcile your responsibilities as a Council to support your May 2019 declaration of a Climate Emergency? How do you expect to reduce CO2 emissions if you permit 66,924 vehicle movements a year or close to half a million over 7-year period? Are you saying this will have no effect on your climate change targets?*

*A permit decision will mean that no dumper truck is going to scare a horse on the nearby bridleway or impede walkers on the right of way. No lorry will deposit dust or debris on the A38 despite one coming or going every 5 minutes – for 9 years? No HGV's will leave and turn right out of the access.*

*To approve this application, you must be aware of what you are signing up to. You will personally add your support to the recommendation made by your officer and affirm that all the measures that are to be put in place will not lead to a loss of life on the A38, will not interfere with the health and wellbeing of local residents, you guarantee that local businesses will not be covered in dust during a long hot summer, can you really say that or damage nearby properties. Who will be monitoring climatic conditions at night and over the weekends? Who knows which direction the wind is going to blow.*

*Let us be clear, this is a 9-year project when all of the conditions, regulations and preventative measures will be strictly enforced and you are assuring us that this will happen. The recommendation states that the flood risk from the River Severn can be managed. Seriously? – you live in an area that has regular flood events and the Severn is a serial offender. You are happy then to sign up to a scheme that may well pour millions of gallons of polluted water back into the Severn when workings become flooded, with catastrophic consequences for water quality and river life.*

*You are content that the 20 or so employees probably already working for Mr Cullimore are more important to the economy than the potential loss of business and personnel from Puckrup Hotel and the Church End Nursery. This Gloucestershire aspect of the project would be totally unnecessary if the applicant were simply to move the minerals by barge as Cemex are already doing and are proposing to do, to an existing processing facilities at Ryall. This entirely doable solution would be in accord with your green agenda and climate emergency aims.*

*That ladies and gentlemen is your choice, but let me be crystal clear, in permitting this application you are collectively taking responsibility should anything untoward happen over the whole 9-year period and that as such liability will reside with you, your Authority and Mr Cullimore. The potential for this quarry processing operation*

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*to lead to failure of the Hotel or Nursery enterprises is foreseeable. I'm sure you are aware of the implications of that word.*

*I am sure you realise that the consequences of this venture on the landscape, habitat, businesses and population of Ripple and Twyning is very serious and 9 years is a very long time. It is likely that over time, on-site standards will drop and things will go wrong. After all, this entire enterprise is for the benefit of Worcestershire's land bank, they get the all gain and Ripple and Twyning get all the pain.*

*Have regard for your electorate and defer your decision to allow for a scoping exercise of the alternative approach and an in depth economic impact statement. Conversely ladies and gentleman refuse the application."*

**Cllr Mike Sztymiak - District Councillor**

*"In the interests of openness and transparency let me just say I do have a family relative who lives in Bowbridge cottage that has been mentioned in the presentation.*

*However, I will focus solely on the economic consequences I believe will be as a dire result of this application. I have some sympathy with committee members having to wade through a 280-page report, but there is just two pages that I wish to focus on, pages 186-187 as these deal with the economic impact of this application on existing businesses.*

*You will see this application will have significant detrimental impact on both Church End Nurseries and Puckrup Hall Hotel.*

*The production of even small quantities of dust on this site will have disastrous consequences on the horticultural business growing raspberries. purchasers of their product require the goods to be in top quality order and this will be not be achieved by contamination or restriction of light from even the smallest particle of dust.*

*You have heard from the manager of Puckrup Hall Hotel about the impact this application will have on business. people come to the hotel to relax and enjoy the surroundings for this ambiance will be destroyed by this application and not just for a few months but for a minimum of nine years.*

*It's worth repeating the importance of this hotel to the local community, it directly employs 200 permanent and contract staff. It brings in thousands of visitors from across the country spending tourism pounds in the local area. also indirectly and just as importantly the hotels economic impact is felt across a wide spectrum of local businesses and jobs, taxi firms, hairdressers, dry cleaners, florists wedding and event suppliers, gardening supplies, window cleaners, DJs, musicians and laundry companies, the list goes on, they all benefit from the success and business of the hotel.*

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*I do find the report deficient in its consideration of these impacts on existing businesses. By ignoring these valuable contributions, it seeks to brush aside the harms caused to the local economy by this application. It's been said that Worcestershire gets all the gain from his application but Gloucestershire gets all the pain. My concern is the economic pain caused to local Gloucestershire community and I don't think this has been sufficiently dealt with in the report and it can't be glossed over or just dismissed. Whilst the loss of local jobs and livelihoods maybe the obvious fallout from this application, neither should we forget the potential loss of business rates should these businesses and associated services fail.*

*I think there is a huge risk not only to these two businesses but also to the wider local economy. This risk has not been fully dealt with or properly considered by the inclusion of just 2 pages in almost a 300-page report.*

*I therefore ask that your committee refuse this application."*

**Cllr Cate Cody: County Councillor**

*"Good Morning, Cate Cody, County Councillor for the Tewkesbury division which includes the village of Twyning.*

*I intend to raise a number of issues regarding this planning application.*

*Firstly, let's look at the environmental impact. Gloucestershire County Council has declared a Climate Emergency. The declaration itself is not the completed task. It has to initiate action and change that will save our County and our planet.*

*It therefore seems inconceivable that a concrete batching plant should form an integral part of this application. Whilst concrete remains widely used within the building industry, it is also one of the most environmentally damaging materials. There are alternatives and solutions using different approaches such as ground screws and a plethora of new and ancient technologies. Maintaining the status quo with planning applications such as this is not compatible with an emergency. The County should be at the forefront of defending the planet, not contributing to its demise.*

*This leads me to the effect on local wild life and domestic animals. Much has been said regarding the wildlife haven that's going to be created. Little however is mentioned about the current site's wildlife and its devastation. There are deer, badgers, otters, bats, numerous birds, insects and wild flowers, some are even rare in this part of the UK. The habitat is going to be bulldozed with what can only be described as a scorched earth policy.*

*Even if there is a wildlife area created later, at the end of nine years, does it in truth mitigate the loss of what already exists and how long after will it be before another planning application wants to annihilate the site? What about the domestic animals; there is a local alpaca farm, a riding school, a bridle path and cattle that graze on the adjacent Common Land. All will be exposed to hazardous dust as well as to the noise issues and movements of huge, heavy machinery and vehicles. As a pony*

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*girl, I had a very nasty, very close shave when out riding - a lorry came thundering along with a Christmas tree tied to its front, my horse reared, snapped his martingale and started to gallop down the road. I was very lucky, but have been nervous around lorries with horses ever since, they do not mix well. I urge you to look at the graphics and see how enormous these vehicles are next to a horse. Remember they have flashing lights and blasting beeps as well.*

*I'm sure you're aware of the various quarries in the Cotswolds, most are out in relatively remote locations – we know when we are approaching one before you see the signage, just from the residue on the roads. For residents, these quarries are awful. Aside from the deafening noise of lorries and the associated risk for walkers, cyclists and horse riders, I have photographs showing the residue of dust in gardens which is killing their plants, the filth on their bins and windows is relentless and not least the fine layer of dust inside their homes which is horrific. My own grandmother having never smoked, died of lung cancer in 1989; for fifty years, she lived in a house next to the A23 where her once quiet, suburban home was steadily ruined with the increase of traffic, eventually becoming four lanes. A layer of black dust constantly accumulated in my grandmother's garage, scullery and pantry as the polluting traffic increased.*

*Thirty-two years later, an inquest found that air pollution "made a material contribution" to Ella Adoo Kissi Debrah's death. She was the little girl who lived near the South Circular Road in Lewisham. Asbestos, air pollution, coal or minuscule particles of silicone dust – Sadly these things have all had a history of slowly being acknowledged as potential killers.*

*Finally, I'd like you to concentrate on another major issue which appears to have had the least scrutiny; That is the effect on the local businesses close to the site and the knock on effect this application would have to their economic health.*

*You've heard that Church End Nurseries could go out of business. Puckrup Hall Hotel is a major employer bringing in thousands of guests to our area. They spend significant sums. The hotel also keeps a wide range of small, local businesses afloat - hundreds of jobs are formed in the networking of hotel business. What do you truly know about the hotel and its finances? What has been included in the reports? Absolutely nothing. If this planning application is approved, local jobs at are at risk. Do you want the responsibility of this?*

*At the very least, this decision should be deferred until a detailed analysis is available for your scrutiny. This is a far too important a decision to ignore the real environmental and financial implications to this corner of Gloucestershire.*

*Thank You."*

At this juncture, the Committee was adjourned for a comfort break at 11:33am, members were reminded that the committee was still in session and they should not discuss the application. The committee reconvened at 11:45am.

The Chairman proceeded to invite questions from Members.

Councillor Fisher questioned the report, he noted that the report referred to fluvial flooding but wondered why there was no mention of pluvial flooding. He also asked what security measures were in place, given the depth of the ponds and the potential risk for an accident involving deep water. The Flood Advisor informed the committee that fluvial flooding was an issue for the site, as it would be affected by the River Severn levels and not pluvial flooding, as the ground in Twyning was deemed to be porous. The case officer explained in terms of safety measures a 1.4m post and rail fence would be constructed on top of the 1m high bund, that would surround the silt lagoons and ponds, which at the deepest point would be 9m. The Chairman asked if signage and life rings would be installed, it was noted if deemed necessary they could be installed.

Councillor McFarling asked why a comprehensive economic assessment had not been undertaken, detailing the pros and cons of the development. It was clarified that an economic assessment hadn't been undertaken, the case officer felt the report provided an informed balance about the local economy, the potential impact on local businesses and the suitable mitigation measures.

Councillor McFarling noted that Natural England had raised no objection to the proposal, as they were satisfied with the restoration level, but he sought assurance that under land drainage had been incorporated in to the design. The case officer confirmed that under land drainage would be installed under the bunds as part of the initial works.

Councillor McFarling referred to the extreme rain fall and questioned if the pumping of polluted water into the River Severn would contain silt. It was explained that in the event of flooding, the water would be processed through the settling ponds and the clearer water would be pumped out from there and this was a matter for the Environment Agency's permit regime. Members were advised that Worcestershire had considered this area under their application.

Councillor McFarling sought clarification in relation to GD4 of the adopted Twyning Neighbourhood Development Plan, which stated that new developments should refrain from causing harm to the eco-corridors and if not mitigated the permission would not be granted. The case officer informed the committee that the application site in Gloucestershire would involve the removal of a significant section of hedgerow and a dead oak tree, the nine-year restoration phase would consider the ecology and bio-diversity. The Principal Ecologist explained that not all of the hedgerow would be removed at once, as it was a gradual process over nine years and the overall gain would be significant, including ponds, wetland, tree, shrub and scrub planting and this was within the Twyning Policy.

Councillor McFarling remarked there would be short term harm for the long term gain. The Principal Ecologist advised there would be a whole suite of mitigation in place and the whole site had been assessed for its value and none of the nature consultees felt there wouldn't be a net gain from the development. Councillor McFarling remarked that the impact of the extraction site would affect both counties, as noise and dust travelled.



Councillor McFarling was dismayed by the dust/air quality assessment and remarked that PM 2.5 particles were more pernicious and travelled greater distances. The Principal Lawyer reminded the member that the committee was in question session and asked if he had a specific question. Councillor McFarling wished to know if the NPPF was satisfied in relation to silica pollution PM 2.5 and the impact on the local pollution for the next nine years. The Dust & Noise Technical Adviser explained that the dust management plan was more than robust, and any PM 2.5 levels could not be attributed to the quarry, given the close proximity to the highway. In addition, the quarry batching plant was a wet process so the production of dust and travelling distance was limited.

Councillor McFarling referred to a public question in relation to common land as submitted by Laurence Robertson MP, the Principal Lawyer explained that the applicant had submitted an application to the Secretary of State to undertake works on common land, this was a separate decision making regime, the outcome of that decision may have implications on the implementation of this proposal, however this did not affect the determination of the application before committee.

Councillor McFarling wondered if the applicant had conducted an energy audit, in order to assess the carbon emissions, given that the 1.44m tonnes of aggregate extraction would produce carbon emissions. It was confirmed there was no specific carbon monitoring report.

Councillor McFarling asked if the applicant had made any progress towards sustainable development, in an effort to minimise their carbon footprint. The case officer advised the committee that the applicant was ISO 1400 accredited, this demonstrated the ongoing development of an environmental management system to enhance its environmental performance and compliance.

Councillor McFarling calculated that the development would produce an estimate 6,163k tonnes of carbon dioxide and this calculation did not include the concrete batching plant. He compared this to a diesel bus, the Chairman reminded members not to make statements but to ask questions.

Councillor Moseley sought clarification in relation to the Worcestershire application, given it was a cross border application and questioned the quarry rather than the haulage route and the material considerations. The Chairman advised the Committee that Worcestershire County Council's planning committee had granted permission for the extraction of minerals but the processing plant was in Gloucestershire, hence the application before committee for consideration.

The Manager for Minerals & Waste Planning referred members to the officer's presentation and explained that Worcestershire County Council had considered all issues pertinent to their area. There were conditions attached to the planning permissions for mineral working in Worcestershire that prevented the application from progressing in Gloucestershire if it was not approved. He confirmed that the batching processing plant and other processing operations with access to the

highway was in Gloucestershire and that was the application before the committee for consideration.

Councillor Moseley questioned the material matters, the Team Manager for Minerals & Waste Planning explained that it depended on what material matters the Councillor was referring to and that Worcestershire considered all the matters that were pertinent to their application but they recognised the batching plant, processing facilities and access was for Gloucestershire to consider. The application was an ancillary operation to a mineral extraction site benefiting now from planning permission which lay in another County.

Councillor Moseley asked if there were any other possible access points to the site and the access route. The Team Manager for Minerals & Waste Planning explained that members should be considering the amenity issues, dust and noise that may arise from the ancillary site operations as Worcestershire County Council had already considered these issues and determined the application for the mineral site. Officers explained that the application had been submitted for determination by the Committee as presented, there were no options available for consideration regarding the access route. The Principal Lawyer advised there could be alternative access points but that was not for debate, it was for committee to determine the application before them. Members were reminded that it was not possible to crystal ball the “what if’s”.

The Chairman reminded members that the applicant had looked at using the River Severn but this was not deemed a feasible option as the applicant did not have access to the river and the committee should only consider the access to the A38. The Team Manager for Minerals & Waste Planning explained that Worcestershire had considered that within the scope of their application and deemed there was no alternative.

Councillor Moseley asked what was the percentage of the extraction in Gloucestershire in terms of context. The case officer explained that of the 1.4million tonnes of mineral to be extracted, only 40,000 tonnes would arise in Gloucestershire.

Councillor Moseley wished to know how likely and what areas of this site would flood and where would the chemicals used in the processing production be stored. Members were informed that there was a planning condition for the storing of chemicals in a bunded enclosed area on site. Officers reiterated that it was a wet process and the water would be processed in silt ponds and the clean water would be filtered into the clean water ponds.

With regards to flooding, it was explained that the case officer had visited the site in flood conditions and reported that the water level was within a few metres of the dismantled railway line that divided proposed silt pond 1 and proposed silt pond 2, and these ponds would be enclosed a 1-metre-high bund.

Councillor Tracey referred to the turbulent weather conditions and wondered if anyone had been on site in the various conditions. The case officer confirmed he

had and referred to the various pictures which depicted a variety of weather conditions and the flooding incident which had covered the bridleway. The proposed site access was off the A38, and there would be one entrance in and one out.

Councillor Tracey wondered if the line of trees would remain as depicted in one of the photographs, the case officer explained that the line of trees was within the boundary of the hotel.

Councillor Tracey asked who maintained the pipeline, it was confirmed that the pipeline was managed and maintained by Exolum. The applicant had agreed the technical specification with Exolum, given the movement of heavy vehicles over it and there was an after care plan in place.

Councillor Tracey wondered if there was any staff accommodation on the site, to which the case officer replied no.

Councillor Brown asked if the dust monitoring was available on the internet for the public to view. The case officer advised committee there was a planning condition requiring the submission of details of what dust monitoring equipment would be needed and where it would be located and the dust plan detail and out of hours contact numbers would be included. At this stage, the case officer was unable to confirm if the information would be publicly available.

Councillor Hale asked if there was any data available in relation to climate change if this application were to be refused to show if the carbon footprint would be increased, given that the mineral would have to be transported from further afield. Therefore, counterproductive in cutting the carbon footprint. As an example smaller quarries have closed in the Forest of Dean which has led to lorries travelling further distances to provide minerals. The Chairman felt it was subjective and reminded members to consider the application before the committee. The case officer explained the proximity of the extraction site, in relation to the processing plant and the A38, with a short journey North to link in with the strategic highway network would demonstrate the principles of sustainability in respect of this application

Councillor Baker questioned the NPPF and the loss of high quality agricultural land. He recognised there were pluses and minuses to the local economy but felt a proper economic assessment should be undertaken to assess the impact to the local economy. He also asked if there was anything that could be done to strengthen the conditions in relation to emanating dust and the impact on health. The case officer explained the proposal would restore the majority of the land in Gloucestershire to agricultural use. In terms of the economic assessment, the officer felt the noise and dust had been suitably mitigated and there was no need for an economic assessment from the MPA's perspective.

It was noted that the application was subject to five Regulations 25 requests from the MPA and at no time did the MPA deem it necessary to include the submission

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of an economic assessment. In light of the wet environment through which the mineral would be processed and the imposition of appropriate conditions as detailed within the report, the development was deemed by the MPA to be acceptable in terms of dust.

The Chairman reminded the Committee that stringent conditions were detailed within the report.

Councillor Baker felt the officer was slightly disingenuous and he felt the land wouldn't be returned to high quality arable land. He continued to refer to the statement made by the registered speaker that the wrong British standard had been used in relation to noise and sought clarification. In addition, he asked if hedgerow planting be included to cover the post and rail fence and to create some biodiversity. The Councillor was astounded to learn that there was no carbon footprint assessment, and there was nothing in either local or national strategies to demand a carbon footprint assessment as part of the application and queried this point. It was confirmed that a carbon footprint assessment had not been undertaken.

In response to the wrong British standard being used, the case officer referred to the Technical Advisor for noise, who stated that the noise assessment submitted was robust and added that the noise standard (5.228) referred to, was over twelve years old and was deemed outdated as the current equipment had been developed and was now better by design.

The case officer explained the additional hedgerow against the fence had not been proposed as part of the restoration scheme. Councillor Baker reiterated his question, he wanted to know if hedgerow planting could be conditioned. The Landscape Advisor informed the committee that the fence and bunds would be removed at the end of the 9 years and any hedgerow planted would be lost in the restoration phase. In terms of the agricultural land being restored, it was normal practice to return quarries to agricultural land and this could be successfully achieved.

Councillor Moseley questioned the emanating dust and inhalation of dust, the committee were advised that GCC public health had been consulted and they had not raised any concerns. Councillor Moseley queried the noise levels of the vehicles using the haul road within 500m of properties, members were referred to pages 195 - 199 of the report which detailed the noise levels. The Technical Advisor for noise explained they were deemed to be acceptable levels and were below the maximum noise criteria as set by Government. Councillor Moseley continued to question the noise levels, officers reiterated the detail was available in the report at page 196 and the noise level was noted as 37decibels.

The Principal Lawyer advised the committee that the Technical Advisors were present as specialists in their various fields to answer any questions that may arise.

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Councillor Morgan asked if there were any funds set aside for the restoration of the land outside of the redline area, it was confirmed no specific funds for the Bow Farm development were available and that the application was not subject to any legal agreement Councillor Morgan raised concern for the after care, as a promise and reality were very different, especially when some companies failed. The Principal Planning Officer advised the committee that the applicant was a member of the Quarry Products Association, which provided a guarantee if there were an issue.

Councillor Williams recognised the site vehicles may be quieter but the alarms were fairly noisy and questioned this fact. The case officer advised committee that the vehicles were fitted with white noise reversing beepers and the site was laid out such that vehicles moved in a forward gear and the reversing beepers would only be used when reversing into the loading bay for the concrete batching plant. She asked how many times a day would that occur, the case officer explained he didn't have that information available. The case officer went on to inform the committee that the layout of the processing area had been designed in such a way that it could be navigated by HGVs using a forward gear only.

Councillor Tracey asked if the start times of the operation could be varied as not to impact residents of the hotel. The Principal Lawyer reminded the committee they were to consider the proposal before them.

The Committee entered into debate.

Councillor McFarling thanked the registered speakers for their eloquent speeches. He advised the committee he was concerned for the carbon footprint and the economic harm potential. He felt there was an opportunity to develop a carbon footprint for the batching of inert material site and referred to the National Planning Policy Framework (NPPF) paragraph 152, which gave the greatest material planning consideration with regard to the local economy and the impact on the hospitality economy. He proposed that the application be refused on material grounds of being contrary to Gloucestershire County Council's declaration of climate emergency and the NPPF paragraph 152 and secondly the significant risk of harm to the local economy and the local community.

Councillor Fisher added he'd read the report and he recognised that the haul road ran over the bridle path and horses were easily spooked by vehicles and especially dumper trucks. Councillor Fisher recognised the British Horse Society remained neutral but was conscious of the impact on the fruit farm, hotel and tourism. He raised concerns in terms of pluvial flooding and that for nine years there would be no hedgerow or trees planted. He also raised concerns given the site security and the risk of deep water and the potential danger. Councillor Fisher felt unable to support the application on the grounds of economic and climate impacts, he felt there were alternatives available. In addition, he added that the dust created would not stop at the red line and would impact local people.

Councillor Moseley felt instinctively uncomfortable with the application and felt there was significant harm to the local community in relation to the NPPF paragraph 152.

She sought clarification that the grounds for refusal would prevent grounds for appeal.

Councillor McFarling reiterated the two grounds that the application should be refused on as it was contrary to Gloucestershire County Council's declaration of climate emergency and the NPPF paragraph 152 and there was significant risk of harm to the local economy as a result of dust and noise generating activities arising within the application site.

Councillor Hegenbarth referred to NPPF paragraph 211 and the adverse impact on human health, which could also be factored into the refusal grounds.

Councillor Williams agreed there would be an effect on the local environment and felt it was necessary to look at ways of reducing concrete, especially as the carbon footprint was unknown and she would not support the application.

Councillor Fisher seconded Cllr McFarling's proposal for refusal.

Councillor Tracey added that the batching plant would only be there for nine years but she felt there needed to be consideration for the impact on wildlife, as the animals would be displaced. She hoped that the hotel wouldn't be put up for sale, if the application were refused.

Councillor Fisher added it would be for the Planning Inspectorate to decide if the application were refused. The Chairman sought clarification on Councillor McFarling's proposal, the Principal Lawyer advised the committee there were professional opinions contained within the report which should be noted, however, it was in member's gift to come to a different view.

Officers reminded members if there were an appeal, then members would need to standby their decision while ensuring their reasons were sufficiently robust. It was noted if the appeal was dismissed GCC would be liable for costs.

Councillor Morgan felt from Gloucestershire's perspective, an economic assessment should have been undertaken to assess the potential impact on existing businesses. He added that the application would benefit Worcestershire and not Gloucestershire.

Councillor Moseley wished to expand on the business objection due to the cumulative impact of the quarry, its visibility, the access and the noise/dust pollution it would generate.

Councillor McFarling added he had listened to the representations with an open mind but the risk to the local economy caused by the noise and dust was still a risk and there was no guarantee that the dust wouldn't travel. He continued to refer to carbon in relation to the planning and policy framework. He suggested it was necessary to look at alternatives, and he couldn't permit such industries to continue polluting the atmosphere and felt the planning inspector should come to the final conclusion, if necessary

Councillor Baker summarised that the committee was in place to make such decisions which could affect either or both parties. He recognised the need for housing, highways, etc. and accepted that such activities generated a carbon footprint. Therefore, he would rather have a definitive economic assessment to consider before a decision could be made and felt it was essential to work within the current planning policy. He proposed that a deferral be made on this application until the economic assessment had been undertaken.

Councillor Nelson seconded Councillor Baker's proposal for a deferral on the basis of an economic assessment and a carbon neutrality report.

Councillor Fisher reiterated the proposal for refusal and felt the economic case was not as strong as the carbon footprint and the environmental impact, he remarked that it was time that the Authority changed its way.

Councillor Williams referred to the climate emergency and the fact the carbon footprint of the application was unknown. For this reason, she did not feel she could support the application.

Councillor Harman agreed with Councillor Baker's view that a decision should be made on sound planning grounds, and he also felt a detailed economic assessment should have been undertaken and felt a deferral was appropriate to obtain that information to make an informed decision. Councillor Tracey concurred with this view.

For the benefit of the Committee a brief adjournment (13:30pm) was called for to clarify the reasons for refusal with the proposer and the seconder. The committee reconvened at 13:40pm.

It was summarised that the application as proposed by Councillor McFarling and seconded by Councillor Fisher, be refused on the following grounds for refusal which were noted as:

- Contrary to Gloucestershire County Council's declaration of climate emergency and the NPPF paragraph 152.
- Significant risk of harm to the local economy as a result of dust and noise generating activities arising within the application site.

On being put to the vote for a refusal of the application as proposed by Councillor McFarling and seconded by Councillor Fisher, it was agreed 8 in favour of the refusal, 4 against and 1 abstention.

## **Resolved**

**That Planning Permission be refused on the following grounds:**

- **Contrary to Gloucestershire County Council's declaration of climate emergency and the NPPF paragraph 152.**
- **Significant risk of harm to the local economy as a result of dust and noise generating activities arising within the application site.**

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**7. DELEGATED DECISIONS**

**Resolved**

**That the delegated decisions report be noted.**

**8. ANY OTHER BUSINESS**

The Assistant Director of Planning & Economic Development advised the Committee that Kevin Phillips and Gary Kennison would be retiring in March. He thanked them for their long service to the Authority and wished them well for the future.

The Chairman wished to convey his thanks on behalf of members both past and present. Councillor Brown thanked both officers for their efforts and added that the detail they had provided had been exemplary over the years.

**CHAIRPERSON**

Meeting concluded at 1.46 pm