



ASHLEWORTH PARISH COUNCIL

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RESPONSE TO PLANNING APPLICATION 19/01227/OUT

Introduction

Ashleworth Parish Council has consulted widely and engaged subject-matter experts in drawing up its response to this planning application. The consultation has also included a public meeting attended by approximately 50 local residents and this response reflects the overwhelming majority of the views gathered. The developer was invited but did not attend the public meeting.

The planning application is riddled with inaccuracies and highly mis-leading statements, as well as outright sloppiness ("Ashlechurch Green"!), many examples of which are given below. This implies a slapdash, ill-considered and, frankly, arrogant approach to a planning proposal which, if approved, would fundamentally harm the nature of this rural community.

The Parish Council **OBJECTS** to this application for the reasons stated below.

1. National Planning Policy Framework 2019 and Local Policies

The application ignores many provisions of the NPPF; for example:

"Plans shouldbe shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;" Section 3, para 16 (c) page 8.

There has been no engagement whatsoever with the Parish Council or other local organisations regarding this application.

The NPPF states that the third dimension to sustainable development, economic, social and environmental is an environmental objective *"to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity"*.

The proposed plan does not protect or enhance our natural environment and it does not improve biodiversity. On the contrary, it damages and erodes the environment and destroys biodiversity with the loss of important habitat for protected reptiles and birds.

NPPF paragraph 34 states that *"... decisions should ensure that developments that generate significant movement are located where the need to travel can be minimised and that the use of public transport modes can be maximised."* Public transport connections in Ashleworth are minimal and the local bus service is inadequate to reliably convey most

people to their place of employment assuming this to be in the environs of Gloucester, Cheltenham or Tewkesbury. It could be assumed that this might most affect occupants of affordable housing. With the recent closure of the A417 for three weeks, those people would probably have lost their jobs by now.

This proposed development can only make matters worse.

Tewkesbury Borough Council has committed to supporting and improving rural communities. This proposal represents a total urbanisation of this valuable rural community. The 2011 census population of Ashleworth was 540 people with 208 dwellings. The recent development has seen 35 new homes being built. This proposal would see an additional 42 new dwellings. If each home has an average occupancy of only 2.5 people (this is a low estimate since most of the houses are large three and four bedroom homes) this would equate to an additional 193 residents, 231 if the average home has three occupants. This means that in a course of a few years the village will have seen, as an absolute minimum, a 36% growth (43% if there are three people per home) in population. Apart from the loss of rural communities, this rate of development is simply not sustainable in terms of the village infrastructure and facilities which is described in more detail below.

2. Housing Need

It is fully accepted that national data indicate a clear need for more housing to be created. It is also accepted that, at present, Tewkesbury Borough Council has not secured a five year housing land supply. However, it is strongly refuted that there is a need in Ashleworth for this type of brash and expensive development. Despite the proposed inclusion of 40% of “affordable housing”, in order to satisfy local planning authority requirements, it is clear that this portion of the proposed development will NOT be affordable to many people, particularly local residents seeking to own their own property.

The absence of housing demand in Ashleworth is also exemplified by the slow rate of confirmed sales in the recent development of 35 homes by Redcliffe Homes. Although conflicting information has emanated from the developer, it is thought that occupancy is still below 50% and no purchases have been made by local residents.

‘Housing need’ can be defined as the need for an individual or household to obtain housing which is suitable to their circumstances. It implies that there are problems with the household’s current housing arrangements and that the household is unable to afford suitable accommodation in the private sector. (GRCC survey for Ashleworth Parish Council) The important point here is **AFFORDABILITY** and this will not be addressed in the proposed development. In a briefing paper released in August 2017, the House of Commons Library said there is ‘a great deal of ambiguity’ in the way the term ‘affordable’ is used in housing - there is no standard definition and approaches differ between local areas. We can only reinforce that view and agree that **any local need that may exist will not be met by the proposed development.**

3. Local Infrastructure and Facilities

The Local School.

The official capacity of the school is around 56 children but this total was set many years ago. The physical capacity today is around 38 and the existing Redcliffe development will push the numbers beyond this physical capacity or very close to it. The further development

of 42 dwellings is forecast to generate 17 additional pupils, which would exceed the school's published admission number, according to County Council sources. In addition, the next nearest school is Hartpury, which is also forecast to be full, and there are additional proposals for housing developments in the Hartpury area. Whilst Staunton & Corse Primary Academy has some spare capacity, it is over 2 miles away from Ashleworth and so would not be considered to be within the statutory walking distance of Ashleworth.

New developments are supposed to enhance and strengthen local facilities – breathe new life into them: this proposed development could sound the death knell for one of the most valued facilities in Ashleworth.

At its January 2020 meeting, Tewkesbury Council resolved in Minute No. 65.13:

“The Council confirms its continued support for the provision of adequate school places across Tewkesbury Borough, noting the County Council’s own policy that any such primary schools should be within walking distance of most of the new developments.”

In the light of this resolution and other factors, it is **imperative** that the educational authorities and experts consider the implications for local schooling **before** any approval is given for this proposed development.

Sewers, Drainage and Flood Risk.

The village network is unable to cope with existing demand.



This is recent evidence (February 2020) of raw sewage running over a public highway in the village outside of the pumping station at St. Andrews and this happens every time there is heavy rain.

The Parish Council and local residents have **many** other photos of the drains that simply do not cope with demand. One of the main routes affected is the main route from the centre of the village to the local school and The Boat Inn. The holes in the road left by drain covers

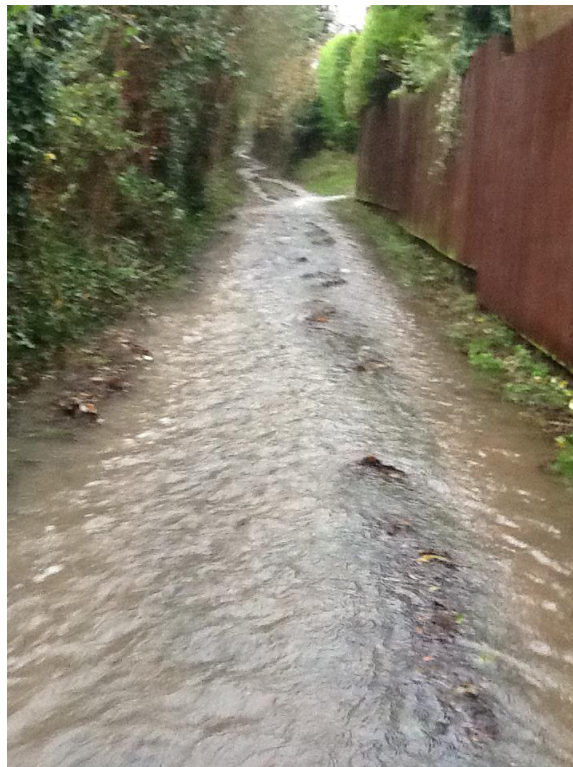
raised as a result of this flooding constitutes a severe risk to the many walkers, cyclists and horse riders who frequent the village.

These are existing problems that have been exacerbated by the recent development of 35 homes. The situation has not been mitigated in the slightest by any measures taken as a result of the development and is now WHOLLY UNACCEPTABLE.

This wholly unacceptable situation would become even worse if a further development were allowed. Unfortunately, the Flood Risk Assessment (FRA) provided as part of the application does nothing whatsoever to reassure the Parish Council as it is totally flawed, inaccurate and appears to be designed to mislead and mis-inform. The FRA completely fails to identify or recognise the:-

- Existing ditch network
- Existence of a pond on the development site
- Existing ditch network that discharges directly onto the development site
- Ditches dug by Goodrich Hill residents to deflect water run-off from their properties.

The illustrative Drainage Strategy for Flood Risk Assessment Drawing 499-070 is misleading and bears no resemblance to actual surface water movement. The water from the proposed site currently discharges into Waggon's Lane, a local historic feature, and photographed recently:



The FRA proposes an attenuation pond located at the lowest part of the field (29.66) then details that excess water from the pond will flow into the existing drain network from phase 1 - with overflow spilling water onto highway near Sawyers rise. This implies that water will flow uphill by 1.5 meters?! A more feasible interpretation is that excess water will flow

downhill into Goodrich Hill, Crudens Farm and Waggon's Lane endangering properties in those locations.

The FRA conclusion states that the site will NOT be at risk of flooding from pluvial, sewers, surface water, groundwater and artificial sources. It is completely disingenuous to make this assertion without identifying any of the extant water features. This work of fiction is further compounded by yet another survey being taken at a "convenient" time of year – July 2015 in this case.

Highways.

Ashleworth has three main access roads, two from the A417 and the Ham Road alongside Ashleworth Ham. In addition, access to the village can be gained via Wickeridge Street but this is probably mainly used only by residents of that area. The Ham Road regularly floods and is closed. Both access routes from the A417 are narrow with acute, blind bends and space for only one vehicle at several points. Both routes also suffer badly from pot-holes and verge erosion, partly as a result of the drainage and flooding issues described above.

There are few footpaths in the village and even less street lighting. So although movement by vehicle is difficult, it is even more dangerous for pedestrians, cyclists and horse-riders, of which there are many in the village.

The planning application refers to the "national TRICS database" to provide some estimates of the additional journeys to be generated by the proposed development. These alleged data are utterly spurious and unbelievable. Firstly, TRICS is not a *national* database but run primarily by six southern counties, although it does conduct a national survey annually. Secondly, it is virtually impossible to translate *national* data into the rural village of Ashleworth bearing in mind the need to use private vehicles to get to the nearest employments centres of Gloucester, Tewkesbury and Cheltenham. Thirdly, it would have been more helpful to have started with common sense rather than trying to blind the reader with spurious statistics.

Common sense would say - 42 multi-bedroom dwellings (47 households) are probably going to have at least two adult occupants in employment and needing to commute to work. This would result in an additional four journeys per household per day, 188 journeys per day once all dwellings were occupied and circa 940 additional journeys per working week. We can revise this number down if we assume that some new households will be retired, some will not have the two adults in employment and some will work from home. Reducing it by 25% leaves around **700** additional commuting journeys. This ignores the increase in general traffic such as household deliveries.

The transport report that accompanies the application refers to a potential for **45** additional journeys **BUT**:

- This only refers to journeys between 08:00 – 09:00 and 17:00 – 18:00
- It therefore largely excludes household deliveries and other such journeys
- It is based on national estimates where many people may use public transport to get to work, which is virtually impossible to do in Ashleworth!

As someone once said, "There are lies, damned lies and statistics!"

The road infrastructure in Ashleworth cannot cope with traffic as it currently stands, that is, without the 35 new homes being all occupied, and this is clearly evidenced by the state of the roads and the increasing number of near misses anecdotally reported. We should not have to wait for the first fatal accident before improvements are made.

The application should be **refused** on these grounds alone.

ECOLOGICAL including Arboricultural Report

The introduction referred to inaccuracies in the application; nowhere is this more evident than in the Ecological Appraisal. The main inaccuracies are listed below and many more examples and details are provided in the appendix.

- The application states that there are 'No protected or Priority species on the site'. This is **FALSE**.
- The application states that there are 'No trees or hedges on the site'. This is **FALSE**.
- The application states that there are 'No trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character'. This is **FALSE**.
- The Ecology Appraisal does recommend that species specific surveys are carried out prior to application submission: this has **NOT** been done.
- Elements of the appraisal are **INACCURATE** with regard to low value feeding and foraging habitats.

The Ecology Appraisal does state that the methodology was desk-based and used on-line resources. However, a "habitat survey" was conducted on 17 September 2019 which happens to be a month when birds are at their quietest, some migrants have left, some birds are transient feeders, newly fledged birds remain hidden and quiet for their survival and all breeding has finished. Adult birds of many species would be in moult at this time and would not be as obvious as at other times of the year.

In addition, the developer appears to be relying on the proposed site being sufficiently well screened by neighbouring trees which are not growing on the proposed site. Neighbours could decide to remove these trees, thus removing most of the screening.

In addition, the Forest Research as quoted from the Arboricultural Association website trees.org.uk clearly states: "*With the exceptions of felling for public safety or timber production, we advise a general presumption against felling living ash trees, whether infected (by dieback) or not.*" The recommendations of the report are to remove some of these ash trees in direct contradiction of this expert advice.

As if this were not confusing enough, the developer has claimed on the original application form (Question 12) that not only are there no trees or hedges on the site (**FALSE**) but that there are no trees or hedges adjacent to the site (**FALSE**) – and yet a report included with the application recommends removal: slipshod and careless at best, if not deliberately **misleading**.

This concludes the main report; further details are available in the Appendix that follows.

APPENDIX.

We are living in tumultuous times including a global debate about climate change and what should be done. Most of us are now working actively to preserve and enhance the natural environment whilst addressing everyday needs to develop efficient transport systems, employment opportunities and “home comforts”. It is difficult to get the balance right.

This appendix includes considerably more detail on environmental concerns than the main body of the Parish Council’s submission to refuse this planning application. This is not to diminish the important points made in the Appendix; it is intended to help the reader to select the level of detail that they need to come to an informed decision.

1. In England many of the rarest and most threatened species are listed under Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act. This is a principle piece of legislation stated in the Ecological Appraisal Report by Engain for the new planning application. There are 49 birds on this list. Of these 20 have been recorded in Ashleworth, 14 in the main village and 12 have been observed on the planning site itself and adjacent hedgerows. These are; Skylark (breeding), Lesser Redpoll, Common Linnet, Yellowhammer (b), Reed Bunting, Herring Gull, Spotted Flycatcher, House Sparrow, Hedge Accentor (b), Common Bullfinch (b), Common Starling and Song Thrush (b). **This is factual data.**

Nine of these 12 species are on the latest Red List of Birds of Conservation Concern and the other three (Reed Bunting, Dunnock and Bullfinch) are on the Amber List. Meadow Pipit and Tawny Owl are also on the Amber List.

Not only will this new build completely destroy this important breeding and feeding habitat, but will also drive away birds from adjacent fields. Only the likes of the sparrows and starlings will remain. The ground nesting Skylark, which does nest in this field, will be driven away along with the other birds listed above due to their shy and cautious nature.

2. 'Breeding Birds' section 5.29 of the Ecological Appraisal report states that there are numerous records of bird species within a 2km area of the site and notable of these are the Annex 1 birds, Marsh Harrier, Peregrine Falcon and Ruff, and 'it is unlikely that any of these species would use the site at Lawn Rd due to the habitats present'. It is **inappropriate and misleading** to select these three bird species. This is not a habitat that they would breed in. However, 10 others on the list do and for some reason they have been overlooked in the report. Another example of the **tactical omission of information?**
3. Great Crested Newts: it is **reckless** to suggest that the site is of little or no significance to this species. The appraisal itself states that 'The site provides good terrestrial habitat for great crested newts due to the tussocky and rough nature of the grassland interior.' Ponds within 500m suggest that they could be under-recorded. eDNA sampling should be carried out and a survey on site involving refugia - placing out carpet tiles in shady locations and checking them at the same time as doing the reptile surveys.

4. Page 11 of the Landscape Strategy shows an image of fencing with sheep wire which will be used on the perimeter boundary on the south and western aspects which back onto open countryside. This has serious ecological implications as it will prevent animals such as hedgehogs, from moving through the landscape which they have to do to forage. Obviously this sort of error can be corrected but it serves to undermine the professionalism and expertise in this report and only **undermines the confidence** that anyone could possibly have with this application.
5. P14 of the same report shows a 'habitat corridor'. This is **wholly and utterly inadequate**. Our local ornithologist and wildlife enthusiast assures us that this corridor will not provide safety of movement for animals affected i.e. Barn and Tawny Owls, Foxes, Badgers and Hares. It is far too narrow, too long and with little or no shelter.
6. As regards the Landscape and Visual Appraisal Report, pages 17 and 18 show the angles of view from public footpaths and accompanying photos. Our independent professional advice asserts that the photo from viewpoint 1 is **very misleading**. Simply put, it has not been taken from the place stated, nor from the same angle and with a wide-angle focal point which has the effect of making the hedges look taller, longer and bigger than they really are.

The table on P18 states that, 'views and visibility is effectively restricted to the field parcel through which the footpath is passing' and roofs cape of dwellings may be visible' and 'visual effects: Minor adverse'. This is **not true on all three counts**. Views are not restricted, upper stories as well as roofs will be visible and visual effects will be certainly greater than just minor.

Ashleworth Parish Council

March 2020