

26 June 2017

Committee	Planning
Date	Tuesday, 4 July 2017
Time of Meeting	9:00 am
Venue	Council Chamber

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND



**Sara J Freckleton
Borough Solicitor**

Agenda

1. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.



3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

4. MINUTES

1 - 16

To approve the Minutes of the meeting held on 6 June 2017.

5. DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL**(a) Schedule**

To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".

6. CURRENT APPEALS AND APPEAL DECISIONS UPDATE

17 - 21

To consider current Planning and Enforcement Appeals and CLG Appeal Decisions.

DATE OF NEXT MEETING**TUESDAY, 1 AUGUST 2017****COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: Mrs G F Blackwell, D M M Davies, M Dean, R D East (Vice-Chair), J H Evetts (Chair), D T Foyle, R Furolo, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman, D J Waters and P N Workman

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

Please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 6 June 2017 commencing at 9:00 am**

Present:

Chair
Vice Chair

Councillor J H Evetts
Councillor R D East

and Councillors:

R E Allen (Substitute for Mrs G F Blackwell), P W Awford (Substitute for R Furolo),
D M M Davies, M Dean, D T Foyle, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton,
Mrs A Hollaway, Mrs E J MacTiernan, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman,
H A E Turbyfield (Substitute for J R Mason) and D J Waters

PL.3 ANNOUNCEMENTS

- 3.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 3.2 Members were reminded that, at its meeting on 17 May 2016, the Council had confirmed the Scheme for Public Speaking at Planning Committee as a permanent arrangement. The Chair gave a brief outline of the scheme and the procedure for Planning Committee meetings.

PL.4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 4.1 Apologies for absence were received from Councillors Mrs G F Blackwell, R Furolo, J R Mason and P N Workman. Councillors R E Allen, P W Awford and H A E Turbyfield would be acting as substitutes for the meeting.

PL.5 DECLARATIONS OF INTEREST

- 5.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

5.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
P W Awford	17/00324/OUT Land Adjoining the Timberyard, Two Mile Lane, Highnam. 17/00047/FUL 1 Gordon Close, Highnam.	Is a Borough Councillor for the area.	Would speak and vote
P W Awford	17/00134/FUL Kings Head Inn, Tewkesbury Road, Norton. 17/00235/FUL Norton Fruit Farm, Tewkesbury Road, Norton.	Is a Gloucestershire County Councillor for the area but does not participate in planning matters.	Would speak and vote.
Mrs A Hollaway	16/01208/FUL Cockbury Court Manor, Cockbury Court, Winchcombe.	Is a Member of Southam Parish Council but does not participate in planning matters. Is a Borough Councillor for the area.	Would speak and vote.
Mrs P E Stokes	17/00077/FUL Regency Court Park, Bamfurlong Lane, Staverton.	Had received a telephone call in relation to the application but had not expressed an opinion.	Would speak and vote.
Mrs P E Stokes	17/00081/ADV Churchdown Club Ltd, Church Road, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.

5.3 There were no further declarations made on this occasion.

PL.6 MINUTES

- 6.1 The Minutes of the meetings held on 9 May and 16 May 2017, copies of which had been circulated, were approved as correct records and signed by the Chair, subject to an amendment to Minute No. PL.93.4 of 9 May 2017 as follows: 'A scheme had been prepared to provide a kitchen, utility and living space to the rear of the property and this had been submitted in October ~~2015~~ **2016**.'

PL.7 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL**Schedule**

- 7.1 The Development Manager submitted a Schedule comprising planning applications and proposals with recommendations thereon. Copies of this had been circulated to Members as Appendix A to the Agenda for the meeting. The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.
- 16/01208/FUL – Cockbury Court Manor, Cockbury Court, Winchcombe**
- 7.2 This application was for the erection of a greenhouse within vegetable garden and erection of a new boundary wall to enclose a proposed vegetable garden within garden boundary.
- 7.3 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. A Member noted that the Conservation Officer had requested additional information relating to detailed layout and tree protection measures and he queried whether this had been resolved. The Planning Officer confirmed that additional plans had been submitted and the Conservation Officer was now happy with the proposal. Upon being put to the vote, it was
- RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.
- 17/00184/FUL – 25 Godwin Road, Winchcombe**
- 7.4 This application was for a proposed dwelling, parking, turning and landscaping.
- 7.5 The Planning Officer explained that, following the withdrawal of the 2016 application for a four bedroom dwelling on the site, a revised scheme had been submitted which reduced the building footprint from 125sqm to approximately 80sqm with a ridge height of approximately 5.5.m. Following discussions with Officers, the current scheme had been further revised to remove all windows from the western elevation of the proposed dwelling to prevent overlooking. It was noted that Condition 8 of the Officer recommendation would only ensure that no windows or rooflights, other than those expressly authorised by the planning permission, would be installed or constructed above ground floor ceiling height. The Officer recommendation had therefore been changed to a delegated permit in order to secure revised elevation plans to show the removal of the windows in the western elevation and to amend condition 8 to reflect that.

7.6 The Chair invited the applicant, Kevin Hancox, to address the Committee. Mr Hancox indicated that he had worked closely with Planning Officers throughout the whole application process. When it had been suggested that the original application for a four bedroom house would be unacceptable, he had withdrawn the application and submitted a new proposal for a smaller development. Whilst the size of the plot had been increased, the two storey element remained and, based on advice that this would result in unacceptable overlooking, he had changed it to a single storey bungalow – the scheme before Members today. The reduction in size would also increase the amenity left for future residents of no. 25 and he felt that it was an improved layout overall. He pointed out that he had also worked with Winchcombe Town Council in relation to the proposal.

7.7 The Chair clarified that the Officer recommendation was to delegate authority to the Development Manager to permit the application, subject to the receipt of amended plans to show the removal of the windows in the western elevation, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. Upon being taken to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to the receipt of amended plans to show the removal of the windows in the western elevation.

17/00320/FUL – Oak Farm, Toddington

7.8 This application was for the erection of an agricultural building for the storage of feed, bedding and machinery.

7.9 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he invited a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

17/00347/FUL – Part Parcel 3400, Columbine Road, Walton Cardiff

7.10 This application was for the erection of 261 dwellings, including affordable housing, and a new link road, plus associated works for landscaping, drainage, provision of public open space, access and other highway associated works on land to the south of John Moore Primary School.

7.11 The Chair indicated that there were no public speakers for this item. The Officer recommendation was that authority be delegated to the Development Manager to permit the application, subject to the completion of a Section 106 Agreement and/or a Section 106 Deed of Variation, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. A Member noted that the Parish Council had raised some concerns and he questioned whether they had been addressed. The Planning Officer indicated that it should be borne in mind that this application was essentially identical to the reserved matters application which had been considered at the Planning Committee meeting on 9 May 2017. This was an amalgamation of an outline and reserved matters application and therefore the applicant had effectively already been granted planning permission. Since that meeting, a lot of the conditional requirements of the previous planning permission had been met.

7.12 Upon being taken to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to the completion of a Section 106 Agreement and/or a Section 106 Deed of Variation.

17/00077/FUL – Regency Court Park, Bamfurlong Lane, Staverton

7.13 This application was for change of use of land to accommodate 30 static caravans for holiday let use and associated works.

7.14 The Planning Officer explained that he wished to respond to an email which had been circulated to the Committee by the applicant's agent. Essentially, the applicant was suggesting that the site could be used in a similar way to a residential mobile home park on a year-round basis. An extant planning permission restricted the use and type of caravans on the site to touring caravans and prohibited static residential mobile homes in order to safeguard the character and appearance of the countryside and the visual amenity and openness of the Green Belt. It was generally accepted that touring caravans could be towed by a car or van and on British roads this was restricted to approximately 7m long and 2.5m wide. Static caravans were very different in their character and appearance as they were more densely and rigidly established on site, often with fences, sheds and other garden paraphernalia; touring caravans were less rigidly set out and had a more open feel. On that basis, it was considered that the proposal would have a materially more harmful impact than the extant use and, whilst Officers accepted there was a fallback position as set out by the applicant in their very special circumstances case, as set out at Page No. 38, Paragraph 5.9 of the Officer report, they did not agree that this allowed for the type of use or the impacts argued by the applicant and did not agree that very special circumstances existed.

7.15 The Chair invited the applicant's agent, Becky Brown, to address the Committee. She reiterated that this was an application for 30 static caravans for holiday use – not residential use – on a site within the Green Belt that already had consent dating back to 1980 for a touring caravan park. It was clear that, when assessed against local and national Green Belt policy, the proposal was by definition inappropriate; however, it was felt there were a number of very special circumstances of sufficient weight to justify granting the application. Relevant case law confirmed that the meaning of very special was not simply the opposite of commonplace and it was perfectly feasible for the decision-taker to find that a combination of commonplace factors, or even a single factor, could amount to very special circumstances. In this specific case, it was important to understand the fallback position which was why she had emailed Members as she did not feel this had been fully covered in the Officer report. The extant planning permission for the site was for touring caravans but was not restricted i.e. it was not a seasonal park therefore the entire site could be occupied for every day of every month of every year. There was no restriction on the number of caravans at the site and there was capacity to accommodate 50 or 60, depending on their size. There was also no restriction on the size of the caravans that could use the site; as long as they were classed as touring caravans, they were allowed to use the site. In her view, a 35 foot by 8 foot caravan fell within the definition of a touring caravan; however, Officers did not share this opinion. She went on to explain that there was no limit on how long a touring caravan could stay on the site – there was nothing to prevent them for staying for 2 years, or even 5 years, as long as they could be towed away and were for holiday use. By granting planning permission today, Members would be able to restrict the occupation of the site if they felt it was appropriate, or impose a condition to restrict residential paraphernalia. They could also require details of any external lighting to be submitted for approval and require a detailed landscaping scheme. The proposed development would also result in a significant reduction in the number of trips to and from the site, as set out in the Transport Statement, and would remove towing vehicular movements in particular.

7.16 The Chair indicated that the Officer recommendation was to refuse the application and he invited a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The seconder of the motion raised concern that the area was prone to flooding at times and he did not feel this had been taken into account in the Officer report. In response, the Planning Officer drew attention to Page No. 40, Paragraph 5.20 which set out that the site was located in Flood Zone 1 and comprised less than one hectare so it was not possible to refuse the proposal on flooding grounds.

7.17 A Member questioned whether it would be possible to take enforcement action if the touring caravans stayed permanently on the site. The Planning Officer clarified that there was no restriction on how long touring caravans could stay on the site so no enforcement action could be taken. Notwithstanding this, it was the Officers' view that it would be very unlikely people would leave touring caravans permanently on site and particularly at the density suggested by the applicant. Upon being put to the vote, it was

RESOLVED That the application be **REFUSED** in accordance with the Officer recommendation.

17/00324/OUT – Land Adjoining the Timberyard, Two Mile Lane, Highnam

7.18 This was a hybrid application comprising an outline application for the erection of a single dwelling and associated access (revised application to 16/01155/OUT) and a full application for change of use of agricultural land to mixed agricultural and private equestrian use.

7.19 The Planning Officer drew attention to Page No. 44, Paragraph 5.9 of the Officer report which referred to Policy E1 of the Highnam Neighbourhood Development Plan. He explained that this should have been reflected in refusal reason 3 of the Officer recommendation and, should Members be minded to permit the application, this would be amended accordingly.

7.20 The Chair invited the applicant's agent, Oliver Rider to address the Committee. Mr Rider started by providing a brief background to the proposal. The applicant's daughter was a keen dressage participant who had professional and Olympic aspirations. She was in the AASE Academy at Hartpury College which was for potential future international riders. Their son was also very keen to set up an organic bio-dynamic farming enterprise and this development would allow for the effective running of the agricultural and equestrian uses on the land. The family were currently based many miles from Hartpury College which was causing problems and it was now imperative that they based themselves closer to the College, and that the land and accommodation was available for them from which to nurture this talent and aspiration. In policy terms, Highnam was a service village in the Joint Core Strategy – the highest ranking of all the service villages. The Borough Council continued to support small-scale organic growth in the service villages in order to support rural communities. In this regard, he noted that two other applications for housing within or near the service villages were recommended favourably on today's Planning Schedule. Members would also note that a new dwelling was currently under construction just next door to the application site. Therefore, the case boiled down to two main issues: landscape impact and sustainability. Firstly, the County Highways Authority had commented on the sustainable transport merits of the proposal and raised no objection on those grounds. The consultation response stated that "The nearest bus stop provision is approximately 464m north east of the site, the journey on foot will make use of the footpath which connects the B4215 where the bus stop provision is located, which is within the desired comfortable walking distance recommended by the IHT". It continued "The bus services available here...provides a service between Gloucester, Ledbury, Ross-On-Wye, and Newent by providing a sustainable transport method to a number of employment areas as well as further regional and national sustainable transport options". In landscape terms, the

Landscape Officer had not specifically commented on this case, however, they had commented on the previous application for a dwelling on the site earlier in the year. That consultation response had stated “Whilst the landscape setting forms open arable countryside, the proposed house is spatially in close proximity to the existing dwellings that take a linear form...The proposed house would not be seen in isolation in the wider landscape”. It concluded that “There are no adverse landscape and visual impacts on the surrounding landscape setting”. He hoped that Members would take on board the conclusion of the specialist advisers and find the application acceptable.

- 7.21 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The proposer of the motion explained that Two Mile Lane was notoriously dangerous due to the amount of traffic which used this minor road, a view which was shared by the Parish Council which objected strongly to the application. A Member agreed that Two Mile Lane was often used as a “rat-run” but he did not think a single dwelling would have a significant impact on highway safety, particularly given the needs of the applicant. Another Member felt that, quite apart from the traffic issues, the main concern was Policy HOU4. The Council was currently able to demonstrate a five-year supply of deliverable housing sites and the presumption in favour of sustainable development did not apply. Page No. 43, Paragraph 4.5 set out that, in this case, the presumption was against the grant of planning permission, given the conflict with HOU4, and permission should be refused unless material circumstances indicated otherwise. As such, he would be supporting the motion to refuse the application.

- 7.22 In response to a query regarding the dangerous nature of Two Mile Lane, the Development Manager clarified that this was not a recommended reason for refusal as no objection had been raised by the County Highways Authority in terms of highway safety. Notwithstanding this, there was an issue around safety in relation to recommended refusal reason 2 as Two Mile Lane was not suitable for walking and cycling in order to access sustainable modes of transport. Upon being taken to the vote, it was

RESOLVED That the application be **REFUSED** in accordance with the Officer recommendation, subject to an amendment to refusal reason 3 to reference Policy E1 of the Highnam Neighbourhood Development Plan.

17/00047/FUL – 1 Gordon Close, Highnam

- 7.23 This application was for a proposed porch.

- 7.24 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion noted the concerns of the Parish Council but did not feel they were significant enough to warrant refusal. A brief debate ensued in relation to the location of the porch and attention was drawn to the plan at Page No. 49/B of the Officer report which showed an existing conservatory to the rear of the property and the proposed porch at the front. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

17/00134/FUL – Kings Head Inn, Tewkesbury Road, Norton

- 7.25 This application was for the erection of a new dwelling.
- 7.26 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he invited a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. A Member drew attention to Page No. 51, Paragraph 5.2 of the Officer report, which referenced Minsterworth and the Development Manager clarified this was typographical error and should state Norton as outlined in the Additional Representations Sheet, attached at Appendix 1.
- 7.27 Upon being taken to the vote, it was
- RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.

17/00246/FUL – 46 Sussex Gardens, Hucclecote

- 7.28 This application was for the retention of a close-boarded wooden fence and gate to the right hand side.
- 7.29 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being taken to the vote, it was
- RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.

17/00306/FUL – Fieldgate House, Fieldgate Road, Bishop's Cleeve

- 7.30 This application was for the retention of a rear extension (revised scheme 13/00744/LBC).
- 7.31 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being taken to the vote, it was
- RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.

16/01433/LBC – Fieldgate House, Fieldgate Road, Bishop's Cleeve

- 7.32 This was an application for listed building consent for retention of a rear extension (revised scheme 13/00744/LBC).
- 7.33 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to grant consent and he sought a motion from the floor. It was proposed and seconded that the application be granted consent in accordance with the Officer recommendation and, upon being taken to the vote, it was
- RESOLVED** That the application be **GRANTED CONSENT** in accordance with the Officer recommendation.

17/00235/FUL – Norton Fruit Farm, Tewkesbury Road, Norton

- 7.34 This application was for the demolition of existing garden centre buildings and erection of nine new dwellings; new access road and footpaths, garages and landscaping.

7.35 The Chair indicated that there were no public speakers for this item. The Officer recommendation was that authority be delegated to the Development Manager to permit the application, subject to the completion of a Section 106 Agreement, and he invited a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to the completion of a Section 106 Agreement.

17/00081/ADV – Churchdown Club Ltd, Churchdown Road, Churchdown

7.36 This was an advertisement consent application for the retention of two free-standing sheet signs on posts.

7.37 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to grant consent and he sought a motion from the floor. It was proposed and seconded that the application be granted consent in accordance with the Officer recommendation and, upon being taken to the vote, it was

RESOLVED That the application be **GRANTED CONSENT** in accordance with the Officer recommendation.

PL.8 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

8.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 27-30. Members were asked to consider the current planning and enforcement appeals received and the Department for Communities and Local Government appeal decisions issued.

8.2 It was

RESOLVED That the current appeals and appeal decisions update be **NOTED**.

The meeting closed at 9:50 am

Appendix 1

SCHEDULE OF PLANNING APPLICATIONS
ADDITIONAL REPRESENTATIONS

Date: 6 June 2017

The following is a list of the additional representations received since the schedule of applications was prepared and includes background papers received up to and including the Monday before the Meeting.

A general indication of the content is given but it may be necessary to elaborate at the Meeting.

Page No	Item No	
5	2	<p>17/00184/FUL</p> <p>25 Godwin Road, Winchcombe.</p> <p>Consultations & Representations:</p> <p>Concerns have been received from the adjoining neighbour at No.82 Gretton Road. The owners are currently constructing a new family home within the rear of their garden (planning permission ref: 15/00295/FUL) and have expressed concerns regarding the impact of the proposed new dwelling at No.25 Godwin Road upon their own residential amenity once they move into their new home. Their concerns relate to loss of morning sunlight to their new property and private amenity space, together with potential loss of privacy arising from the lack of screening to the shared boundary. The adjoining neighbours have requested that a 1.8m high fence be erected to the shared boundary as an absolute minimum, should the planning application be approved.</p>
14	4	<p>17/00347/FUL</p> <p>Part Parcel 3400, Columbine Road, Walton Cardiff.</p> <p>County Highways Authority Update</p> <p>The County Highways Authority has suggested some minor amendments to the conditions that were previously recommended for hybrid application 16/00177/FUL and Reserved Matters application 16/01452/APP - which have been repeated for this current application.</p> <p>The County Highways Authority confirm that the first 20m of the access road has already been implemented and therefore recommended condition 21 is not required.</p> <p>Details of the layout and internal access roads form part of the application details and therefore condition 21 is not required.</p> <p>Condition 17 is amended to include all roads as follows:</p> <p>17 No building on the development shall be occupied until the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.</p>

		<p>Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the NPPF.</p> <p>Subject to the above amendments to conditions, the County Highways Authority confirm that it has no objection to the proposal.</p>
36	5	<p>17/00077/FUL</p> <p>Regency Court Park, Bamfurlong Lane, Staverton.</p> <p>Consultations & Representations:</p> <p>Badgeworth Parish Council has submitted a further objection in response to the additional statement on Very Special Circumstances provided by the applicant. The letter repeats the Parish Council's previous objections. The letter is attached in full.</p>
50	8	<p>17/00134/FUL</p> <p>Kings Head Inn, Tewkesbury Road, Norton.</p> <p>Update - At the start of Paragraph 5.2 the Officer refers to 'Minsterworth' but this should be 'Norton'.</p>
62	12	<p>17/00235/FUL</p> <p>Norton Fruit Farm, Tewkesbury Road, Norton.</p> <p>Consultations & Representations:</p> <p>Since the report was written, two representations in support of the application have been received. The comments raised are summarised below:</p> <ul style="list-style-type: none"> • Small clusters of housing is suited for a village of this size. • The draft neighbourhood plan recognises the importance of small clusters. • The site is brownfield land and housing development should focus on these sites first. • Will not have an impact on traffic flow on A38. • Would have been a higher number of vehicle movements associated with past use • Visibility is also good in both directions. • There is another garden nursery in Norton • No requirement to have two garden centres in such close proximity. • Smaller garden centres have been forced to close by larger garden centres. • Norton Plantaria was too small to compete. • Adjoining caravan park has generated more traffic. • Small housing development would generate less traffic. • Small development in keeping with the countryside. • Smaller development should be encouraged over larger housing development.

72	13	<p>17/00081/ADV</p> <p>Churchdown Club Ltd, Church Road, Churchdown.</p> <p>Additional Supporting Information:</p> <p>The applicant has submitted further plans labelling the signs and showing the existing and proposed site layout. Please see attached plans.</p> <p>Recommendations:</p> <p>In light of the additional information received it is still recommended that planning permission is granted for the reasons given within the Committee report. It is also recommended that a condition be implemented to ensure the removal of sign 'b'.</p> <p>Condition:</p> <p>Within one month of this permission sign 'b' will be removed from the site and signs 'a' and 'c' shall be located in the positions shown on the revised plan received by the Local Planning Authority 30th May 2017.</p> <p>Reason:</p> <p>For the avoidance of doubt and in the interest of proper planning.</p>
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Item 5 – 17/00077/FUL

Badgeworth Parish Council

Clerk: Mrs. H. L. Jones |

The response by Badgeworth Parish Council to Application No.17/00077/FUL. Change of use of land to accommodate 30 static caravans (Holiday Lets) and associated works. Regency Court Park Bamfurlong Lane Staverton Cheltenham Gloucestershire GL51 6SL

1. There is a long history to this site, both of a planning and non-planning nature. This Council's response is solely related to the planning aspects of the current planning application.
2. The development site is located within the Gloucestershire Green Belt and is on the extreme edge of the small unrecognised settlement of Bamfurlong. It is adjacent to open countryside and the actual site is partly visible from both Badgeworth Lane and Bamfurlong Lane. It is in a somewhat remote area of Badgeworth Parish area.
3. A recent planning application was submitted to the Borough Council for the creation of a gypsy and travellers site on this location (Application 00/01014/FUL) This application was refused in February 2016 and the applicant has lodged an Appeal against this refusal. A subsequent application No.16/00301/FUL. Erection of two detached bungalows and change of use of holiday touring caravan and camping site to provide 16 residential static mobile homes, with associated amenity space, landscaping and access, following demolition of existing buildings on site was withdrawn.
4. The Parish Council is now being asked to comment on a change of use application. A change from a site which, although in the Green Belt, was being used for leisure purposes through the use of touring caravans and a number of pitches for tents. The new application seeks approval to the establishment of 30 caravans for holiday lets.
5. The new application is, in the opinion of the Parish Council, an application which seeks to establish, in effect, a small 'housing' development with static caravans (albeit for holiday lets). The proposed development has, therefore, moved away from touring caravans, camping, gypsy/travellers homes to a site which is tantamount to a small 'housing' development of holiday lets.
6. The application site does not form part of any policy or proposal within any strategic or local plan. It does not feature as a proposed development site within the Joint Core Strategy (JCS) or as a rural development site within the draft Local Plan. The Settlement Audit produced by the Borough Council ranks Badgeworth in very low terms in its provision of primary and secondary services. Badgeworth is not classified as a viable Service Village.
7. The JCS and the draft Local Plan both recognise the importance of the Gloucestershire Green Belt and such recognition is also made clear through the National Planning Policy Framework (NPPF) which attaches great importance to Green Belt areas. The NPPF makes it very clear in paragraph 87 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Parish Council considers that the applicant has not made a convincing case that very special circumstances exist which would justify development in this Green Belt area.

8. In the opinion of the Parish Council, we have reached the final stage of the JCS public inquiry which allows the Borough Council to make considered judgements on specific planning applications and allows weight to be given to the proposed strategic policies and general direction. The application site sits clearly within a critical area of the Green Belt and assists in retaining the Green Belt separation of Cheltenham and Gloucester. The site is very close to the Cheltenham Borough boundary. It should be possible, therefore, to weigh up the justification of any form of development in this area of the Borough against the emerging JCS/draft Local Plan policies.
9. There is a need to substantiate that the development site is sustainable and ensures that the local community has access to local shops, schooling, health, welfare and community facilities. The JCS/draft Local Plan as well as the NPPF all state that this is critical to any development. There are no services within the Bamfurlong area, extremely limited public transport and, as mentioned previously, the Badgeworth area ranks in very low terms within the Settlement Audit and is not a Service Village. On sustainability grounds alone the present application should be refused. The proposed increase of 30 holiday homes could more than double the present population of Bamfurlong at any one time so it is important that the lack of appropriate services is fully recognised. The application would result in a holiday population still requiring the needs of local services such as transport,shops and medical services.

The Parish Council requests that the Planning Committee REFUSE this application on the grounds that its conflicts with a number of the NPPF policies, would constitute inappropriate development within the Green Belt, the location of the site is not sustainable and the site has not been identified for development within the emerging JCS or the draft Local Plan.

Badgeworth Parish Council – 25 May 2017

Item 13 – 17/00081/ADV



Item 13 – 17/00081/ADV



TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	4 July 2017
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Robert Weaver, Deputy Chief Executive
Lead Member:	Councillor Mrs E J MacTiernan, Lead Member for Built Environment
Number of Appendices:	One

<p>Executive Summary: To inform Members of current Planning and Enforcement Appeals and of Communities and Local Government (CLG) Appeal Decisions issued.</p>
<p>Recommendation: To CONSIDER the report.</p>
<p>Reasons for Recommendation: To inform Members of recent appeal decisions.</p>

<p>Resource Implications: None.</p>
<p>Legal Implications: None.</p>
<p>Risk Management Implications: None.</p>
<p>Performance Management Follow-up: None.</p>
<p>Environmental Implications: None.</p>

1.0 INTRODUCTION/BACKGROUND

1.1 At each Planning Committee meeting, Members are informed of current Planning and Enforcement Appeals and of Communities and Local Government (CLG) Appeal Decisions that have recently been issued.

2.0 APPEAL DECISIONS

2.1 The following decisions have been issued by the First Secretary of State of CLG:

Application No	16/01288/FUL
Location	46 Vale Road Bishops Cleeve Cheltenham
Appellant	Mr Chris Johnson
Development	To erect a single garage on the current hard standing allocated for car parking for this property.
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Dismissed
Reason (if allowed)	The Inspector agreed with the Council that the proposed detached single garage would harm the character and appearance of the surrounding area with the garage compromising the open nature of the area. Whilst the Inspector did note that there were other garages in the area it was considered that these were not as visually prominent within the street scene where as the proposed garage would have been out of keeping with the pattern of development. The Inspector considered the benefits of the proposal to be personal benefits and as a result little weight could be given to them. It was judged overall that the personal benefits do not outweigh the harm.
Date	05.06.2017

3.0 ENFORCEMENT APPEAL DECISIONS

3.1 None.

4.0 OTHER OPTIONS CONSIDERED

4.1 None.

5.0 CONSULTATION

5.1 None.

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

6.1 None

7.0 RELEVANT GOVERNMENT POLICIES

7.1 None.

8.0 RESOURCE IMPLICATIONS (Human/Property)

8.1 None.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 None.

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 None.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None.

Background Papers: None.

Contact Officer: Jane Bagley, Appeals Administrator
01684 272286 Jane.Bagley@teWKesbury.gov.uk

Appendices: Appendix 1: List of Appeals received.

Appendix 1

List of Appeals Received						
Reference	Address	Description	Date Appeal Lodged	Appeal Procedure	Appeal Officer	Statement Due
16/01065/FUL	Mill Farm Mill Lane Stoke Orchard Cheltenham Gloucestershire GL52 7SG	6 no 4 bedroom houses.	15/06/2017	W	PDS	20/07/2017
16/01442/OUT	Land To The North Of 15 Bloxhams Orchard Ashleworth Gloucester Gloucestershire	Erection of 8 no. dwellings, with all matters reserved for future consideration except for access	24/05/2017	H	EMB	28/06/2017
16/00907/FUL	Part Parcel 7285 Bushcombe Lane Woodmancote Cheltenham Gloucestershire	Siting of a single log cabin holiday let unit (revised scheme to application reference: 16/00242/FUL)	24/05/2017	W	FIM	28/06/2017
16/00860/FUL	Land At Hillview Stables Bushcombe Lane Woodmancote	Erection of a single dwelling	24/05/2017	W	PAI	05/07/2017
17/00028/FUL	Chapel Farm Walton Cardiff Lane Tewkesbury Gloucestershire GL20 7BL	Change of use of land from agricultural use to domestic use, provision of vehicular driveway and alterations to vehicular access and associated landscaping and boundary treatments	14/06/2017	W	FIM	19/07/2017
06/00737/FUL	Land North East Of Duckstone House Dean Lane Stoke Orchard Cheltenham Gloucestershire GL52 7RX	Modification of S106 Agreement for the release from the obligation to transfer the Public Open Space to the Council.	13/06/2017	W	LJD	25/07/2017

List of Appeals Received						
Reference	Address	Description	Date Appeal Lodged	Appeal Procedure	Appeal Officer	Statement Due
16/01435/FUL	Foscombe House Foscombe Lane Ashleworth Gloucester Gloucestershire GL19 4JN	Proposed erection of a wood store to the north of Foscombe House	21/06/2017	W	JLL	26/07/2017

Process Type

- **FAS** indicates FastTrack Household Appeal Service
- **HH** indicates Householder Appeal
- **W** indicates Written Reps
- **H** indicates Informal Hearing
- **I** indicates Public Inquiry