

14 January 2019

Committee	Planning
Date	Tuesday, 22 January 2019
Time of Meeting	10:00 am
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

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.



	Item	Page(s)
4.	MINUTES	1 - 28
	To approve the Minutes of the meeting held on 18 December 2018.	
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	29 - 35
	To consider current planning and enforcement appeals and Ministry of Housing, Communities and Local Government (MHCLG) appeal decisions.	

DATE OF NEXT MEETING
TUESDAY, 19 FEBRUARY 2019
COUNCILLORS CONSTITUTING COMMITTEE

Councillors: R E Allen, P W Awford, D M M Davies, R D East (Vice-Chair), J H Evetts (Chair), D T Foyle, M A Gore, J Greening, R M Hatton, A Hollaway, E J MacTiernan, J R Mason, A S Reece, T A Spencer, P E Stokes, P D Surman, H A E Turbyfield, R J E Vines 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

In accordance with the Openness of Local Government Bodies Regulations 2014, 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, 18 December 2018 commencing
at 10:00 am**

Present:

Chair
Vice Chair

Councillor J H Evetts
Councillor R D East

and Councillors:

R E Allen, P W Awford, D M M Davies, D T Foyle, M A Gore, J Greening, R M Hatton,
A Hollaway, E J MacTiernan, J R Mason, A S Reece, T A Spencer, P D Surman,
H A E Turbyfield, R J E Vines and P N Workman

PL.49 ANNOUNCEMENTS

- 49.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 49.2 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.50 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 50.1 Apologies for absence were received from Councillor P E Stokes. There were no substitutes for the meeting.

PL.51 DECLARATIONS OF INTEREST

- 51.1 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.
- 51.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
P W Awford	18/00013/FUL 8 St Clair Cottages, Staverton.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.
	18/00760/FUL 41 Swallow Crescent, Innsworth.		

P W Awford	18/01023/FUL Holborn House, Main Road, Minsterworth.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.
	18/01024/FUL Parcel 0020 Between Merville and Enderley, Main Road, Minsterworth.	Is a Borough Councillor for the area.	
P W Awford	18/00748/FUL Land at Sandhurst Lane, Sandhurst.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.
		Is a life member of the National Flood Forum.	
		Is a Borough Council representative on the Lower Severn (2005) Internal Drainage Board.	
A Hollaway	18/00725/FUL Haymes Cottage, Haymes Road, Cleeve Hill.	Is a Borough Councillor for the area.	Would speak and vote.
	18/00939/FUL 10 Cranford Close, Woodmancote.		
P D Surman	18/00429/FUL 3 Blenheim Cottages, School Lane, Shurdington.	Is a Borough Councillor for the area.	Would speak and vote.
		Is a Member of Shurdington Parish Council but does not participate in planning matters.	
R J E Vines	18/00429/FUL 3 Blenheim Cottages, School Lane, Shurdington.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

R J E Vines	18/00741/FUL Parcel 7, Gloucestershire Airport, Staverton.	Is a Gloucestershire County Council representative on the Gloucestershire Airport Consultative Committee.	Would speak and vote.
P N Workman	18/00786/FUL Cross House, Church Street, Tewkesbury. 18/00956/LBC Cross House, Church Street, Tewkesbury.	Is a Member of Tewkesbury Town Council but does not participate in planning matters.	Would speak and vote.

51.3 There were no further declarations made on this occasion.

PL.52 MINUTES

52.1 The Minutes of the meeting held on 20 November 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.53 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

Schedule

53.1 The Technical Planning 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, and the further update in respect of Item 5 of the Schedule, attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

18/00558/FUL – Part Parcel 8900, Dibden Lane, Alderton

53.2 This application was for change of use of land from agricultural to equestrian use for private non-commercial use only and associated erection of stable building, including integral tack room and hay store, provision of hardcore access track for vehicular access with horse lorry turning and parking area and retention of existing fencing (part retrospective). The Committee had visited the application site on Monday 17 December 2018.

53.3 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. The seconder of the motion indicated that he had requested the Committee Site Visit based on the concerns raised by the Parish Council. He was hopeful that conditions 3, 4 and 5 of the Officer recommendation would help to allay those fears and he indicated that he had no doubt that the Parish Council would be keeping a close eye on the development. Upon being put to the vote it was

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

18/00786/FUL – Cross House, Church Street, Tewkesbury

53.4 This application was for a change of use at ground floor level from retail (Class A1) to a micro-pub for the sale of cask ales and craft beers and ciders for consumption on and off the premises (Class A4).

53.5 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. The proposer of the motion indicated that he had shared the Civic Society's concerns about bin storage, which was quite a problem in Tewkesbury Town; however, this seemed to have been resolved and therefore he was happy to support the application. Another Member commented that it was nice to see a development like this coming forward at a time when it was more common for public houses to be closing. Upon being taken to the vote, it was

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

18/00956/LBC – Cross House, Church Street, Tewkesbury

53.6 This was a listed building consent application for re-glazing of existing ground floor level windows on the side elevation and interior alterations to include the removal of partition walls and the provision of stud partition walls – Grade II* Listed Building Ref: 859-1/6/155.

53.7 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to grant consent and he invited 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 put to the vote, it was

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

18/00856/FUL – 12 High Street, Stanton

53.8 This application was for the variation of condition 2 (drawing schedule) and 3 (walling samples) to application 17/00897/FUL to allow for alterations to the length, height, width and detailing of the boundary wall. The application had been deferred at the Planning Committee meeting on 20 November 2018 for a Committee Site Visit and the Committee had visited the application site on Monday 17 December 2018.

53.9 The Chair invited a local resident speaking in objection to the proposal to address the Committee. The local resident urged Members to take into consideration the views of the Parish Council and to not only refuse the amendment but insist that a proper drystone wall be constructed in accordance with the previously submitted plans, which were rightly permitted by Tewkesbury Borough Council, thus retaining the valuable historic integrity of the High Street.

53.10 The Chair invited the applicant's representative to address the Committee. The applicant's representative explained that the property had been completely refurbished and modernised over the past two years using traditional materials and methods under the supervision of Tewkesbury Borough Council Officers. The only garden area to the property was a small area to the front which would be bounded by the new wall. This wall would separate the property from the public highway and the neighbouring driveway. He advised that it was built exactly on the line of an old wall adjacent to the highway and replaced a loose form of hedge, comprised mainly of ivy, along the boundary with the adjacent driveway. The wall would ensure that both occupants and pets were kept safe from the public highway. He went on to explain that the garden level was some 200-500mm higher than the

adjacent road and the planning permission in place allowed a wall to be built 1.35m above the level of the road. He pointed out that the road sloped quite steeply away from the house and the proposal was to keep the wall at 1.35m high at the gate and increase the height to a maximum of 1.65m – an increase of 300mm at its junction with the driveway. This would allow the top of the wall to have a level stone capping. Internally, the height from the top of the wall to the garden would be approximately 750mm throughout. The proposed wall was to be constructed from stone reclaimed for the existing building, which Members would have seen on the Committee Site Visit, or with other locally sourced stone which had been approved and used in the recently constructed extension to the rear of the property. The stone would be cut and dressed in a manner which was reflected by walling on properties opposite and therefore was considered appropriate for the location. He pointed out that the random-coursed field walling stone, which was preferred by the Parish Council, would not be in keeping with the location and he stressed that the coursed stone, the copings, the size and source of the stone had all been chosen in consultation with Officers and had been recommended by them as an appropriate finish to the wall in this location. As the stone was being freshly dressed, it would have a less mellow appearance than the stone which had been in place for many years; however, as it was a garden wall, it would be quite cold and subject to damp conditions which would ensure that it would mellow, and lichen would grow on it quite quickly. He reiterated that the size, detail and layout of the wall had been subject to amendment in discussion with Planning Officers and the Conservation Officer and this had resulted in a proposal which they considered to be in accordance with planning guidelines and in keeping with the location, so he hoped Members would feel able to support the Officer recommendation and permit the proposal.

- 53.11 The Chair indicated that 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 Parish Council's objections and concerns and he drew attention to Page No. 417, Paragraphs 5.7 and 5.8 of the Officer report, which set out that, whilst these concerns were acknowledged, Officers considered that changes to the wall would be appropriate in this instance and would not detract from the setting of the listed building or be harmful to the Conservation Area. Although the Conservation Officer had originally objected to the scheme due to the height of the wall, amended plans had been submitted to reduce the highest point of the wall from 1600mm to 1350mm and this had been accepted by the Conservation Officer. Concern had been raised that the wall height should match the slope of the road, rather than the level of the house, but it had been noted on the Committee Site Visit that this was an established feature in the streetscene reflected by the property opposite which was several hundred years old. The wall would inevitably stand out until the stone weathered over time but, having visited the site, he considered that the proposal would fit in with the surroundings and should be permitted.
- 53.12 A Member indicated that he had been unable to attend the Committee Site Visit and he sought a view from the Chair, as the Ward Councillor for the area, as to whether he considered the proposal to be acceptable given the concerns he had expressed at the last meeting regarding the proposed walls not following the contours of the ground. The Chair reminded Members that it was not a question of personal aesthetics and, whilst he would not have chosen to build the wall in that way, there were many examples of different types of walling within the village, including opposite the application site. Whilst he had a huge amount of sympathy with the views of the Parish Council and local residents, he did not feel that a refusal could be defended at appeal.

53.13 Upon being put to the vote, it was

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

17/00520/OUT – Land at Fiddington, Ashchurch

53.14 This was an outline application for residential development of up to 850 dwellings, primary school, local centre comprising up to 2,000sqm gross internal floor area (A1, A2, A3, A4, A5 and D1 uses with no single A1 comparison unit exceeding 500sqm gross internal area), supporting infrastructure, utilities, ancillary facilities, open space, landscaping, play areas, recreational facilities (including changing facilities and parking); demolition of existing buildings; new primary access points from the A46(T) and Fiddington Lane defined as: western access point from A46(T) up to 153m measured from the southern edge of the carriageway of the A46(T) into the site, eastern access point from Fiddington Lane (via A46(T)) up to 50m measured from the western edge of the carriageway of Fiddington Lane into the site.

53.15 The Planning Officer advised that this was a greenfield site located outside of the main urban area of Tewkesbury Town; it was not an allocated housing site in the Joint Core Strategy but was a ‘windfall’ proposal. The application had been made in May 2017 and, since that time, consultees and Officers had been seeking additional information from the appellant so that it could be presented to the Committee in an appropriate form. She confirmed that the appellant had not provided all the required information and had submitted a non-determination appeal; therefore, the Council must advise the Secretary of State of its views on the proposal which was the purpose of the report to Members.

53.16 In terms of the benefits of the proposal, considerable weight was given to the economic benefits that would arise, both during and post construction. Limited weight was given to the provision of new housing as the Council was able to demonstrate a five-year supply of deliverable housing sites, including a 5% buffer – i.e. 5.58 years – and, over the previous three years, a significant over-supply of the annual Joint Core Strategy requirement. Accordingly, the Joint Core Strategy policies for the supply of housing could be considered up-to-date and afforded full weight. The provision of affordable housing did weigh in favour of the proposal but, as set out in the Officer report, the appellant’s offer of 35% affordable housing fell short of the 40% requirement for windfall sites set out in Joint Core Strategy Policy SD12. The weight that was attributed to the provision of affordable housing was therefore diminished due to that lower offer. There were also a number of limited potential benefits arising from the proposal including the provision of a new community hall and improvements to the ecological potential of the site.

53.17 With respect to the harms, Members were advised that the appeal proposal conflicted with the housing policies of the recently adopted development plan which attracted full weight in the determination of the appeal. In the first instance, the proposal did not meet any of the criteria set out in Policy SD10 of the Joint Core Strategy in respect of the location of residential development. The strategic housing needs for the area were catered for within the Joint Core Strategy through adopted policies. Policy SP2 of the Joint Core Strategy provided that the identification of any additional urban extensions to help meet the unmet needs of a local planning authority must be undertaken through a review of the plan. Pursuant to Policy REV1 of the Joint Core Strategy, the housing supply for Tewkesbury was the subject of the ongoing immediate review of the Joint Core Strategy - including the Ashchurch Masterplan - which was to cover the allocation of sites to meet the identified longer-term shortfall in housing supply against the housing requirement. It was considered that, to permit the proposed development now, in advance of the ongoing immediate review of the Joint Core Strategy, could prejudice the outcome of the plan-making process and the proper planning of the

wider Tewkesbury Town area which was considered to weigh heavily against the proposal. It was further considered that the residual cumulative impacts of the proposed development on the local and strategic road network were unclear, had not been sufficiently demonstrated, and were potentially severe, including the impact on the future strategic development of the area. The proposal was therefore contrary to Policy INF1 of the Joint Core Strategy which weighed against the proposal. It was expected that the position would become clearer following receipt of the final comments of Highways England on the scheme; depending on the comments received, Officers may need to review this position and, if necessary, update the Committee.

- 53.18 The Planning Officer went on to advise that, in the context of the National Planning Policy Framework, the application site was not considered to represent 'valued landscape' but the proposal was nonetheless considered to result in landscape harm insofar that it failed to respond positively to, and respect the character of, the site and its surroundings. In doing so, the proposal failed to demonstrate how the development would protect or enhance landscape character and avoid harmful effects on features which made a significant contribution to the area e.g. long-distance views of Tewkesbury Abbey, the rural edge and the Gloucestershire Way. Furthermore, whilst the proposal was in outline form, it was considered that the Design and Access Statement and the illustrative masterplan did not demonstrate how a high-quality design would be delivered. It was recognised that some of the issues raised at Pages No. 432-433, Paragraphs 7.12 and 7.13, of the Officer report went beyond considerations at the outline stage and would be dealt with appropriately at the reserved matters stage; however, the broad parameters set by the appellant in the Design and Access Statement and illustrative masterplan were not considered to sufficiently demonstrate how the proposed development would result in a high quality place and that would be contrary to Policies SD4 and SD6 of the Joint Core Strategy which weighed against it. As previously mentioned, the amount of affordable housing proposed was not policy compliant and the proposed social infrastructure necessary to offset the impacts of the scheme was insufficient, for example, in relation to community facilities, education, open space and outdoor recreation etc. Whilst some of these matters could be capable of resolution through negotiation at appeal by preparation of a Section 106 Agreement, an Agreement was not currently in place, therefore, these matters weighed against the proposal at this stage. The proposal would also result in the loss of Best and Most Versatile (BMV) agricultural land, as set out at Page No. 443, Paragraphs 15.1-15.4, of the Officer report. It was noted that, subject to the imposition of appropriate planning conditions, the development would not give rise to unacceptable impacts in relation to flood risk and drainage, heritage assets, ground conditions, noise/vibration/dust/odour or minerals and waste.
- 53.19 In conclusion, the Planning Officer advised that the proposal was considered to conflict with up-to-date policies of the development plan for the area and Paragraph 11 of the National Planning Policy Framework was considered not to be engaged, therefore the presumption in favour of sustainable development did not apply. Paragraph 12 of the National Planning Policy Framework was clear that where planning applications conflicted with an up-to-date development plan, permission should not usually be granted. Even if that was not considered to be the case and the tilted balance was engaged, in weighing up the planning balance, the harms identified significantly and demonstrably outweighed the benefits, as such, the proposal was not considered to constitute sustainable development in the context of the National Planning Policy Framework.

53.20 Since the publication of the Committee papers, Officers had reflected on the proposed reasons for refusal and considered that they should be refined by amalgamating reasons 1 and 2 to form a new reason for refusal 1; and by amalgamating reasons 3 and 4 to form a new reason for refusal 2. These revised reasons were set out in a further update which had been circulated at the meeting in addition to the Additional Representations Sheet, attached at Appendix 1. Consequently, it was recommended that, in the context of the current appeal, Members be minded to refuse the proposal for the six reasons set out.

53.21 The Chair indicated that there were no public speakers for this item. The Officer recommendation was that Members be minded to refuse the application and he sought a motion from the floor. It was proposed and seconded that Members be minded to refuse the application in accordance with the Officer recommendation and, upon being put to the vote, it was

RESOLVED That Members be **MINDED TO REFUSE** the application in accordance with the Officer recommendation.

18/00013/FUL – 8 St Clair Cottages, Staverton

53.22 This application was for the erection of a two-storey dwelling.

53.23 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 put to the vote, it was

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

18/00429/FUL – 3 Blenheim Cottages, School Lane, Shurdington

53.24 This application was for demolition of a domestic garage and erection of an attached two-bedroom cottage.

53.25 The Chair invited the applicant to address the Committee. The applicant indicated that he was pleased that Officers were in support of his application. He explained that the Parish Council had raised concern regarding parking and overdevelopment and a number of others had made comments about the parking; however, this was a misunderstanding and he clarified that off-site parking was being provided. County Highways had conducted a thorough analysis of School Lane and was satisfied in terms of the site access to the proposed cottage. The cottage would be a very similar size to the garage, and the façade of the group of cottages would be maintained at a similar footprint, so the cottage would be in keeping with the existing cottages. He indicated that he would be very pleased to receive permission for the proposal as a two-bedroom dwelling in this location was a rarity and he believed it would be a positive addition in comparison to what was usually being built in the area.

53.26 A Member questioned whether recommended condition 7, set out at Page No. 460 of the Officer report - which would require sufficient provision to be made within the site for parking of vehicles, loading and unloading, storage of plant and materials and wheel-washing facilities during the demolition and construction phases - could be achieved given that the lane was very narrow and traffic could easily build up. In response, the Technical Planning Manager confirmed that the condition was considered to be enforceable; if local residents experienced any issues, Officers would investigate to ensure the development was being carried out in accordance with the conditions of the planning permission, should Members be minded to permit the application.

- 53.27 The Chair indicated that 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.

18/00612/FUL – Parton Court Farmhouse, Parton Road, Churchdown

- 53.28 This application was for the conversion of an outbuilding to a dwelling (retrospective) and the construction of a detached garage building.

- 53.29 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 put to the vote, it was

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

18/00725/FUL – Haymes Cottage, Haymes Road, Cleeve Hill

- 53.30 This application was for the demolition of existing house and outbuildings and construction of a new four-bedroom dwelling. The Committee had visited the application site on Monday 17 December 2018.

- 53.31 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. A Member indicated that she had requested the Committee Site Visit on the basis of the Parish Council's concerns regarding the design and size of the proposal and the detrimental impact it would have upon the area. She noted that the National Planning Policy Framework set out that local planning authorities should support high quality, innovative design and seek to raise design standards with the borough, encouraging sustainable constructions and energy efficiency; she did not feel that the proposal would achieve this. Another Member was reluctant to support the application as he considered the Cleeve Hill escarpment to be a beautiful part of the borough, therefore any replacement buildings should be of a high standard; however, he expected that there had been negotiations in terms of design and he understood that Officers were in a difficult position.

- 53.32 A Member questioned how surface water run-off would be mitigated on the site as he was concerned the existing drainage network would be inadequate. The Technical Planning Manager explained that, as the proposal was for a replacement dwelling, the conditions should not change in terms of surface water run-off. The Chair indicated that he had a lot of sympathy with the Parish Council and, whilst he felt it was a great shame that the proposed replacement dwelling did not reflect current design and architectural thinking, he felt that it would be extremely difficult to defend a refusal at appeal.

- 53.33 Upon being taken to the vote, it was

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

18/00760/FUL – 41 Swallow Crescent, Innsworth

53.34 This application was for the erection of a pair of semi-detached houses.

53.35 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 advised that he attended Parish Council meetings and had listened to what was said in relation to this application in terms of overdevelopment and he would probably not be supporting the motion to permit the proposal. Upon being put to the vote, it was

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

18/00939/FUL – 10 Cranford Close, Woodmancote

53.36 This application was for the erection of two-storey front and rear and single storey front and side extensions.

53.37 The Chair invited the applicant to address the Committee. The applicant explained that this was his second application and he had used Tewkesbury Borough Council's verification service this time in order to better understand people's views and work together to address any concerns. He had made several revisions to the original plans based on the advice he had received and had also applied the HOU8 local planning policy guidelines. The Parish Council had not been in favour of his previous application and he had written to two Parish Councillors on two occasions in November to seek clarity on their points of view but to date he had not received a response. The cul-de-sac had changed over the past 20 years with many properties being redeveloped; of the 16 houses in the road, more than eight had been extended, some of which were similar to the design proposed in his application. The property was a corner plot and set back further than any of the other properties; it was also the only completely detached house. He confirmed that the proposed extensions and the positioning of the existing house did not protrude beyond the build line and central apex of the neighbouring property. With regard to the streetscene, which seemed to be one of the Parish Council's major concerns, he reiterated that the extensions had been designed based on the current new redevelopments which had been carried out on other properties in the road so he could not understand this objection.

53.38 The Chair indicated that 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 noted that there had been a request within a letter of representation for a window to be obscure glazed and the Chair relayed that this appeared to have been addressed by the recommended condition 4, as set out at Page No. 480 of the Officer report. Upon being taken to the vote, it was

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

18/00961/FUL – 10 Oakhurst Close, Churchdown

- 53.39 This application was for the proposed erection of a pair of semi-detached dwellings, associated parking and landscaping.
- 53.40 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 put to the vote, it was

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

18/01023/FUL – Holborn House, Main Road, Minsterworth

- 53.41 This was a retrospective application for the erection of a detached garage with storage over.
- 53.42 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. A Member referred to the Additional Representations Sheet, attached at Appendix 1, which included additional comments from the Parish Council. He pointed out that the Parish Council did not tend to complain, despite significant new development in the area over the last 12 months, and he proposed that the application be deferred in order to assess the considerable concerns raised. He indicated that the Parish Council had been vehement about the authority recommending permission for a retrospective application when there had been so many concerns about the original proposal. The Technical Planning Manager explained that the issue around retrospective applications had been raised before but retrospective applications were a legitimate part of the planning system. With regard to the comment set out in the Additional Representations Sheet, the Parish Council considered that the process had been somewhat unfair and had referred to the original application which was essentially for a two-storey building. Whilst the garage as built did have a first floor, Planning Officers had negotiated a reduction in the height from 6.4m to 5.4m and the Technical Planning Manager confirmed that it was very much a single storey building, albeit with room in the roof. He drew attention to the plans at Pages No. 488/C and 488E of the Officer report which showed the difference between the proposed garage and that which had already been granted planning permission; the height was very similar and, whilst there was a small increase in length, Officers considered this to be acceptable – it was noted that the room in the roof could have been provided without planning permission in any case under permitted development. Whilst he understood the Parish Council's concerns in terms of it being a retrospective application, he reiterated that this was allowed under the planning process. A Member questioned at what point the garage stopped being a garage and instead became a bungalow and was advised that this was dependant on the occupant; if the garage was built and subsequently occupied by someone who was part of the household it would not require planning permission, whereas if it was inhabited by a separate occupier it would be considered as a separate dwelling and planning permission would be needed - in his view the latter would be unlikely given the layout and the position of the garage in relation to the existing house.
- 53.43 A Member seconded the motion to defer the application as he felt it would be beneficial for the Committee to see the garage on site. A Member referred to a case where a house had been built larger than the original but had been allowed by an appeal Inspector and he questioned what the likely outcome would be if Members were minded to refuse this application. The Technical Planning Manager explained that it was a matter of planning judgement; Officers considered there

would be little prospect of success at appeal if the application was refused but if Members wanted to visit the site to assess it for themselves then that was within their gift. Upon being put to the vote, it was

RESOLVED That the application be **DEFERRED** for a Committee Site Visit to assess the Parish Council's concerns in relation to the garage being out of character with the streetscene and overpowering in relation to the adjoining two-storey building.

18/01024/FUL – Parcel 0020, Between Merville and Enderley, Main Road, Minsterworth

53.44 This application was for the erection of two infill dwellings and associated vehicle access (amended design and layout).

53.45 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 indicated that this application had also been discussed by the Parish Council at the same meeting as the previous item and it was not supported due to concerns regarding highway safety and impact on streetscene. As such, the Member proposed that the application be deferred for a Committee Site Visit to assess the Parish Council's concerns. This proposal was duly seconded but, upon being put to the vote, the motion to defer the application was lost. The motion to permit the application in accordance with the Officer recommendation was subsequently put to the vote and it was

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

17/01356/OUT – 48 Brookfield Road, Churchdown

53.46 This was an outline application for demolition of existing dwelling and replacement with two new dwellings with access, layout and scale for approval. The application had been deferred at the Planning Committee meeting on 20 November 2018 to allow the applicant to amend the layout to address the concerns raised by County Highways and to re-advertise the application, should it be necessary.

53.47 The Planning Officer advised that, following the last meeting, an amended site layout plan had been submitted which showed a revised access and parking arrangements for plot 48B. The plan at Page No. 501/D of the Officer report showed that the existing vehicular access to the north of the site onto the adjoining highway would be permanently closed and the parking provision for the plot would now be provided off the shared driveway to the south of the site. Both dwellings would have two off-road parking spaces and pedestrian access from Brookfield Road. A new consultation and neighbour notification had been undertaken and this had expired on 13 December 2018. Members were informed that, during the consultation period, County Highways had raised no highway objection to the revised layout, subject to a number of conditions and an informative note; the Parish Council had commented on the amended proposal and endorsed its strong objections to the application; and an additional letter of support had been received. All of these comments were summarised in the Additional Representations Sheet, attached at Appendix 1. In terms of the conditions, three had been recommended by County Highways which negated the need for the previously recommended condition 12. It was noted that condition 3 needed to be amended to make reference to the latest site layout plan. The Planning Officer clarified that, following the receipt of the revised layout plan, and no subsequent objection from County Highways, the Officer recommendation was now permit rather than delegated permit.

- 53.48 The Chair invited a local resident speaking in objection to the proposal to address the Committee. The local resident indicated that there was a 20 year history of applications made for the site but there were currently three dwellings: No. 42 which was to be extended, No. 44 which was a partially completed new-build, and No. 48 which was a decaying eyesore. He pointed out that No. 46 was derelict. If this application was accepted then there would be five dwellings – four two-storey, four-bedroom houses and one bungalow – which were likely to generate around 10 cars. He raised concern that there would be very little space for visitors, trade and emergency vehicles and even more parking on the busy Brookfield Road. He shared the Parish Council's concerns and felt that the development would be overly dense; totally out of keeping with the character of the village; intrusive on surrounding properties; trading treasured space for concrete; and, most of all, would generate a significant increase in traffic. He did not believe that adequate thought had been given to traffic management when parents arrived to collect children from the 1,500 pupil Chosen Hill School which rendered Brookfield Road, and adjoining Albemarle Road and Oldbury Orchard, virtually impassable. He urged Members to refuse the application or, at the very least, to defer it until a proper solution was implemented to resolve the traffic chaos.
- 53.49 A Member raised concern that there were only two parking spaces for both dwellings - three or four-bedroom dwellings, which these appeared to be, would need more parking and he questioned where this would be. The Planning Officer explained that the number of bedrooms was unknown at this outline stage; however, she clarified that there were two parking spaces for each dwelling and attention was drawn to the plan at Page No. 501/D which showed car parking in two locations. In response to a query regarding access for parking for 48A, confirmation was provided that this would be directly off Brookfield Road. A brief debate ensued as to whether this would require the removal of a Yew Tree and it was thought that was likely, although the plan did state that the Yew Tree was dead.
- 53.50 The Chair indicated that 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 reminded Members that the proposal would result in only one additional property, not two as seemed to have been intimated during the discussions. Upon being taken to the vote, it was
- RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.
- 18/00741/FUL – Parcel 7, Gloucestershire Airport, Staverton**
- 53.51 This was an application for the erection of a student accommodation block for use strictly in association with the Skyborne flight training academy, including site access, parking and landscaping.
- 53.52 The Planning Officer advised that a large number of objections had been raised in relation to night-time flying and the number of air movements at the airport. As set out in the Officer report, she confirmed that the application did not propose to increase the airport's operating hours or the number of air movements. Skyborne and Gloucestershire Airport Ltd were completely satisfied that the operation would fall within the existing arrangements governing use of the airport which would be unaffected by the granting of planning permission for student accommodation, as such, these objections were not material to the application. As detailed in the Additional Representations Sheet, attached at Appendix 1, the applicant's agent had recently submitted an indicative drainage layout plan and drainage strategy which outlined the intentions for the disposal of surface and foul water drainage. This information had been forwarded to the relevant consultees and an additional

comment, which had been received too late for inclusion on the Additional Representations Sheet, had been made by the Lead Local Flood Authority. Based on the information provided, the applicant was proposing to discharge surface water via infiltration; however, there was uncertainty over whether this was a suitable option and no alternative had been supplied. The Lead Local Flood Authority had objected to the proposal on the basis that the applicant had failed to provide sufficient information. Given that the Officer recommendation was to delegate authority to the Technical Planning Manager to permit the application subject to the resolution of the outstanding archaeology and drainage issues, Officers would continue to liaise with the applicant and the Lead Local Flood Authority to seek the additional information requested in order to secure a satisfactory drainage scheme.

- 53.53 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the development was associated with the Skyborne flight-training academy at Gloucestershire Airport. The academy had been established earlier this year and would start accepting its first intake of students imminently. The campus model for flight training would be the first in the UK for over 50 years and was critical to the business model. Skyborne specialised in commercial airline training programmes for some of the world's biggest airlines and the academy would help to address the global shortage of qualified airline pilots. The applicant had worked closely with Officers to provide a high-quality development and the applicant's agent thanked them for their positivity throughout the process. Whilst it was in the Green Belt, the land had been allocated as part of the airport's 'Non-Essential Operational Area' within the Joint Core Strategy; this policy supported business uses that complemented the use of the airport and required an airport location. The emerging local plan confirmed that such uses included guest accommodation, educational and training uses which all fitted squarely with this proposal. In addition to policy support, there were major other benefits arising from the wider training academy: it would facilitate £50M of contracts, providing huge growth for the aviation industry; it would attract a high-profile business to the borough, creating £10M initial investment and a £2M increase in local spending power per annum; it would create 40-50 new jobs and 120 newly qualified airline pilots nationally; and it would substantially raise the profile of Gloucestershire Airport as the UK's leading pilot training venue – this could secure the longevity of the airport as well as the businesses that based themselves in Staverton because of the airport. In terms of other considerations, the applicant's agent indicated that Officers had diligently assessed the need for this level of accommodation. The building would essentially be at full capacity after six months of operation and therefore needed to be the size proposed; Officers had acknowledged that the building had been sensitively designed. County Highways was satisfied with the parking and sustainable transport measures proposed and it was agreed that archaeology and drainage could be addressed through a delegated permission – he stressed that these matters were not insurmountable and confirmed that additional information would be provided in that respect. There had been some confusion at the outset in relation to the potential for night-time flying and air movements which had resulted in the objections set out in the Officer report; however, all night-time flying would be in a simulator, not in the air, and Skyborne had since met with the Parish Councils and put their minds at rest. The applicant's agent stated that, in all the years he had been involved in planning proposals within the borough, this was undoubtedly the most important development he had seen, not only in terms of the local economy and job creation, but what it meant for the longevity of the airport and the businesses that based themselves in Staverton because of the airport. He hoped that Members would feel able to support the application.

53.54 A Member noted that the accommodation would be at full capacity within six months and questioned whether 18 car parking spaces would be enough to serve the 79 rooms. The Planning Officer referred to Page No. 510, Paragraph 5.39 of the Officer report, which set out that 80% of the students were likely to be from overseas - this equated to approximately 62 overseas students and 16 domestic students. The parking provision was based on the number of domestic students and therefore 18 parking spaces were considered to be sufficient. Furthermore, Gloucestershire Airport had indicated that the overflow car park to the north of the site would be available to Skyborne if necessary.

53.55 The Chair indicated that the Officer recommendation was to delegate authority to the Technical Planning Manager to permit the application, subject to resolution of the outstanding archaeology and drainage issues, additional/amended planning conditions as appropriate, and referral of the application to the Secretary of State, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Technical Planning Manager to permit the application in accordance with the Officer recommendation. A Member expressed the view that this was a wonderful opportunity for the borough and would help to secure the future of the airport which was recognised as a very important facility within the area. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Technical Planning Manager to **PERMIT** the application, subject to resolution of the outstanding archaeology and drainage issues, additional/amended planning conditions as appropriate, and referral of the application to the Secretary of State.

18/00748/FUL – Land at Sandhurst Lane, Sandhurst

53.56 This was an application for the erection of eight affordable dwellings, landscaping, access and associated works.

53.57 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to delegate authority to the Technical Planning Manager to permit the application, subject to completion of a Section 106 Agreement to secure the dwellings as affordable units in perpetuity, and he invited a motion from the floor. A Member advised that a local Ward Councillor for the area had great concern regarding flooding on the site and he would like the application to be deferred to allow the Committee to visit the site and to consider photographic evidence which he was able to provide. Another Member indicated that he would be happy to support a deferral on that basis as Sandhurst was at risk of fluvial flooding and had been affected during the 2007 and 2014 floods. He raised concern that the site could be completely cut-off and the fact the proposed dwellings were affordable increased the likelihood of putting vulnerable people at risk. He was surprised there were no comments from the Lead Local Flood Authority or the Tewkesbury Borough Flood Risk Management Engineer, given the main river problems in Sandhurst, and he felt it would be right to look at the site and the information from the local Member. It was therefore proposed and seconded that the application be deferred for a Planning Committee Site Visit and to be provided with further information on flooding issues.

53.58 The Planning Officer advised that the site was entirely within Flood Zone 1 which had the lowest probability of flooding. He confirmed that the Lead Local Flood Authority had been consulted on the application but had no statutory duty to comment due to the size of the site; however, it was worth noting that it had raised no objection to the previous application for 16 dwellings on the site. Tewkesbury Borough's Flood Risk Management Engineer had been consulted and was confident that an acceptable drainage solution could be secured therefore a condition had been recommended to explore those options; ultimately, it was

thought that this would be infiltration which the applicant felt could be achieved. The Technical Planning Manager explained that the previous application for 16 dwellings had been refused on flood risk grounds but that was due to a small corner of the site being located within Flood Zone 2; that had been the sole reason for refusal and Members should be wary of introducing other reasons at this stage, certainly as safe and dry access had not been raised as a reason for refusing a scheme with a greater number of dwellings. The application site was entirely within Flood Zone 1 and was therefore acceptable from a policy point of view. The seconder of the motion indicated that all of this related to drainage, there had been no mention of risk from main river flooding and if Members looked at the evidence from the local Member they would understand his concerns. The Technical Planning Manager reminded the Committee that the purpose of a site visit was not to receive further information from any party; if Members felt that they required further information to be able to make a judgement over this matter, the application could be deferred on that basis but it was not a reason to visit the site. He stressed that the site was located within Flood Zone 1 and Officers felt there was an appropriate drainage solution.

- 53.59 The Chair indicated that the local Member had had an opportunity to raise this matter before on several occasions and it seemed odd to be considering a deferral at this stage. Another Member acknowledged the concerns regarding flooding and felt that a deferral would give the Flood Risk Management Engineer an opportunity to attend the Committee to answer questions. A Member expressed the view that the local Member's knowledge would be invaluable as he was able to see the river rise and fall in real life, as opposed to on a computer, so he would also be in favour of a deferral. The proposer and seconder of the motion indicated that they would be willing to amend the proposal to remove the Committee Site Visit element and to defer the application to be provided with further information on flooding issues and for the Flood Risk Management Engineer to attend the next Committee to answer questions. Upon being taken to the vote, it was

RESOLVED That the application be **DEFERRED** to be provided with further information on flooding issues and for the Flood Risk Management Engineer to attend the next Committee to answer questions.

PL.54 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

- 54.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 25-29. Members were asked to consider the current planning and enforcement appeals received and the Ministry of Housing, Communities and Local Government appeal decisions issued.

- 54.2 It was

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

The meeting closed at 11:50 am

SCHEDULE OF PLANNING APPLICATIONS
ADDITIONAL REPRESENTATIONS

Date: 18 December 2018

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	
402	2	<p>18/00786/FUL</p> <p>Cross House, Church Street, Tewkesbury</p> <p>One letter of support has been received from the Chair of the Tewkesbury Branch of the Campaign for Real Ale, which is attached in full.</p> <p>Taking account of this, the recommendation remains unchanged.</p>
414	4	<p>18/00856/FUL</p> <p>12 High Street, Stanton</p> <p>Representations which were received prior to previous Planning Committee meeting on 20 November 2018:</p> <p>In addition to the Parish Council's original letter of objection, two further letters of objection have been received; one from the Parish Council and one from a local Councillor both of which are attached in full.</p> <p>Summarised points are as follows:</p> <ul style="list-style-type: none"> - Not a traditional Cotswold drystone wall. - It will have a detrimental effect on the High Street. - The partly built wall is at least 15" over the highway, which I understand Gloucestershire County Council land. - To allow the wall to be constructed out of coursed walling stone will damage the special nature of this conservation area. - The wall should be constructed as a dry- stone wall using field Cotswold stone. <p>Notwithstanding this the recommendation remains unchanged.</p> <p><u>Late Representations:</u></p> <p>Since the previous Planning Committee meeting on 20 November 2018 and the issuing of the current Planning Committee Agenda, the applicant has submitted a letter providing additional supporting information, which is attached in full.</p> <p>Taking account of this, the recommendation remains unchanged.</p>

450	6	<p>18/00013/FUL</p> <p>8 St Clair Cottages, Staverton</p> <p>Further Representations Received</p> <p>Local residents - Four further representations objecting to the proposed development have been received. The objection is summarised below:</p> <ul style="list-style-type: none"> - The whole concept is inappropriate and not required in this locality. - The layout of the ground floor accommodation would be a horrid use of space. - The development would have an adverse impact upon neighbouring amenity. - Parking and manoeuvring of vehicles in and out of the two properties involved is still a major concern; The Council's Joint Core Strategy shows that Staverton village currently falls within the Green Belt and is not an area that is designated for development. - Development would mean further unnecessary erosion of the Green Belt. - No. 8 St Clair Cottages has been unoccupied for a considerable amount of time, therefore, there is no need for this type of housing in the village. - The proposed development is disproportionately large for the small plot. - Development would fail to respect the character of the area. - Increased density would ruin the visual appearance of this part of the village. - Building would look completely out of proportion to the rest of the cottages along this stretch of road. - Application site is too small to accommodate the proposed dwelling - over-development of the site. - Development would have a detrimental impact upon the streetscene. - The removal of the existing hedgerow would have a negative visual effect. - Additional occupation would lead to a nuisance and hazard to neighbouring amenity. - No local infrastructure to serve the occupiers of the dwelling. - Information in the Design and Access Statement is misleading in respect to the access to public transport. - Discrepancy on the site plan.
478	11	<p>18/00939/FUL</p> <p>10 Cranford Close, Woodmancote</p> <p>Woodmancote Parish Council</p> <p>Additional representation has been received from the Parish Council maintaining its original objection to the proposal on grounds of over-development. It is acknowledged that the current proposal is an improvement of the previously withdrawn scheme, but the Parish Council considers the number of extensions proposed would appear out of character with the area.</p>

487	13	<p>18/01023/FUL</p> <p>Holborn House, Main Road, Minsterworth</p> <p>Minsterworth Parish Council has made the following additional comments:</p> <p><i>“The Parish Council request the following synopsis relating to the above property presented to the Planning Committee prior to the meeting on Tuesday 18 December 2018. The Parish Council feel that the members should be aware of the full details.</i></p> <p><i>17/00849/FUL Construction of a double garage with storage room above the Parish Council objected to this application as the proposed application is out of keeping with the street scene. This application was subject to revised plans and the Parish Council's response was as follows: The block plan is inaccurate, and this should invalidate the application. As the application stands the Parish Council cannot support this application, as a two-storey garage would be overpowering to the adjacent single-storey residence. Then the application was revised again stating it would be a single storey garage with no storage above which the Parish Council had no objection to.</i></p> <p><i>The Parish Council wrote to the Enforcement Department at TBC as follows: Minsterworth Parish Council has received the following concerns and request that this is investigated as soon as possible:</i></p> <ol style="list-style-type: none"> <i>1. Holborn House has planning consent for a single storey garage, after their initial double storey garage was refused.</i> <i>2. The garage being built has an area left in the roof space for two roof windows which were on the original plans that were refused.</i> <i>3. Also on the consented plans there is a rear window on the ground floor, but two windows have appeared on the ground floor level also a window on the second floor level.</i> <i>4. There is definitely going to be an upper floor making this building a double storey building.</i> <p><i>Mr Will Cole responded as follows: After visiting the site it was clear the garage was different from the approved plans. After discussion with the planning team, we've invited a retrospective planning application to remedy the breach.</i></p> <p><i>18/01023/FUL Retrospective application for a erection of a detached garage with storage above. The Parish Council's response was as follows:</i></p> <p><i>The Parish Council objects to this application for the following reasons:</i></p> <ul style="list-style-type: none"> <i>- Out of character with the street scene</i> <i>- The block plan is incorrect</i> <i>- The garage is overpowering in size to the adjoining two-storey residence</i> <p><i>NB The incorrect block plan showed the adjoining building (i.e. next door) as being much further away to the Holborn house garage than stated on the block plan submitted, and hence the double garage would be more overpowering than it looked on the plan.</i></p> <p><i>Now the application is going to committee and is down for permit. Basically the applicant applied for a garage with storage above which the Parish Council objected to then the applicant removed the storage above but built it anyway so then has submitted a retrospective application.</i></p> <p><i>How can an applicant be advised by 'the planning team' to submit a retrospective application after proceeding with a building for which planning approval was rejected by the same planning team? How is this right and fair when other people</i></p>
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		<p><i>stick to the planning rules?</i></p> <p><i>This matter puts the whole planning system, including the role of Parish councils, into disrepute and actively invites breaches of planning decisions.”</i></p> <p>Officer comments:</p> <p>The Parish Council's concerns / objections are noted. However, whilst the garage as built does have a first floor, it is no higher than the approved garage (5.4 metres). The plans for the garage (as permitted under 17/00849/FUL) were revised as, initially, the garage would have been too high (6.4 metres) with two dormer windows on the side elevation. It was subsequently reduced to 5.4 metres in height and the dormer windows / first floor windows were omitted. The garage as built is the same height as approved (5.4 metres) and there are no dormer windows, just one roof light and two windows at first floor level.</p> <p>In terms of the proposed block plan, whilst the neighbouring property, Stonelea, is shown to be further away than it is in reality, a full assessment has been made on site and there would not be an undue impact on the neighbour's residential amenity. No objections have been received from the neighbour and the rooflight on the side elevation would be obscure glazed. Whilst it is not ideal that the garage was not built in strict accordance with the approved plans, the changes would not, in Officer opinion, warrant the refusal of permission.</p>
489	14	<p>18/01024/FUL</p> <p>Parcel 0020 Between Merville And Enderley, Main Road, Minsterworth</p> <p>Two neighbour representations received on 26 and 27 November 2018 with no objection to the principle of development of this site.</p> <p>The occupiers of Endeley object on the followings grounds:</p> <ul style="list-style-type: none"> a) not consistent with previous planning decisions b) design c) loss of light to kitchen. <p>The occupiers of Merville have concerns about:</p> <ul style="list-style-type: none"> a) height of dwellings b) potential overlooking c) impact on highway network from further development. <p>Officer update:</p> <p>The proposed development is set back 4m at the closest point from the side boundary with Enderely and assessment was made regarding design, impact on neighbour amenity and highway safety. Recommendation remains unaltered.</p> <p>A revised plan for vehicle tracking was received on 11 December to correspond to the amended layout.</p> <p>The Highway Authority has no objection to the revised plan.</p>

		<p>Condition updates</p> <p>Condition 2 – Amendment to include latest drawing numbers as follows:</p> <p>2 The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> - Proposed Streetscene and Elevations drawing Number 05 Rev PL4 Scale 1:200 @ A1 - Site Location Plan Drawing Number 06 Rev PL2 Scale 1:1250, 1:500 @ A1 - Floor Plans and Elevations Drawing @Number 03 Rev PL3 Scale 1:1250, 1:100 @ A1 - Proposed Site Plan Drawing Number 04 Rev PL5 Scale 1:200 @ A1 <p>Condition 7 - Amendment to refer to amended site plan Drawing Number 04 Rev PL5.</p>
494	15	<p>17/01356/OUT</p> <p>48 Brookfield Road, Churchdown</p> <p>Further Representations</p> <p><u>Parish Council</u> - Endorse the comments previously made and have stated that every planning application is considered according to clear criteria and on its own merits.</p> <p><u>Local Residents</u></p> <p>The applicant's son has commented in support of the application. The comments are summarised below:</p> <ul style="list-style-type: none"> - Plans clearly demonstrate two dwellings could be accommodated on site with little impact upon neighbouring amenity. - The amenity space would be the same as most houses in this area if not more than some others. - Highways have deemed the new layout to be safe. - The development would improve the street scene and would be a massive improvement visually. - Development would provide new homes in an area they wish to live. <p>Revised Recommendation</p> <p>Following receipt of the revised layout plan, and as no highway objection has been raised, the recommendation for the application is Permit.</p> <p>Condition Update</p> <p><u>Additional conditions</u></p> <p>County Highways has recommended the following conditions and informative note:</p> <ol style="list-style-type: none"> 1 The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1113.03C, and those facilities shall be maintained available for those purposes thereafter. <p>Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided.</p>

		<p>2 The vehicular access on to Brookfield hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.0m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 45m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.6m and 2.0m at the Y point above the adjacent carriageway level.</p> <p>Reason:- To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians.</p> <p>3 The existing vehicle access at the northern boundary of the site shall be closed up and the vehicle crossing removed and replaced by a full height kerb and associated footway reinstated.</p> <p>Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided.</p> <p>Note:</p> <p>1 The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.</p> <p>The above would negate the need for the previously recommended Condition 12.</p> <p><u>Revised Conditions</u></p> <p>Condition 3 needs to be altered to include reference to the latest site layout plan. As such the condition should read:</p> <p>3 For those matters not reserved for later approval, the development hereby permitted shall be carried out in accordance with the following approved plans and information:</p> <p>1113.01 - Site Location Plan</p> <p>1113.03C - Proposed Site Layout Plan</p>
502	16	<p>18/00741/FUL</p> <p>Parcel 7, Gloucestershire Airport, Staverton</p> <p>Further representations</p> <p>The Council's Growth and Enterprise Manager offers support for the development for the following reasons:</p> <ul style="list-style-type: none"> - The proposal meets the following priorities in the Tewkesbury Borough Economic Development and Tourism Strategy 2017-2021: <ul style="list-style-type: none"> 2 b) Support Gloucestershire Airport business expansion and highway access improvements. 2. b) 2) Work in partnership with the airport to build connections with local businesses and act as a catalyst to encourage investment in the borough. - The application will support the future development and viability of the airport help maintain its status as the UKs best general aviation airport.

		<ul style="list-style-type: none">- It will attract significant inward investment into the borough and create new jobs, supporting local economic growth. <p>Additional Information</p> <p>The applicant's agent has submitted an indicative drainage layout plan and drainage strategy which outlines the intentions for the disposal of surface and foul water drainage. This information has been forwarded to the relevant consultees. Should a response be received before Committee an update will be provided.</p>
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ITEM 2 – 18/00786/FUL - Cross House, Church Street, Tewkesbury

Comments for Planning Application 18/00786/FUL

APPLICATION SUMMARY

Application Number: 18/00786/FUL

Address: Cross House Church Street Tewkesbury Gloucestershire GL20 5AB

Proposal: Change of use at ground floor level from retail (use class A1) to micro pub for the sale of cask ales and craft beers and ciders for consumption on and off the premises (use class A4)

Case Officer:

[REDACTED]
[REDACTED]
[REDACTED]

COMMENT DETAILS

Commenter Type: Members of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am writing as Chairman of the Tewkesbury Branch of the Campaign for Real Ale. Micro pubs are a relatively new addition but the fastest growing sector of the licensed trade almost invariably located in shopping areas and in retail units.

This development will be a great asset to the real ale enthusiast whether local or visitor as unlike most of the licensed outlets in the town it will be free of tie providing a valuable outlet to the many local independent breweries.

This development also for the first time in many years makes full public use of the whole ground floor of Cross House. Many historic features including beamed ceilings, panelling and a beautiful tiled cast iron range will be on public view for the first time in decades.

This development will also, by removing the boarding from windows, much improve the visitor experience of Tolsey Lane.

The applicant is an experienced and well respected licensee in the town and we have no hesitation in supporting this valuable and greatly awaited development

ITEM 4 – 18/00856/FUL 12 High Street, Stanton (1 of 3)

From: [REDACTED]
Sent: Tue, 6 Nov 2018 13:58:11 +0000
To:
Cc: Stanton Parish Council
Subject: 12 High St, Stanton - 18/00856FUL
Importance: Normal

The Parish Council made clear its objection to the removal of the conditions relating to the construction of the wall.

The original application was to build a dry stone wall and that is what Tewkesbury has approved.

The current application which Julian Bagg describes as "alien " should not proceed as it is clearly not a traditional Cotswold drystone wall. Furthermore it will have a detrimental effect on the High Street and presumably this was the reason the Enforcement Officer ordered the work to cease.

The partly built wall is at least 15" over the highway, which I understand Gloucestershire County Council will need to sanction. This part of the roadway is much narrower than the rest of the High

Street and the eroding of the carriage way makes things much worse, evidenced by the removal of half of the width of the verges along the The Old School & Little Warrens.

Yours sincerely

[REDACTED]

ITEM 4 – 18/00856/FUL 12 High Street, Stanton (2 of 3)

From:Clerk

Sent:Thu, 15 Nov 2018 14:40:23 +0000

To:PlanningCommitteeAdmin

Subject:Planning Application 18/00856/FUL 12 High Street Stanton - For inclusion on late representaion sheet - Statement from Stanton Parish Council

The Stanton Parish Council was disappointed by the decision of the Officer to recommend that this application, in its modified form, be permitted. The position of this wall on the High Street in Stanton is very important and will have a major visual impact. To allow the wall to be constructed out of coursed walling stone which is of a regular cut is wrong for the village and will damage the special nature of this conservation area. There may be other examples of regular cut stone being used in the past and in different, less prominent locations, but these are few and that is no reason to perpetuate this error. The wall should be constructed as a dry- stone wall using field Cotswold stone. If the Committee wish to help preserve a part of the English heritage then this wall should be built properly with the correct material, as was originally required when planning permission was first granted.

Stanton Parish Council

ITEM 4 – 18/00856/FUL 12 High Street, Stanton (3 of 3)

Sent: Thu, 13 Dec 2018 10:41:01 +0000

To:

Subject: 18/00856 - 12 High Street

Good morning.

I been informed the committee will be on site on Monday at approximately 10.55. The Applicant will be there when the committee carries out the visit but understands that the members may not be addressed.

I ASSUME THAT YOU WILL BE PRESENT. I HAVE READ THROUGH AND NOTE THE SUPPORTIVE STATEMENT AND RECOMMENDATIONS WITHIN YOUR REPORT AND WHILE I CONSIDER THE REPORT TO BE THOROUGH DUE TO ITS LENGTH SOME OF THE SALIENT POINTS MAY NOT BE APPARENT WHEN THE MEMBERS VISIT THE SITE THEMSELVES. AS YOU WILL BE PRESENT AND AS THE PARISH COUNCIL HAVE OBJECTED SO STRONGLY TO THE STYLE OF WALLING I WOULD BE OBLIGED IF YOU WILL BE MINDED TO ENSURE THEY ARE MADE AWARE OF THE FOLLOWING POINTS WHICH I FEEL ARE RELEVANT.

- The walling stone cut and dressed is similar to other walls in this part of the High Street and so is in keeping whereas a wall built from more random sized walling stone as used in field walls would not be so appropriate.
- The stone being used is either re-dressed stone from the house or locally sourced stone. The locally sourced stone has been approved and is being used on the adjacent extension.
- The height of the wall by the steps will be the same height from the road as that already approved. It will just be approximately 300mm higher by the drive so we can maintain a level top which is needed for the copings which we all agree is the most appropriate topping for the wall.
- Although the wall height will increase on the road side due to the slope of the road, internally the height from top of wall to garden level will be approximately 750mm throughout.
- Should any Member query the use of concrete blocks in the foundation this is constructional stability. As you know the local stone is soft and subject to frost action. The section of wall below ground would be damp for most of the year and subject to deterioration by frost and water. The concrete block which will be completely below ground will not, and will ensure longevity.

As you know the Applicant has spent a considerable amount of time and money in renovating what was a completely run down property. The time money and effort can be seen by the result which is a cottage that has been restored using traditional methods and materials to a high standard. You have seen the transformation but the Members have not. I do have photos of both the exterior and interior which I can provide if it helps. Please let me know. I will ensure that I have them on my phone when the Committee visits if any Member does ask.

Item 5 – 17/00520/OUT – Land at Fiddington, Ashchurch**Further Update**

It is recommended that proposed Reasons for Refusal 1 and 2 be amalgamated to form new Reason for Refusal 1 as follows:

“The proposed development does not meet any of the criteria set out in Policy SD10 of the Joint Core Strategy. Furthermore, Policy SP2 of the Joint Core Strategy provides that the identification of any additional urban extensions to help meet the unmet needs of a Local Planning Authority must be undertaken through a review of the plan. Pursuant to Policy REV1 of the Joint Core Strategy housing supply for Tewkesbury is subject of the ongoing immediate review of the Joint Core Strategy which is to cover the allocation of sites to meet the shortfall in housing supply against the housing requirement. To permit the proposed development now, in advance of the ongoing immediate review of the Joint Core Strategy, could prejudice the outcome of the plan-making process and the proper planning of the wider Tewkesbury Town area. For these reasons the proposed development conflicts with policies SP1, SP2, SD10 and REV1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017) and the provisions of the National Planning Policy Framework 2018.”

It is recommended that proposed Reasons for Refusal 3 and 4 be amalgamated to form new Reason for Refusal 2 as follows:

“The appeal proposals fail to respond positively to, and respect the character of, the site and its surroundings and in doing so do not demonstrate how the proposed development would protect or enhance landscape character and avoid harmful effects on features which make a significant contribution to the area. Furthermore, whilst the appeal proposals are in outline form, the DAS and Illustrative Masterplan do not demonstrate how a high quality design would be delivered. For these reasons the appeal proposals do not demonstrate how the proposed development would result in a high quality place contrary to policies SD4 and SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017) and the provisions of the National Planning Policy Framework 2018.”

The remaining Reasons for Refusal are unchanged and would be re-numbered 3, 4, 5 and 6 accordingly.

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	22 January 2019
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Development Manager
Corporate Lead:	Deputy Chief Executive
Lead Member:	Lead Member for Built Environment
Number of Appendices:	1

<p>Executive Summary:</p> <p>To inform Members of current planning and enforcement appeals and Ministry of Housing, Communities and Local Government (MHCLG) appeal decisions issued.</p>
<p>Recommendation:</p> <p>To CONSIDER the report</p>
<p>Reasons for Recommendation:</p> <p>To inform Members of recent appeal decisions</p>

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

1.0 INTRODUCTION/BACKGROUND

1.1 At each Planning Committee meeting, Members are informed of current planning and enforcement appeals and Ministry of Housing, Communities and Local Government (MHCLG) appeal decisions that have recently been issued.

2.0 APPEAL DECISIONS

2.1 The following decisions have been issued by the MHCLG:

Application No	16/01285/FUL
Location	Brookside Stables Cold Pool Lane Badgeworth Cheltenham GL51 5UP
Appellant	
Development	Change of use of land to allow for permanent use as a residential Gypsy site for 7 No. Mobile homes and 5 No. Touring caravans and associated works.
Officer recommendation	Permit
Decision Type	Committee Decision – Refuse
DCLG Decision	Allow for limited time of 4 years
Reason	<p>The application was refused due to the proposal's conflict with Green Belt policy, the impact on the rural character and appearance of the landscape and the site's remote location in the open countryside.</p> <p>The Inspector agreed with the Council that the proposed use is inappropriate development in the Green Belt and the main issue for consideration was whether the harm to the Green Belt by reason of its inappropriateness, along with other harms – namely the proposal's impact on openness, landscape character and open countryside location – is clearly outweighed by other considerations and if these amount to very special circumstances to justify the development.</p> <p>In terms of openness of the Green Belt, the Inspector made some allowance for the previous untidy condition of the site but considered the proposed change of use would cause a significant loss of openness by comparison with the current lawful use as agricultural or equestrian land. The Inspector also considered that the proposal would encroach onto the countryside, contrary to one of the five purposes of the Green Belt.</p> <p>With regard to visual impact, both on the openness of the Green Belt and the rural character and appearance of the landscape, the Inspector considered the site to be relatively well screened in its immediate vicinity due to strong roadside hedgerows but recognised its prominence in mid-range views from Cold Pool Lane to the north. However, the Inspector considered that the landscaping scheme would, in time, substantially mitigate the visual impact of the development and also commented that gypsy and traveller sites are common sight in the countryside and not intrinsically discordant or out of character. In this case, the Inspector considered the moderate scale of the site, together with the improved</p>

and more spacious layout and proposed planting, would enable the development to integrate satisfactorily with the surrounding landscape, which includes other sporadic roadside development of similar scale along Cold Pool Lane, and would not therefore conflict with JCS Policy SD6. The Inspector also concluded that the harm to Green Belt openness would not have a significant visual dimension.

The Inspector agreed with the Council that the site is located away from an existing settlement and recognised that the nearest village (Badgeworth) has no community facilities. However, the Inspector went on to consider the site to be located within the Cheltenham hinterland and did not consider the site to be within a 'remote' area. It was also acknowledged that the site is not well served by public transport and access to services and facilities would, in most cases, be dependent on private car. However, the Inspector considered these would only involve short journeys and made reference to the NPPF which states that sustainable transport solutions will vary between urban and rural areas. The Inspector therefore considered, on balance, the proposal would accord with JCS Policy SD13 and relevant national policy on the basis that the site is not in a remote location that would lead to unsustainable patterns of travel nor would it cause significant difficulties in accessing services or social integration.

In terms of other considerations, the Appellant questioned the Council's evidence base, specifically the methodology with regard to calculating the need for and provision of gypsy and traveller sites as set out in the *Gloucestershire Gypsy and Traveller Accommodation Assessment (GTAA)* published in March 2017. The Inspector did not consider it wholly appropriate to revisit the Appellant's criticisms of the methodology in the context of this planning appeal less than a year after adoption of the JCS, whereby the examining Inspector had considered the GTAA and its methodology to be robust. However, the Inspector did take the opportunity to review the percentage figure applied to 'unknown' households in the GTAA, applying a factor of 25% rather than the 10% identified in the GTAA methodology. This had the effect of increasing the need for gypsy and traveller sites over the next five year period to 2023 from 5 pitches to 8 pitches. Even if the higher 'unknown' figure was to be applied, the Inspector concluded the Council would still be able to identify a 5 year supply of specific deliverable sites in accordance with the requirements of national planning policy.

The emerging Tewkesbury Borough Plan, which includes the site as a proposed allocation for gypsy and traveller accommodation, was also taken into account by the Inspector. It was considered that the site's inclusion as an allocation in a limited number of site means that there

	<p>is reasonable prospect of it coming forward as an allocated site in the future. This was taken to provide substantial weight in favour of a temporary permission while the site remains under consideration as part of the plan-making process.</p> <p>In the overall planning balance, the Inspector identified the definitional harm to the Green Belt by reason of its inappropriateness, loss of openness and encroachment on the countryside to carry very substantial weight against the grant of a permanent permission. Factors weighing in favour of the proposal included the personal circumstances of the site occupants, the undersupply of traveller sites regionally and nationally, and the current lack of sustainable alternative sites in the Borough to meet the immediate needs of the site occupants. The Inspector concluded that the material considerations in favour of the development did not clearly outweigh the Green Belt harm so far as to constitute very special circumstances and is therefore contrary to JCS Policy SD5 and the NPPF.</p> <p>In considering the case for a temporary permission, the Inspector concluded any Green Belt harm would be time-limited. It was acknowledged that a temporary permission would enable the site to be fully assessed as part of the emerging Borough Plan and the Inspector concluded, on balance, a temporary permission for a period of 4 years would be justified in the circumstances, whereby the weight of material considerations were deemed sufficient to clearly outweigh the time-limited harm to the Green Belt and establish the very special circumstances necessary to accord with JCS Policy SD5 and the NPPF.</p>
Date	27.11.2018

Application No	18/00325/FUL
Location	Rollingwood Haymes Drive Cleeve Hill Cheltenham GL52 3QQ
Appellant	
Development	Erection of first floor / two storey side extension and single storey rear extension.
Officer recommendation	Permit
Decision Type	Committee Decision
DCLG Decision	ALLOW
Reason	<p>The application was refused on grounds that the proposal would result in over-development of the site, which would fail to respect the character and appearance of the existing dwelling and the Special Landscape Area (SLA), and would have an overbearing impact and cause unacceptable harm to the residential amenity of neighbouring property ('Broadmead').</p> <p>The Inspector agreed that the proposed extension would significantly increase the volume of the house. However, the Inspector considered the proposal to be subservient</p>

	<p>in terms of its size and visual impact and commented that the scale of the increase proposed would not result in an over-development or cramped form of development in the context of this site. Similarly, the Inspector concluded that the proposed extension would be seen within the context of an existing domestic curtilage and a residential area and the proposal would have no adverse impact to the Special Landscape Area.</p> <p>With regard to impact of the proposal on the residential amenity of neighbouring property, the Inspector acknowledged the proposed extension would be close to the boundary with Broadmead but considered there to be sufficient separation distance between this neighbouring house (including its conservatory) and the proposed extension to avoid any significant overshadowing or overbearing effect. The change in site levels was also taken into account and the Inspector considered the fact that the proposed development would be at a lower level than Broadmead would mean the extension would not appear overly tall or imposing when viewed from this neighbouring house. There would be some overshadowing to part of the rear garden of Broadmead as a result of the proposed development but the Inspector did not consider this to be over and above existing overshadowing caused by the existing dwelling at Rollingwood.</p> <p>The Inspector was satisfied that the proposed first floor windows which would have views towards the house at Broadmead could be reasonably conditioned to be obscure glazed to sufficiently mitigate against any significant loss of privacy to these neighbours.</p> <p>For these reasons, the Inspector concluded the proposed development would not result in significant adverse effects to the living conditions of the occupiers of Broadmead or any other neighbouring dwelling and would be of an appropriate design and scale which would not result in an over-developed site and preserves the character and appearance of the Special Landscape Area. The proposal was therefore deemed to accord with the requirements of Local Plan Policies HOU8 and LND2, JCS Policies SD4 and SD14 and the NPPF. The appeal was subsequently allowed.</p>
Date	11.12.2018

- 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: Appeals Administrator
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Appendices: Appendix 1: List of Appeals received

List of Appeals Received						
Reference	Address	Description	Date Appeal Lodged	Appeal Procedure	Appeal Officer	Statement Due
17/01243/FUL	104 Brookfield Road Churchdown Gloucester Gloucestershire GL3 2PD	Erection of 1no. 2 storey house and detached garage.	07/12/2018	W	HMS	11/01/2019
18/00276/FUL	Toddington Grange Burberry Hill Toddington Cheltenham Gloucestershire GL54 5DN	Single storey side extension to form car port and log/garden machinery store	10/12/2018	F	EMP	
18/00628/FUL	24 Homecroft Drive Uckington Cheltenham Gloucestershire GL51 9SN	Construction of two storey rear extension and external alterations.	12/12/2018	F	HMS	

Process Type

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