

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	12 April 2016
Subject:	15/01124/FUL – Noake Farm, Churchdown Lane, Churchdown.
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Cllr D M M Davies, Lead Member for Built Environment
Number of Appendices:	2

Executive Summary:

The Planning Committee determined to permit application reference 15/01124/FUL at its meeting on 15 March 2016, subject to referral to the Secretary of State to ascertain, in accordance with the regulations, whether he wishes to call in the application to determine it himself; negotiations with the applicant to reduce the height of the buildings; and formulation of conditions.

Amended plans have been submitted following negotiations with the applicant to reduce the impact of the buildings and a list of suggested planning conditions is provided, however, there is some dispute in respect of the hours of operations.

Recommendation:

To CONSIDER the report.

Reasons for Recommendation:

To inform Members of changes to the scheme following the Committee's resolution to permit application reference 15/01124/FUL at its meeting on 15 March 2015 and to suggest appropriate planning conditions to be attached to the planning permission.

Resource Implications:

None

Legal Implications:

None

Risk Management Implications:

None

Performance Management Follow-up:

Should the Committee determine to grant permission in accordance with the report then the

decision will be issued as soon as possible, depending on the view of the Secretary of State as to whether he wishes to call-in the application to determine the application himself.

Environmental Implications:

As set out in the report.

1.0 INTRODUCTION/BACKGROUND

1.1 At its meeting on 15 March 2016 the Planning Committee determined to permit application reference 15/01124/FUL against Officer advice. The decision to be minded to permit the application was subject to referral to the Secretary of State to ascertain, in accordance with the regulations, whether he wishes to call in the application to determine it himself; negotiations with the applicant to reduce the height of the buildings; and formulation of conditions.

2.0 HEIGHT OF BUILDINGS

2.1 Following the Committee meeting on 15 March, the applicant has submitted amended plans which make the following changes:

- Building 1 at the north of the site remains the same height due to the required mezzanine level, but the door windows have been omitted.
- Building 2 (along Stump Lane) has been reduced by 0.5 metres in height, and again the door windows have been omitted

2.2 In addition, both buildings are now proposed to be set 0.5 metres into the existing ground levels; thus creating an overall reduction in height of 0.5 metres for Building 1 and a reduction of 1 metre for Building 2 on the plans which were previously presented to the Committee. Building 1 would be at a height of 7 metres above existing ground level and Building 2 would be at a height of 6.5 metres above existing levels.

2.3 The applicant's agent has advised that it was decided early in the project to apply for the buildings required to operate the business allowing for growth, rather than applying for less floorspace and then expanding the site, unlike Woodlands Farm, Brockworth Road which has faced enforcement action due to many expansion of the site with unsightly shipping containers and caravans. Training rooms and meeting rooms are required to comply with health and safety, as well as welfare requirements. To avoid the site becoming overcrowded, upstairs rooms are therefore required and the buildings are the minimum height to allow for this. Although the company's vehicles are quite small, 7.5 tonne box van being the largest, once they are added to a ramp to maintain them, complying with VOSA and health and safety requirements, the additional height is needed. The vans can be up to 4.9m and at least 1.82m is required underneath, hence the overall building height requirement.

3.0 CONDITIONS

3.1 A list of suggested conditions is attached at **Appendix 1**, in line with the Development Manager's verbal suggestion of the matters which would need to be controlled by way of condition at the Committee meeting on 15 March 2016.

3.2 The applicant is broadly happy with the conditions proposed, however, the applicant has requested opening times of 06:30 - 18:30 Monday to Friday. The Environmental Health Officer has been consulted and advises that this would have an unacceptable impact on

residential amenity in terms of noise and how night time and day time measurements are undertaken in the British Standard (BS 8233) and World Health Organisation where day time runs from 07:00-23:00. Whilst the applicant's operational requirements are understood, proper regard must be had to the living conditions of neighbouring residential properties and, as such, it is recommended that the suggested conditions 15 and 16 restrict the hours of operation from 0700 - 1830 Monday to Saturday.

4.0 OTHER OPTIONS CONSIDERED

4.1 None

5.0 CONSULTATION

5.1 None

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

6.1 As set out in Appendix 2.

7.0 RELEVANT GOVERNMENT POLICIES

7.1 As set out in Appendix 2.

8.0 RESOURCE IMPLICATIONS (Human/Property)

8.1 None

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

9.1 As set out in Appendix 2.

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: Paul Instone, Planning Officer,
01684 272106 paul.instone@tewkesbury.gov.uk

Appendices: Appendix 1 - List of suggested planning conditions
Appendix 2 - Officer report to Planning Committee on 15 March 2016