

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	7 June 2016
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Cllr D M M Davies
Number of Appendices:	One

Executive Summary:

To inform Members of current Planning and Enforcement Appeals and of Communities and Local Government (CLG) Appeal Decisions issued May 2016

Recommendation:

To **CONSIDER** the report

Reasons for Recommendation:

To inform Members of recent appeal decisions

Resource Implications:

None.

Legal Implications:

None.

Risk Management Implications:

None.

Performance Management Follow-up:

None.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

1.1 At each Planning Committee meeting, Members are informed of current Planning and Enforcement Appeals and of Communities and Local Government (CLG) Appeal

Decisions that have recently been issued.

2.0 APPEAL DECISIONS

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

Application No	15/01193/FUL
Location	29 The Holt, Bishops Cleeve
Appellant	Mr Simon Smith
Development	Demolish existing garage and replace with attached garage with addition of first floor over garage to provide additional bedroom.
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Dismissed
Reason (if allowed)	The main issue was the effect of the development on the living conditions of the occupiers of 28 The Holt. The Inspector considered that the proposal would result in a two storey flank wall sitting in a similar position to the existing garage (in close proximity to the rear boundary of no 28). The increased height and built form would dominate and loom over the rear garden of no 28 resulting in a feeling of enclosure of this external space for its occupants. The extension would also be directly opposite the dining room patio doors and an external patio area which is well used by the occupants of this property. The proposal would therefore be harmful to the living conditions of the occupants of 28 The Holt by reason of loss of outlook. Overall, therefore the proposal was found to conflict with Policy HOU8 of the Local Plan which requires extensions to existing dwellings to protect residential amenity in terms of bulk, massing and size.
Date	11.05.16

Application No	15/01287/FUL
Location	1 Beverley Gardens, Woodmancote, Cheltenham,
Appellant	Mr Kevin Thomas
Development	Demolition of existing garage, side extension and associated works and the installation of new dormer windows and roof lights
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Dismissed
Reason (if allowed)	The main issue was the effect of the development on the character and appearance of the host dwelling, locality and streetscene. The Inspector considered that the flat roofs of the two proposed dormer additions would contrast abruptly with the dual pitched form of the main roof and would appear excessively bulky. The Inspector also considered that rather than comprising appropriate contemporary additions, they would be unacceptably dominant and discordant features. Together with the adjacent velux windows this would also result in the roofscape appearing unduly cluttered, at odds with its current simple form. Moreover, the detrimental effect of the roof extensions would be readily apparent in views

	from Beverley Gardens and Stockwell Lane, due to the position of the property at the corner of these roads. Overall, it was concluded that the character and appearance of the host dwelling, the locality and the streetscene would be harmed. The failure to respect the character of the existing dwelling and surrounding development would be contrary to the intentions of Tewkesbury Borough Local Plan to 2011 Policy HOU8.
Date	18.05.16

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

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Appendices: Appendix 1: List of Appeals received

Appendix 1

List of Appeals Received

Reference	Address	Description	Date Appeal Lodged	Appeal Procedure	Appeal Officer	Statement Due
15/00707/FUL	54 Rookery Road Innsworth Gloucester Gloucestershire GL3 1AU	Proposed New Dwelling Land to Rear of 52 & 54 Rookery Road	06/05/2016	W	CIP	N/A
15/01214/FUL	Part Parcel 1800 Teddington Tewkesbury Gloucestershire	Conversion of stable block to provide a single holiday let including new access.	28/04/2016	W	JBD	02/06/2016
15/00935/FUL	7 Holtham Avenue Churchdown GL3 2AR	Two storey extension side and rear extensions, new porch and conservatory extensions to the rear.	28/04/2016	HH	SNB	N/A
15/01312/FUL	101 Queens Road Tewkesbury Gloucestershire GL20 5EN	Change of use from community centre to hot food takeaway (Use Class A5) at ground floor level only and associated external alterations to include installation of extraction flue system on rear elevation	11/05/2016	W	EMB	13/06/2016

Process Type

- "HH" Indicates Householder Appeal
- "W" Indicates Written Reps
- "H" Indicates Informal Hearing
- " I " Indicates Public Inquiry