

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 2 August 2016
commencing at 9:00 am**

Present:

Vice Chair in the chair

Councillor R D East

and Councillors:

R E Allen, R A Bird, Mrs G F Blackwell, D M M Davies, M Dean, R D East, D T Foyle, R Furolo
(Substitute for J H Evetts), Mrs M A Gore, Mrs J Greening, Mrs A Hollaway,
Mrs E J MacTiernan, J R Mason, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman,
R J E Vines and P N Workman

also present:

Councillor D J Waters

PL.18 ANNOUNCEMENTS

- 18.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 18.2 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.19 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 19.1 Apologies for absence were received from Councillor J H Evetts (Chair). Councillor R Furolo would be acting as a substitute for the meeting.

PL.20 DECLARATIONS OF INTEREST

- 20.1 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.

- 20.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R E Allen	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
Mrs G F Blackwell	16/00292/APP Land Parcels 1 & 3, Brockworth Airfield, Brockworth.	Is a Borough Councillor for the area. Is a Member of Hucclecote Parish Council but does not participate in planning matters.	Would speak and vote.
M Dean	16/00417/OUT Land Rear of Dormans, Mill Lane, Prestbury. 16/00499/FUL The Meadows, Butts Lane, Woodmancote.	Is a Borough Councillor for the area.	Would speak and vote.
M Dean	General Declaration.	Is a Member of the Cotswold Area of Outstanding Natural Beauty Conservation Board.	Would speak and vote.
Mrs M A Gore	16/00610/FUL Land Opposite The Orchard, Alstone.	Is one of the applicants.	Would not speak or vote and would leave the Chamber for consideration of this item.
Mrs A Hollaway	16/00417/OUT Land Rear of Dormans, Mill Lane, Prestbury.	Is a Member of Southam Parish Council but does not participate in planning matters.	Would speak and vote.
Mrs A Hollaway	General	Had received correspondence in	Would speak

	Declaration.	relation to various applications but had not expressed an opinion.	and vote.
T A Spencer	16/00532/FUL Churchend House, Church End, Twyning.	Is a Borough Councillor for the area.	Would speak and vote.
Mrs P E Stokes	16/00589/TPO 1 Southfield Court, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
R J E Vines	16/00292/APP Land Parcels 1 & 3, Brockworth Airfield, Brockworth.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

20.3 There were no further declarations on this occasion; however, the Vice-Chair in the chair noted that one of the applicants for Item 2 – 16/00610/FUL – Land Opposite The Orchard, Alstone, was a Borough Councillor.

PL.21 MINUTES

21.1 The Minutes of the meeting held on 5 July 2016, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.22 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

Schedule

22.1 The Development Manager submitted a Schedule comprising planning applications and proposals with recommendations thereon. Copies of this had been circulated to Members as Appendix A to the Agenda for the meeting. The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by them prior to decisions being made on those applications.

16/00417/OUT – Land Rear Of Dormans, Mill Lane, Prestbury

22.2 This application was for residential development of up to 76 dwellings with the creation of a new access to Southam Road (B4632) together with an emergency, pedestrian and cycle link to Mill Lane, associated landscaping and public open space.

22.3 The Planning Officer advised that the application site lay within a Special Landscape Area and was adjacent to the Cotswold Area of Outstanding Natural Beauty and Prestbury Conservation Area where there were also a number of listed buildings. The Additional Representations Sheet, attached at Appendix 1, set out that over 200 additional representations had been received including a petition with 3,490 signatures. As the proposal was for housing development, it must be considered in the context of Paragraph 49 of the National Planning Policy Framework and the presumption in favour of sustainable development. As the Council could not demonstrate a five year housing land supply, the relevant policies were considered out of date and planning permission should be granted

unless there were any adverse impacts of doing so which would significantly and demonstrably outweigh the benefits. The main considerations were set out within the report and included landscape impact; heritage assets; accessibility and highway safety; flood risk and drainage. The Council's Landscape Consultant considered that the site performed a valuable function in making a positive contribution to the setting of the Area of Outstanding Natural Beauty and concluded that the proposed development would cause significant harm to the local landscape character and have a significant detrimental impact on the Area of Outstanding Natural Beauty. The Urban Design Officer felt that the layout failed to demonstrate that the development would be in keeping with the morphology of the existing settlement and would have an adverse impact on the setting of the Conservation Area.

- 22.4 With regard to flooding and drainage, the Environment Agency had raised concern over the close proximity of a number of properties to Mill Stream and the ability to maintain the Prestbury Flood Alleviation Scheme and accommodate flood attenuation measures within the site. It was noted that a revised layout plan and addendum to the Flood Risk Assessment had been submitted and the Environment Agency was now of the view that the concerns could be addressed given that this was an outline application and matters relating to layout were reserved. Further speed survey work had been carried out as a result of County Highways' concerns regarding the proposed site access and, on the basis of this latest information, the scheme was considered to be acceptable in highway safety terms. Whilst the social and economic benefits of the proposal were recognised, there would be a significant adverse landscape impact and it would be harmful to the setting of the Area of Outstanding Natural Beauty and Prestbury Conservation Area. Furthermore, there was no agreed Section 106 Agreement to ensure that developer contributions came forward for the necessary infrastructure. In weighing up the planning balance, it was considered that the harms identified significantly and demonstrably outweighed the benefits and, as such, the development was not considered to represent sustainable development in the context of the National Planning Policy Framework. Members were advised that it was recommended that refusal reason 1 be amended in accordance with the comments made by the Environment Agency on the revised plans, as set out on the Additional Representations Sheet.
- 22.5 The Chair invited Mervyn Dobson, a Planning Consultant representing Co-RADICAL, a local action group which was opposed to the application, to address the Committee. Mr Dobson indicated that Co-RADICAL was an organisation which represented 3,500 people who had signed the petition which had been submitted to the Council in respect of this application. Prestbury was a village which had an attractive setting immediately adjacent to the Cotswold Area of Outstanding Natural Beauty and an important Conservation Area which extended very close to the site, not to mention a number of other historic assets i.e. listed buildings, which were within direct view of the site. The Officer report drew attention to the fact that the site was covered by a Special Landscape Area designation which was specifically designed to protect the foreground of the setting to the Area of Outstanding Natural Beauty. Although the site was not directly in the Area of Outstanding Natural Beauty, it abutted it and the Special Landscape Area protection was designed to prevent development which would have an adverse impact upon it. This policy, although originally advocated within the 2004 Tewkesbury Local Plan, was intended to be carried forward to the new Tewkesbury Borough Plan, the draft of which had been issued for consultation in January/February 2015. Although the Plan had been delayed by the Joint Core Strategy, it was important to emphasise this policy protection as at no stage had the site been promoted for release for development purposes. The reasons for this policy protection were evident when one visited the site and fully appreciated its quality and the degree to which it provided a highly visible and attractive

foreground for views towards the Area of Outstanding Natural Beauty and from the Southam Road. Equally, the site was directly visible from the public footpaths along the Cotswold Area of Outstanding Natural Beauty where views could be easily seen. The visual impact of any development on this site would be highly significant. This was not only the view of the local residents, but also of the Council's own Landscape Consultant, the Cotswold Area of Outstanding Natural Beauty Conservation Board and the independent Landscape Consultant engaged by Co-RADICAL whose report had been submitted with the representations. Even the applicants' own consultants referred to it as "parkland" and, whilst that may not be correct in the historic sense of the word, the site had all the appearance of parkland with individual large trees set in open grassland. Officers had also referred to the statutory requirements to protect the setting of listed buildings and drainage issues. For all of these reasons, Mr Dobson hoped that Members would agree with the Officer recommendation and refuse the application.

- 22.6 The Chair advised that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The proposer of the motion indicated that, setting aside the aspect of localism which had been well demonstrated at the meeting, he sat on the Cotswold Area of Outstanding Natural Beauty Conservation Board which had raised objection to the proposal on the basis of the impact on the setting of the nationally protected Area of Outstanding Natural Beauty. The landscape harm which would be caused by the proposal had been clearly set out and he considered that to be far too great to allow the development to go ahead. Upon being put to the vote, it was

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

16/00610/FUL – Land Opposite The Orchard, Alstone

- 22.7 This application was for the erection of two new dwellings with garages including altered vehicle access, drives, turning, parking spaces and landscaping. The Committee had visited the application site on Friday 29 July 2016.
- 22.8 The Development Manager explained that, in the line with policy, the Committee had refused two applications for three houses on the site over the last two years. He apologised that the most recent application had been omitted from the planning history set out within the Officer report and advised that this had been subject to an appeal which had been dismissed in January 2016. It was noted that an outline application for the erection of two single storey dwellings on the same site had been dismissed on appeal in 2003 for the same refusal reasons recommended for the current application i.e. landscape accessibility and highway safety grounds. In dismissing the most recent appeal, the Inspector had noted the economic and social benefits of the development but had only given them moderate weight which must be further reduced in respect of the current application which was for one less dwelling. The harm which would be caused to the landscape, and the character and appearance of the surrounding area in the Special Landscape Area, and the fact that the proposal conflicted with transport policies was considered to significantly and demonstrably outweigh the benefits of the proposal which did not constitute sustainable development in line with the previous decisions made by the Council. The fact that the proposal was now for two dwellings did not affect the objections in terms of transport, as recognised by the Inspector at the recent appeal, and the extent of the intrusion into the landscape had not been reduced. Officers saw no reason to depart from the previous two decisions made by the Council, and the Inspector, and it was noted that there had been no change to the relevant planning policies since the latest decision to refuse. On that basis, it was the Development Manager's strong advice that planning permission for this application should be refused.

- 22.9 The Chair invited Jackie Broadbridge, Chair of Teddington and Alstone Parish Council, to address the Committee. She indicated that she would like to think that the outcome of the meeting was not pre-determined and that Members were open-minded enough to hear what the residents of the village had to say. Alstone was a non-service village with no infrastructure and no regular “work time” public transport. The proposal was to erect two large, executive style houses; with the land rising as it did, those houses would dominate the landscape and intrude on the amenity and privacy of neighbouring properties, particularly The Orchard and Lamorna. The site was located directly on the edge of the Cotswold Area of Outstanding Natural Beauty, in a Special Landscape Area and outside the long-established village boundary. The proposal would severely impact the setting of the Area of Outstanding Natural Beauty, views across the Special Landscape Area and neighbour amenity and allowing it would encourage further applications for infilling at this location. If permitted, the beautiful setting would be spoilt and once the view was gone it would be lost forever. The application was the latest in a long series of similar, failed, attempts on this site and she noted that, since the last failure, one of the current applicants had been elected as a Tewkesbury Borough Councillor and was now a Member of the Planning Committee. In summary, local residents and neighbours opposed the application; the Planning Committee had refused every development proposal for the site; an Inspector had twice rejected development at appeal, principally on infrastructure and visual amenity grounds; and the Officer recommendation was to refuse the current application – the case was surely clear, Members should refuse the application.
- 22.10 The Chair invited Tim Brewis, speaking against the application, to address the Committee. Mr Brewis indicated that he was a resident of Alstone and would be speaking for himself and the two residents who lived directly opposite the proposed site. He endorsed the comments which had been made by the Chair of Teddington and Alstone Parish Council and, in addition, sought several points of clarification. The Legal Adviser explained that the purpose of public speaking was for individuals to express their views to the Committee; there was no provision for questions within the Scheme for Public Participation at Planning Committee.
- 22.11 The Chair invited Allen Keyte, speaking in support of the application, to address the Committee. With regard to the landscape reasons for refusal set out within the Officer report, Mr Keyte expressed the view that the proposed development of two properties within the village of Alstone – a village without a boundary – was in keeping with the sporadic development that had taken place over the years, some of which was right on the southerly edge opposite the two properties. The professional landscape report indicated quite clearly that there would be minimal impact on the Special Landscape Area and Area of Outstanding Natural Beauty, contrary to the Officer’s report which talked of significant and demonstrable harm. Whilst there would be some impact on the view for nearby residents, those changes would be minimal to almost everyone and from a distance the properties would read as being part of the village form. The site where the houses were to be built could hardly been seen from the Area of Outstanding Natural Beauty because of the natural landscape screening so the impact could only be negligible. It was agreed that, as a small village, Alstone could not be designated as a service centre or service village; however, he hoped that, with common sense, it would not be designated as a stagnant village. In terms of the site being remote from amenities, Mr Keyte explained that Alstone was a rural village and had never been served by sufficient public transport to remove the need for a car, but neither had many other villages, including the service villages of Alderton, where large scale development was permitted, and Gotherington, where the bus service had been substantially cut. People living in the countryside recognised that it was impossible to take buses to any location at any time and he questioned how many people had arrived by bus today. He went on to advise that there was no ‘school run’ within the village because it had school buses; cycleways were in short supply throughout

Gloucestershire, not just in villages; and Alstone was no different to other small villages in its lack of footpaths. He made reference to a number of other issues including the intention to include many environmentally-friendly features, as set out within the Design and Access Statement; the fact that properties were to be self-build, as encouraged by the Government; the application would enable siblings to move back to the village to care for elderly parents and to run the farm; one of the occupants would work from home with his gardening/landscaping business; the local plan was out of date, with no new plans in place; and the five year housing land supply was not met. He felt that the project would help with rural village rejuvenation and he urged Members to permit the application as the suggested reasons for refusal did not hold up in this rural area.

- 22.12 A Member proposed that a recorded vote be taken in respect of this application and, upon receiving the necessary support, the Chair confirmed that a recorded vote would be taken at the appropriate time. He advised that the Officer recommendation was to refuse the application and invited a motion from the floor. It was subsequently proposed and seconded that the application be permitted. The proposer of the motion indicated that this was exactly the sort of organic development which rural communities depended upon and he felt that the two recommended reasons for refusal were very weak. In particular he believed that the second refusal reason, that the site was located remote from amenities and would be likely to increase reliance on the private car, was very outdated and the idea that everyone would cycle everywhere was ridiculous. Whilst he appreciated that it was a peaceful area, he felt that the development would only have a small impact in terms of landscape harm and the fact that more houses needed to be built could not be ignored. This was especially true in rural areas so that local families could continue to live in the place where they had been brought up. He did not believe that the refusal reasons were strong enough to prevent a perfectly sensible and tasteful proposal from coming forward. Another Member proposed, and it was seconded, that the application be refused in accordance with the Officer recommendation. The proposer of the motion felt it should be borne in mind that when planning permission was granted it was being given to the site and not to the applicant. He asked Members to consider the planning history of the site and the fact that two appeals had been dismissed; the National Planning Policy Framework and the saved planning policies were there to help make an informed decision and it was not the remit of the Committee to decide that they were no longer relevant.
- 22.13 A Member noted that the development would allow two families to move back to the family farm; the older generation were being encouraged to remain in their homes for longer and family support was essential to facilitate this. Another Member felt that this was a different application to those which had previously been submitted for the site and he pointed out that this represented only minor growth as Alstone contained various buildings of different ages which had developed over several hundreds of years. In terms of the second recommended refusal reason in relation to the lack of adequate footpaths, cycleways or public transport, the Member expressed the view that the roads around the site were some of the safest for cyclists as they were away from heavy traffic. Anyone living in the countryside was likely to own a private motor vehicle and he did not feel that a lack of amenities was an acceptable reason for refusal so he would be supporting the proposal to permit the application.
- 22.14 A Member indicated that she had been asked to read out a statement from the local Member, Councillor John Evetts, who had unfortunately been able to attend the meeting. Whilst he understood that there would be some sympathy with the

application, he warned that it should not override their understanding of the situation. Similar applications had twice been refused by the Committee and dismissed at appeal and, although there were minor differences, it was the principle of housing, rather than the detail, which was completely at odds with planning policy. The Member indicated that it was her own opinion that planning decisions should be made on the basis of sound planning reasons; in this instance, the Officers' comments were entirely correct and she could not support the application. A Member indicated that, like many other local authorities, Tewkesbury Borough Council was failing to build the housing required of it by the Government and the news was full of reports about the shortage of dwellings. The Officer recommendation to refuse the application was based on the Council's own policies which should be given appropriate credibility and he urged Members to vote accordingly.

- 22.15 Another Member indicated that he was very keen to support sustainable development and pointed out that the social and economic benefits of the proposal were acknowledged within the Officer's report. In terms of the environmental element, he agreed absolutely that it was a lovely part of countryside but he did not feel that the addition of two houses would detract from that. The National Planning Policy Framework suggested that the landscape should be enhanced and doing nothing would not achieve that. The proposer of the motion to permit the application indicated that the second recommended refusal reason related to an expired policy within the Tewkesbury Borough Local Plan and he felt that it was a complete anomaly in the modern world. He believed that communities should be allowed to grow naturally, slowly and organically in a way which would benefit the local community and, in his mind, the fact that a property may be being developed for a particular family who may not live there in the future was irrelevant. The fundamental point was that two well-designed properties, such as the ones proposed, would have no significant adverse effect on the landscape and the applicant should not be a factor in the decision.
- 22.16 The Development Manager provided assurance that each application was considered on its own merits and the benefits of this particular scheme were very clearly set out within the report. Development in this location would inevitably result in landscape harm and that had been recognised by the Inspector who had dealt with a similar scheme six months earlier. In terms of the points raised around sustainable development, he reminded Members that the planning process was intended to drive development to the right places and, by permitting applications in rural locations such as this, that control would be lost. Whilst the current application must be considered on its own merits, the history of the site and the area were important material considerations in this case to be taken into account and, although this application was for two houses, if permitted it could potentially open the door to further development so Members should be wary of making ad-hoc decisions which were against Council policy.
- 22.17 The proposer of the motion to permit the application did not feel that Members should use an out-of-date policy to prevent this development from coming forward. A Member reiterated that the site had a long planning history and she felt that the current application would have an adverse visual impact on the open countryside by virtue of its design, bulk and massing, and should be refused on that basis. Another Member recognised the theory behind allowing villages to grow and introducing more houses in these locations, however, an application for 25 houses at a site on the other side of the village had been refused within the last 12 months and he felt that would have been an ideal opportunity for growth in the area; this was an open field in the rural landscape and he thoroughly agreed with the Officer recommendation to refuse the application. A Member was concerned that if this application was permitted the door would be opened for additional development in what he considered to be an area of real beauty. A Member drew attention to Page No. 111, Paragraph 2.3 of the Officer report, which, with regard to the 2014

application, set out that the proposed development conflicted with Paragraph 55 of the National Planning Policy Framework as the site lay within an isolated countryside location and there were no special circumstances that would justify supporting the development. Whilst some of the Tewkesbury Borough Local Plan policies may be out-of-date, the National Planning Policy was current and this argument stood. Another Member indicated that the Local Plan policies were saved policies which Officers had to continue to work with and it was not within Members' remit to suggest that they were out-of-date. There would be an opportunity to change these policies in the forthcoming months through the development of the Tewkesbury Borough Plan and he hoped that Members would contribute to that process.

22.18 Having received the appropriate level of support earlier in the meeting, voting on the proposal to permit the application was recorded as follows:

For	Against	Abstain	Absent
R E Allen	Mrs G F Blackwell		J H Evetts
R A Bird	D M M Davies		Mrs M A Gore
R D East	M Dean		
R Furolo	D T Foyle		
Mrs A Hollaway	Mrs J M Greening		
J R Mason	Mrs E J MacTiernan		
A S Reece	T A Spencer		
R J E Vines	Mrs P E Stokes		
	P D Surman		
	P N Workman		

22.19 With 8 votes in favour and 10 against, the proposal was lost. Voting on the proposal to refuse the application in accordance with the Officer recommendation was subsequently recorded as follows:

For	Against	Abstain	Absent
Mrs G F Blackwell	R E Allen		J H Evetts
D M M Davies	R A Bird		Mrs M A Gore
M Dean	R D East		
D T Foyle	R Furolo		
Mrs J M Greening	Mrs A Hollaway		
Mrs E J MacTiernan	J R Mason		
T A Spencer	A S Reece		
Mrs P E Stokes	R J E Vines		
P D Surman			
P N Workman			

22.20 With 10 votes in favour and 8 against, it was

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

16/00532/FUL – Churchend House, Church End, Twyning

22.21 This application was for the erection of a dwelling, alterations to the roof structure of the modern extension attached to existing dwelling and demolition of a flat roofed garage. The Committee had visited the application site on Friday 29 July 2016.

22.22 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 proposal felt that the Committee Site Visit had been of great importance in this instance as very little of the site could actually be seen when viewed from the road. The main objections from local residents seemed to be related to parking which he did not feel would be a problem. Upon being put to the vote, it was

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

16/00179/FUL – 12 Long Field, Highnam

22.23 This application was for the retention of a 1m high fence along the side of a public footpath.

- 22.24 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. A Member proposed that the application be refused but there was no seconder for the motion. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion to refuse the application explained that there had been many problems with the erection of high fences when the Highnam estate had been built some 20-30 years earlier. This had taken the Council a number of years to resolve and the Parish Council was now understandably very nervous when people wished to erect fences on open-plan estates. The Development Manager clarified that that particular case had involved the erection of 2m high closed-board fencing which was not at all in keeping with the character of area. He reminded Members that each case must be considered on its own merits and it would be very difficult to sustain a refusal for this particular proposal which was for a 1m high post and rail fence, notwithstanding the fact that it was an open plan estate.
- 22.25 A Member understood that Officers were working to reinstate some of the permitted development rights on estates where they had been removed in a blanket fashion when planning permission was originally granted and he questioned whether it was possible that planning permission for this type of scheme would not be required in the future. The Development Manager indicated that each estate would be considered separately as what might be right for one would not necessarily be right for another, for instance, it may be important to retain control over open plan space to ensure that it did not harm the overall ethos of the design. In this case, Officers were of the opinion that no undue harm would be caused but a different view may well have been taken had the proposal involved close boarded fencing.
- 22.26 Upon being put to the vote, it was
RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.
16/00499/FUL – The Meadows, Butt Lane, Woodmancote
- 22.27 This application was for external alterations to the existing house including a single storey side extension and link to proposed swimming pool building with associated landscaping works.
- 22.28 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 recalled that an application for a detached garage on the site had been permitted by the Planning Committee in recent months. He had understood that the old garage would be demolished as part of that application; however, it now appeared that the applicant wanted to put a swimming pool into it. The Planning Officer confirmed that an application for the erection of a three bay oak framed detached garage had been permitted in October 2015 and the permission required the existing pitched roof garage to be demolished. He explained that this application was in addition to the previous permission and the works included the removal of the existing conservatory and the construction of a single storey flat roof side extension as well as the construction of a swimming pool to replace the existing stable block.
- 22.29 Upon being taken to the vote, it was
RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

16/00292/APP – Land Parcels 1 & 3, Brockworth Airfield, Brockworth

- 22.30 This application was for proposed development of 113 residential dwellings with associated roads, footways, parking, drainage and landscaping.
- 22.31 The Chair invited Rachel Capener, representing the applicant, to address the Committee. She indicated that, as outlined in the Officer's report, various amendments had been made to the original application in order to accord with the approved design code and with the various consultee responses. These included changes to the layout in order to provide a looser arrangement to Parcel 1 and to differentiate between the two character areas set out in the design code; the addition of a square to the south-west corner of Parcel 3; creation of a more attractive Mews court; creation of key buildings with the use of a variety of materials and detailing; and amended elevational treatment of the bungalows. In terms of parking, there were 190 parking spaces and 73 garages, providing a total of 263 allocated spaces. Additionally there were 16 visitor parking spaces. The proposed drainage scheme followed the existing strategy for the overall scheme and all finished floor levels were in accordance with the approved plans. Affordable housing was in line with the number, type and clustering set out in the Section 106 Agreement and Masterplan. The design of the houses and materials were in line with the design code and were sympathetic to the surrounding parcels. Overall, she felt that the applicant had worked well with Officers to produce an attractive and successful scheme.
- 22.32 The Chair indicated that the Officer recommendation was to approve the application and he invited a motion from the floor. It was proposed and seconded that the application be approved in accordance with the Officer recommendation. A Member advised that he had attended a Hucclecote Parish Council meeting the previous evening and it was clear that there were ongoing issues in terms of parking on the road network in the area. He explained that it was very difficult for vehicles to pass one another on some of the roads linking through the estate as cars were parked on both sides of the street. The Development Manager understood that there was a problem with parking in Hucclecote, particularly within the Pineholt estate, and he explained that this was a result of previous planning policy when the Government had been looking to limit the number of car parking spaces on new developments. The applicant had worked very hard to secure an improved level of parking on this development and it was noted that work was also being done separately to try to improve the parking situation in Hucclecote. A Member went on to question whether cycleways were considered during the design of the estates. In response, the Planning Officer indicated that cycleways and road networks would all have been agreed as part of the outline planning permission which had been granted a number of years ago. Unfortunately this meant that there was limited flexibility to make amendments at the reserved matters approval stage, particularly as the development had to be in accordance with the agreed design code. Notwithstanding this, he confirmed that there were some cycleways through the main body of the development.
- 22.33 Upon being taken to the vote, it was
- RESOLVED** That the application be **APPROVED** in accordance with the Officer recommendation.

16/00589/TPO - 1 Southfield Court, Churchdown

- 22.34 This application was for the felling of a Sycamore tree (TBC Tag No. 1637).
- 22.35 The Chair indicated that there were no public speakers for this item. The Officer

recommendation was to grant consent for the application and he sought a motion from the floor. It was proposed and seconded that the application be granted consent in accordance with the Officer recommendation and, upon being put to the vote, it was

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

16/00227/APP – Cleavelands, Evesham Road, Bishop’s Cleeve

- 22.36 This was a reserved matters application for residential development for 234 dwellings to phases 4 and 5 and associated works relating to the outline application 10/01216/OUT.
- 22.37 The Planning Officer advised that this application was closely linked to the next application on the Planning Schedule, Item 9 – 16/00379/APP, which was for a different phase of the development on the Cleavelands site and was recommended for delegated approval on the same basis as this application. He drew attention to the information on the Additional Representations Sheet, attached at Appendix 1, which confirmed that the Council’s Landscape Adviser was happy with the proposal as the choice and location of trees was considered to be appropriate, extensive planting was proposed in front gardens and there was more extensive planting on Public Open Space than was shown on the illustrative masterplan. The County Highways Authority had confirmed that, following receipt of a number of updated drawings in relation to the highway layout, there were no fundamental highway concerns, however, there were some minor issues which did not affect the setting of the proposed dwellings and a formal response was still awaited in relation to this. With regard to the play equipment, a detailed specification had been submitted and, whilst there was no objection from the applicant in terms of providing the proposed Local Equipped Area for Play (LEAP), the Council’s Community and Economic Development Manager had been in contact with Bishop’s Cleeve Parish Council, which was keen to ensure that the right equipment was included on both sites, and some changes had been suggested on that basis. As such, the Officer recommendation was that authority be delegated to the Development Manager to approve the application subject to the resolution of the outstanding issues in respect of highways and equipped areas for play.
- 22.38 A Member sought further clarification as to the highway issues and was advised that Officers had worked hard with the applicant to achieve layouts that were acceptable to all parties and this had resulted in some minor changes to road layouts at a fairly late stage of the process. The Planning Officer provided assurance that the changes were very minor and involved the removal of hedges in some sections to ensure that adequate visibility could be achieved from individual properties. County Highways had indicated that the amendments were acceptable. Whilst he had not compared the amended plans with those previously submitted, the Member was assuming that there were no fundamental changes to the highway structure and the Planning Officer confirmed that was the case. A Member queried whether consideration had been given to drainage as no contributions of this nature were included within the Section 106 Agreement. In response, Members were advised that the outline planning permission had been approved by the Secretary of State following a public inquiry and all matters of drainage and flooding had been considered at that point. It had been suggested

that the Secretary of State include a condition on the outline permission to require the submission of a drainage strategy for the whole site and that had been submitted with the first reserved matters application. All subsequent applications had conformed to the strategy and it would not be justifiable to include an

additional Section 106 contribution at this stage.

- 22.39 The Chair advised that there were no public speakers for this item. The Officer recommendation was to delegate authority to the Development Manager to approve the application, subject to the Council's Community and Economic Development Manager being satisfied with the specification of the equipped play area and the County Highways Authority being satisfied with the proposed road layout, and additional planning conditions as necessary, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to approve the application in accordance with the Officer recommendation. A Member thanked Officers for the hard work that had gone into the application and he noted with pleasure the extensive car parking provision. He drew attention to Page No. 143, Paragraph 4.2.1 of the Officer's report, which stated that the Consolidated Design and Access Statement for the outline application set out a commitment "to create a new 21st century neighbourhood for Bishop's Cleeve" and that "Cleevelands specifically does not seek to recreate, or generate a pastiche of what has gone before, but instead to look forward to contemporary sustainable design solutions". He appreciated that design was a question of personal taste, but he did not feel that what had been built to date was particularly attractive and the reality was that the estate had created a sea of brown within the landscape. The Development Manager understood the Member's disappointment and indicated that, on occasion, it was with a heavy heart that designs put forward, by volume housebuilders in particular, had to be accepted. Upon being taken to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **APPROVE** the application, subject to the Council's Community and Economic Development Manager being satisfied with the specification of the equipped play area and the County Highways Authority being satisfied with the proposed road layout, and additional planning conditions as necessary.

16/00379/APP – Cleevelands, Evesham Road, Bishop's Cleeve

- 22.40 This was a reserved matters application for residential development for 126 dwellings to Phase 3A and landscaping and associated works relating to outline application 10/01216/OUT.
- 22.41 The Planning Officer drew attention to the Additional Representations Sheet, attached at Appendix 1, which set out that the Council's Landscape Adviser considered that the choice of some hedge species was not appropriate and that there should be some enhanced landscaping in the Public Open Space. As with the previous application, it was noted that the County Highways Authority had confirmed that, following receipt of a number of updated drawings in relation to the highway layout, there were no fundamental highway concerns, however, there were some minor issues which did not affect the setting of the proposed dwellings and a formal response was still awaited. With regard to the play equipment, a detailed specification had been submitted and, whilst there was no objection from the applicant in terms of providing the proposed Local Equipped Area for Play (LEAP), the Council's Community and Economic Development Manager had been in contact with Bishop's Cleeve Parish Council which was keen to ensure that the right equipment was included on both sites and had suggested some changes on that basis. As such, the Officer recommendation was that authority be delegated to the Development Manager to approve the application subject to the resolution of the outstanding issues in respect of landscaping, highways and equipped areas for play.
- 22.42 A Member drew attention to Page No. 150, Paragraph 4.1.5 of the Officer report, which set out that the majority of the units on the southern boundary were arranged to face onto the central spine of Public Open Space providing attractive

frontage and avoiding the need for long runs of fences. Where fences were proposed to front onto open space, the landscape plans showed that hedging would be planted to screen them from public views. The Member questioned whether the Public Open Space was going to be adopted by the Borough Council and sought clarification as to who would be responsible for ongoing maintenance of hedges as no contributions were included within the Section 106 Agreement. The Planning Officer understood that maintenance would be carried out by a private management company which would be taking on the Public Open Space. He explained that fencing had been avoided where possible in favour of small sections of hedges and the Landscape Officer was seeking to change some of the species which were used to avoid long-term management issues. A Member explained that she had asked the question as she knew from her work on the Council's Flood Risk Management Group that the Borough Council was often left with the responsibility for Sustainable Drainage Systems and that could apply to hedges as well. The Planning Officer confirmed that it was his understanding that a private management company would be responsible for maintenance of the Public Open Space and the purchasers of the affected properties would pay a certain amount of money towards that.

22.43 A Member drew attention to Page No. 155/C of the Officer report which set out the floor plans and elevations for one of the house types and he indicated that he was surprised at how small it was. The Development Manager advised that this was a reflection of house building across the country and was down to the amount of land which was available and the desire to keep as much land as possible free from development. Another Member sought clarification as to what stage the Planning Officers got to make comment on the state of the buildings and was informed that there would normally be a pre-application discussion with the developer. In this instance the development had followed the approved design statement; whether individual proposals constituted good design was often subjective and, whilst he shared these concerns, unfortunately Officers did not have control over the space which was available to developers and the requirements of affordable housing providers.

22.44 The Chair advised that there were no public speakers for this item. The Officer recommendation was to delegate authority to the Development Manager to approve the application, subject to completion of a Deed of Variation to the Section 106 Agreement to allow amendments to the affordable housing clustering arrangement; the Council's Community and Economic Development Manager being satisfied with the specification of the equipped play area; the Council's Landscape Adviser being satisfied with the landscape specification; the County Highways Authority being satisfied with the proposed road layout; and additional planning conditions as necessary, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to approve the application in accordance with the Officer recommendation and, upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **APPROVE** the application, subject to completion of a Deed of Variation to the Section 106 Agreement to allow amendments to the affordable housing clustering arrangement; the Council's Community and Economic Development Manager being satisfied with the specification of the equipped play area; the Council's Landscape Adviser being satisfied with the landscape specifications; the County Highways Authority being satisfied with the proposed road layout; and additional planning conditions as necessary.

PL.23 DEVELOPMENT CONTROL - APPLICATIONS TO THE COUNTY COUNCIL

23.1 The following decisions of Gloucestershire County Council were **NOTED**:

Site/Development

16/00500/LA3
Shurdington Primary School
Badgeworth Lane
Badgeworth

Erection of a new temporary classroom.

Decision

Application **PERMITTED** subject to conditions in relation to the commencement of development and the scope of the development for the following summary of reasons:

‘The proposed classroom is required to accommodate a planned increase in pupils from September 2016. The proposed building would be located at the side of the school on an existing grassed area, currently used for open access. The school retains sufficient outdoor amenity space within its grounds to accommodate the proposal. Subject to conditions, it is considered that the proposal will not have an unacceptable adverse effect upon the character of the area, the ecology of the site nor the amenity of neighbouring residents and the general locality by reason of its design, appearance, scale and siting in accordance with Tewkesbury Borough Local Plan to 2011 (Adopted March 2006)(Saved Policy): GNL8, GNL15, TPT1, TPT6, EVT2, LND7 and NCN5, and the aims and interests that the National Planning Policy Framework seeks to protect and promote.’

16/00568/LA3
Grangefield Primary School
Voxwell Lane
Bishop’s Cleeve

Expansion of school to 2FE including new eight classroom block, kitchen/hall extension to existing school hall, additional on-site parking and new canopy.

Application **PERMITTED** subject to conditions in relation to the commencement of development; scope of the development; construction period working hours; submission of a Construction Method Statement; pedestrian access restriction; temporary access and visibility; cycle parking; travel plan; ecology; flood risk management; and submission of a landscape scheme for the following summary of reasons:

‘The proposed eight classroom block, kitchen/hall extension, additional on-site parking and a new canopy on the south and west elevations of the KS1 play area is required to accommodate a planned increase in pupils from one to two forms of entry. The design of the proposed classroom and kitchen extension is in keeping with the existing modern school, reflecting some of the features in roof design and materials. It is sympathetic in scale and well located in relation to the existing buildings. Subject to conditions, it is considered that the proposal will not have

an unacceptable adverse effect upon the character of the area, the ecology of the site nor the amenity of neighbouring residents and the general locality by reason of its design, appearance, scale and siting in accordance with Tewkesbury Borough Local Plan to 2011 (Adopted March 2006)(Saved Policy): GNL8, GNL15, TPT1, TPT6, EVT2, EVT3, LND7 and NCN5, and the aims and interests that the National Planning Policy Framework seeks to protect and promote’.

16/00690/LA3
Churchdown Village County
Junior School
Station Road
Churchdown

Extension to provide a
SEN/physiotherapy room and
associated works.

Application **PERMITTED** subject to conditions in relation to the commencement of development; scope of the development; construction hours of working; and submission of a Construction Method Statement for the following summary of reasons:

‘The proposed development to construct an extension would improve the teaching of children with Special Educational Needs (SEN) who will be attending the school from September 2016. The proposals satisfy the requirements of Paragraph 69 of the National Planning Policy Framework which places great weight on the need to create, expand or alter schools. It would not increase the number of pupil numbers at the school or the staff to teach. The proposed extension will not be visible from public vantage points being single storey, located on the northern side of existing buildings which are well within the school campus site, surrounded by playing fields. The extension would be constructed of materials which will be sympathetic to the materials used in the existing buildings to which it would be attached. This extension would be of modern design, in keeping with the existing school buildings and accords with Paragraphs 56 and 68 of the National Planning Policy Framework which requires good design to be well integrated into the environment. The proposal gives rise to no material harm, is in accordance with the development plan and National Planning Policy Framework; there are no material considerations that could justify refusal’.

PL.24 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

24.1 Attention was drawn to the current appeals and appeal decisions update, circulated

at Pages No. 12-18. Members were asked to consider the current planning and enforcement appeals received and the Communities and Local Government appeal decisions issued.

24.2 A Member noted that an appeal for change of use to a single family Gypsy and Traveller residential site involving the siting of an amenity building, a portacabin and up to eight caravans, of which no more than four would be static caravans, at the Paddock, Teddington Hands had been allowed for a temporary period of five years. He had thought that the Government was no longer in favour of granting temporary permission for five years and, in response, the Development Manager indicated that he understood that this was limited to sites within the Green Belt. The policy position in relation to the need for Gypsy and Traveller accommodation was in a state of flux and the Inspector would have taken into account the supply of deliverable sites available at the time.

24.3 Another Member indicated that he was struck by the amount of delegated decisions which had been dismissed at appeal and he congratulated Officers for these positive results. It was

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

PL.25 ADVANCED SITE VISITS BRIEFING

25.1 Attention was drawn to the Advanced Site Visits Briefing, circulated at Page No. 19, which set out those applications that had been identified as ones which would be subject to a Committee Site Visit on the Friday prior to the Planning Committee meeting at which they would be considered. Members were asked to note the applications in the briefing.

25.2 It was

RESOLVED That the Advance Site Visits Briefing be **NOTED**.

The meeting closed at 10:50 am

Appendix 1

SCHEDULE OF PLANNING APPLICATIONS
ADDITIONAL REPRESENTATIONS

Date: 2nd August 2016

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	
91	1	<p>16/00417/OUT</p> <p>Land Rear Of Dormans, Mill Lane, Prestbury.</p> <p>Revised illustrative plan, Addendum to Flood Risk Assessment and revised drainage strategy submitted. In summary, the issues and responses are:</p> <ul style="list-style-type: none"> - The extent of the flood zone - Have added the extent of the flood zone to the site plan and the illustrative layout has been updated to remove any development from within the flood zone. No development is now proposed within the flood zone. - The 8m buffer - Development moved from within the buffer zone required by the Environment Agency (EA). The 8m clearance has been measured from the top of bank of Mill Stream and the illustrative layout plan shows that physical features such as gardens will be located outside of the buffer. As such, no permit would be required for this development and the buffer would ensure adequate access to the flood alleviation scheme by the EA. The applicant is happy to agree to a condition or informative as appropriate that no structures (fences, walls etc.) can be placed within the buffer, and that no development should impede access to the watercourse. - The size and location of the attenuation basins - Basin in parcel A has been moved outside of the flood zone and resized accordingly. The addendum to the Flood Risk Assessment sets out the drainage strategy to support the proposed development. <p>The above changes have necessitated minor changes to the illustrative layout. The overall concept remains unaffected, but the plan has been amended to demonstrate that the level of development proposed could be comfortably accommodated on the site taking account of the extent of the flood zone, the need for an 8m buffer and the revised position of the attenuation basin.</p> <p>EA comments - The EA believes that its concerns can be addressed as they chiefly relate to layout which could be altered given it is an outline application with layout reserved. Whilst there has not been time to fully review the revised Flood Risk Assessment, it would appear on face value that the applicant may have addressed those layout concerns raised in their formal response. However, until the EA has properly reviewed the revised information it cannot formally alter its position.</p>

Officer comments - The revised illustrative layout plan indicates that the proposed development for 76 dwellings could be accommodated on the site whilst addressing the concerns raised by the EA. **As such it is recommended that refusal reason 1 is amended as follows:**

Whilst all matters relating to design, layout and landscaping are reserved for future consideration, the proposal would result in significant harm to the local landscape character as a result of the loss of open parkland and increased urban influences on and immediately adjacent to the site and as a consequence of the development being conspicuous in elevated views and truncating views towards the escarpment, it would have a significant detrimental effect upon the setting of the AONB. The illustrative layout also fails to demonstrate that development on this site would be in character with the urban morphology of the settlement. Consequently, the proposal does not adequately demonstrate that any subsequent reserved matters application would achieve good design. The proposed development would therefore be contrary to the core principles of land-use planning set out at paragraph 17 of the NPPF, section 7 (Requiring good design) and section 11 (Conserving and enhancing the natural environment) of the NPPF, Policy LND2 of the Tewkesbury Borough Local Plan to 2011 - March 2006 and emerging policies SD5, SD7 and SD8 of the Joint Core Strategy Submission Version November 2014.

CoRADICAL petition with 3,490 signatures submitted objecting to application on following grounds:

- important vista that should not be obliterated;
- harmful to Special Landscape Area (SLA) and setting of Cotswolds Area of Outstanding Natural Beauty (AONB);
- would spoil rural setting of Prestbury Conservation Area, the setting of The Hayes, a listed building and the Green Belt;
- would increase congestion in the area and would destroy and suburbanise a rural walk up to Cleeve Hill (Cotswold Way/AONB); and
- young children going to Prestbury Primary School would have to cross the main road twice and, in any case, the school is turning away new pupils.

216 further letters of objection received and 1 letter of support.

110	2	<p>16/00610/FUL</p> <p>Land Opposite The Orchard, Alstone, Tewkesbury.</p> <p>Letters of representation</p> <p>6 additional letters of objections received from local residents, however, it is not considered that these matters raised introduce new material planning consideration which have not already been addressed within the Committee Report.</p> <p>Additional Information submitted on behalf of the applicant</p> <p>The applicant's Landscape Architect (Chartered Membership of the Landscape Institute) has submitted addition comments summarised as follows:</p> <ul style="list-style-type: none"> - It is notable that landscape comments for both the present scheme and the previous refused scheme (14/00299/FUL) have not been made by a qualified landscape professional. - Reliance appears to have been given to comments arising from a 2002 planning application and appeal apparently regardless of changes to the current landscape and visual baseline. - No attempt appears to have been made to take into account changes in scale of the proposed built form or consideration to the proposed landscape mitigation measures. - Whilst the site location may in policy terms be open countryside, in landscape character terms it is very much part of the edge of the existing village. - In landscape terms the development forms a small scale and logical extension of the village and does not introduce characteristics which are not already present and which already influence the landscape character of the area. - It is accepted that in short distance views into the site from Dixton Road and immediately adjacent the site, there would be some change to openness with new built form introduced into these views. - Views into the site from Public Rights Of Way, further south on Dixton Road and adjacent on Dixton Road, are generally well hidden by established vegetation. - In all local views, built form of the existing settlement is experienced within the composition of the view. - Long distance views the site is lost to the backdrop of the village. - In terms of effects from visual receptors within the AONB and SLA the overall result is that that the site does not have a significant visual prominence and that visual effects are limited by a combination of limited geographical locations where publically accessible views into the site can be enjoyed and by screening effects of established vegetation.
116	3	<p>16/00532/FUL</p> <p>Churchend House, Church End, Twyning.</p> <p>Comments have been received from Twyning Parochial Church Council.</p> <p>Concern is raised over parking provision and it requested that the Council ensure that the new development should have sufficient off road parking spaces for the existing and proposed dwellings.</p>

140	8	<p>16/00227/APP</p> <p>Cleavelands, Evesham Road, Bishops Cleeve.</p> <p>Councils Landscape advisor</p> <p>The Council's Landscape Adviser has provided comment and confirms that both the hard and soft landscape plans follow the principles laid out in the Design and Access Statement and Design Principles Document. The choice and location of the trees is considered to be appropriate and the Landscape Adviser comments that there is extensive planting proposed in front gardens and more extensive planting on Public Open Space than shown on the illustrative masterplan - which is considered to demonstrate a clear commitment to an extensive landscape scheme.</p> <p>The tree constraints plan demonstrates no trees are to be removed and all hedges retained except where roads punch through. The tree protection plan follows the principles in the tree constraints plan and the Arboricultural Method Statement is considered thorough.</p> <p>County Highways Authority</p> <p>The County Highways Authority (CHA) has written to confirm that following receipt of a number of updated drawings in relation to the highway layout (in response to previous comments raised by the CHA), it is close to being able to provide a substantive formal response. However, there do remain some outstanding comments, which the CHA suggest are of a minor in nature, and this remains a delegated matter at this stage.</p> <p>It is accordingly recommended that approval be delegated to the Development Manager subject to the Council's Community and Economic Development Manager being satisfied with the specification of the equipped play area and the County Highways Authority be satisfied with the proposed road layout, and additional planning conditions as necessary.</p>
148	9	<p>16/00379/APP</p> <p>Cleavelands, Evesham Road, Bishops Cleeve.</p> <p>Councils Landscape Adviser</p> <p>The Councils Landscape Adviser has provided comment and confirms that both the hard and soft landscape plans follow the principles laid out in the Design and Access Statement and Design Principles Document. It is considered, however, that the choice of some hedge species is not appropriate, and that there should be some enhanced landscaping in the Public Open Space.</p> <p>The tree protection plan follows the principles in the tree constraints plan with trees considered to be unsustainable not protected. Clarification is sought with regard to inconsistencies on the plans relating to removal of a small number of trees.</p> <p>Subject to the above matters being addressed, the Council's Landscape Adviser has no objections to the proposal. However, landscaping remains a delegated matter at this stage.</p>

	<p>County Highways Authority</p> <p>The County Highways Authority (CHA) has written to confirm that, following receipt of a number of updated drawings in relation to the highway layout (in response to previous comments raised by the CHA), it is close to being able to provide a substantive formal response. However, there do remain some outstanding comments, which the CHA suggest are of a minor in nature, and this remains a delegated matter at this stage.</p>
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