

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	20 December 2016
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Deputy Chief Executive
Lead Member:	Cllr D M M Davies, Lead Member for Built Environment
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 September and October 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 decision has been issued by the First Secretary of State of CLG:

Application No	15/00801/FUL
Location	Land to the North of Cursey Lane Copse Green Farm Elmstone Hardwicke Glos GL51 9TF
Appellant	Good Energy Cursey Lane Solar Farm (No.6) Ltd
Development	Solar Photovoltaic Farm with associated landscaping, ground based racking systems, static mounted solar panels, associated infrastructure, site security fencing and security system
Officer recommendation	Permit
Decision Type	Committee
DCLG Decision	Allowed
Reason	<p>In allowing the appeal the Inspector noted that the proposal would generate renewable energy equivalent to the usage of some 900 households (offsetting about 1,500 tonnes of carbon dioxide emissions per year) and this should be afforded significant weight in the planning balance.</p> <p>He also commented that although the proposal would markedly improve the biodiversity of the site and the proposals were reversible (life span of 30 years) these factors did not merit a positive benefit, but neutral ones.</p> <p>He went on to conclude that the harm to the character and appearance of the landscape (including the cumulative impact of other solar farms in the locality) as well as harm to the outlook of two residential properties, would be limited. The renewable energy benefits, which were afforded significant weight, were considered to outweigh the other limited harms identified and the appeal was allowed.</p>
Date	22.11.2016

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
16/00520/FUL	Treglos Fleet Road Twyning Tewkesbury Gloucestershire GL20 6DG	Slimline 1000L oil storage tank at front of property	02/12/2016	W	JLL	06/01/2017

Process Type

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