

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	Tuesday 17 January 2017
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Robert Weaver, Deputy Chief Executive
Lead Member:	Cllr D M M Davies
Number of Appendices:	1

Executive Summary:

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

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	15/01218/FUL
Location	105 Tewkesbury Road Longford Glos GL2 9BJ
Appellant	Mr Marco Vaccaro
Development	Demolition of old workshop and erection of 3no properties
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Dismissed
Reason	The Inspector considered that the proposed development would not be sympathetically designed in harmony with the scale and character of the settlement. Further he commented that the development would create an oppressive sense of enclosure from existing dwellings when looking out of windows which would cause unacceptable harm to the living conditions of the occupiers of the adjoining dwelling. Further the Inspector observed that due to their size, the private amenity spaces provided for the new dwellings would be of limited use. The appeal site was also located within Flood Zone 3 and had not been accompanied by a Flood Risk Assessment to demonstrate that there are no other appropriate sites for the development in a lower risk zone, that the site would not be at unacceptable risk from flooding and that it would not increase the risk of flooding to third parties. The Inspector considered that the proposal would be inconsistent with the guidance on managing flood risk. The Inspector also agreed with the Council's reasons for refusal in respect of the potential harm to protected species as no protected species survey had been carried out.
Date	13.12.2016

Application No	16/00397/FUL
Location	Land to rear of Grove View Market Lane Greet Glos
Appellant	Mr David Cornwall
Development	Erection of single storey detached building for holiday let

Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Dismissed
Reason	The appeal site is secluded and of rural character. The proposed building would be sited in a location unrelated to existing buildings. Due to the size and bulk as the building it would be opposed to the sylvan setting. Overall the building would be an incongruous feature in the landscape and would create a more urbanised appearance. This would be exacerbated by future pressure to remove trees. For these reasons the proposal would cause unacceptable harm to the landscape character of the Special Landscape Area and the surrounding countryside. There would be some small scale economic and social benefits arising from the proposal however these do not outweigh the adverse social and economic impacts
Date	13.12.2016

Application No	16/00422/FUL
Location	64 North Street, Winchcombe
Appellant	DZK Country Cottages
Development	Demolition of existing garage building and erection of a single dwelling with off-road parking.
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Allowed
Reason	<p>The Inspector considered that the proposal would be viewed as subservient and complementary to the varied character and appearance of the street scene, subject to appropriate materials, landscaping and boundary treatments being secured by condition. The development would make a positive contribution upon local character and distinctiveness, as desired by paragraph 131 of the NPPF. In addition, the proposed car parking and access arrangements would not have a detrimental impact upon highway and pedestrian safety. The Inspector also concluded that the living conditions of neighbours would be preserved, subject to appropriate planning conditions being imposed, relating to boundary treatments and rooflight positioning.</p> <p>This was a disappointing decision in that, whilst the principle of development was acceptable, the proposal did not reflect the high quality design officers would hope to secure in a sensitive area such as this.</p>
Date	23.12.16

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
	Bus Bungalow Sandhurst Lane Longford Gloucester Gloucestershire GL2 9AB	Alleged unauthorised stationing of static caravans for residential use and general associated domestic storage	16/12/2016	P	JWH	
	Bus Bungalow Sandhurst Lane Longford Gloucester Gloucestershire GL2 9AB	Unauthorised engineering operations to create the provision of hard-standing surfaces and the installation of services ancillary to that hard-standing	16/12/2016	P	JWH	
15/00749/OUT	Land North Of Innsworth Lane Innsworth	A mixed use development comprising demolition of existing buildings, up to 1,300 dwellings and 8.31 hectares of land for employment generating uses comprising a neighbourhood centre of 4.23ha (A1, A2, A3, A4, A5, D1, D2, B1), office park of 1.31ha (B1) and business park of 2.77ha (B1 and B8 uses), primary school, open space, landscaping, parking and supporting infrastructure and utilities, and the creation of new vehicular accesses from the A40 Gloucester Northern Bypass, Innsworth Lane and Frogfurlong Lane.	20/12/2016	P	PDS	
16/00484/CLE	Bus Bungalow Sandhurst Lane Longford Gloucester Gloucestershire GL2 9ND	Use of land as a residential caravan site (including use ancillary thereto).	15/12/2016	P	PAI	26/01/2017
16/00344/PDAD	Hayden Barn Hayden Farm Hayden Lane Boddington Cheltenham	Change of use of agricultural barns to provide 2No residential dwellings, including building operations	16/12/2016	W	SDA	

	Gloucestershire GL51 0SR	reasonably necessary to convert the building for these purposes.				
16/00417/OUT	Land Rear Of Dormans Mill Lane Prestbury Cheltenham Gloucestershire	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	03/01/2017			

Process Type

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