

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Planning Committee
<b>Date of Meeting:</b>	Tuesday 14 February 2017
<b>Subject:</b>	Current Appeals and Appeal Decisions Update
<b>Report of:</b>	Paul Skelton, Development Manager
<b>Corporate Lead:</b>	Robert Weaver, Deputy Chief Executive
<b>Lead Member:</b>	Cllr D M M Davies
<b>Number of Appendices:</b>	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:

<b>Application No</b>	15/00410/FUL
<b>Location</b>	Highnam Farm Two Mile Lane Highnam Glos GL2 8DW
<b>Appellant</b>	Highnam Farm Solar Ltd
<b>Development</b>	Construction of a ground mounted solar PV generation project and associated works
<b>Officer recommendation</b>	Delegated Permit
<b>Decision Type</b>	Committee
<b>DCLG Decision</b>	Allowed
<b>Reason</b>	<p>The inspector considered that whilst the proposed development would have an adverse impact on the character and appearance of the surrounding area, this would be mitigated to ensure that the impact would be reduced over time. Also, there would be less than substantial harm to setting of listed buildings. In addition, there would be harm due to the loss of some Best and Most Versatile (BMV) agricultural land, but in the Inspector's opinion this had been kept to a minimum and support had been provided in a sequential assessment.</p> <p>The inspector concluded that development would power a significant number of homes and its benefits also include the valuable contribution that it would make towards the reduction of greenhouse gas emissions and its contribution towards the rural economy as a result of it representing farm diversification. In addition, the proposal would offer energy security benefits and improve biodiversity. Overall the Inspector considered that the benefits would clearly outweigh the identified harms and the Appeal was allowed.</p>
<b>Date</b>	05.01.2017

<b>Application No</b>	16/00477/FUL
<b>Location</b>	Harvest Home Evesham Road Greet Cheltenham GL54 5BH
<b>Appellant</b>	Mr M Doughty

<b>Development</b>	Demolition of existing pub and erection of 3 new 5 bedroom dwellings
<b>Officer recommendation</b>	Refused
<b>Decision Type</b>	Delegated
<b>DCLG Decision</b>	Allowed
<b>Reason</b>	The Inspector concluded that the proposed development would not harm the character and appearance of the area. He identified that the development would result in the reuse of previously development land and the development would contribute, albeit in a small way, towards meeting the housing shortfall within the Borough. As he did not identify any adverse impacts of granting permission, the clear benefits of the development would not be outweighed by any harms in the planning balance. The appeal was therefore allowed.
<b>Date</b>	20.01.2017

### **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

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**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
16/00757/FUL	The Old Mill House Oxenton Cheltenham Gloucestershire GL52 9SE	Demolition of existing outbuilding and replacement with new, detached ancillary building.	05/01/2017	W	LJD	09/02/2017

### Process Type

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