

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	14 March 2017
Subject:	Planning Application Reference 15/00749/OUT
Report of:	Annette Roberts, Head of Development Services
Corporate Lead:	Robert Weaver, Deputy Chief Executive
Lead Member:	Councillor D M M Davies, Lead Member for Built Environment
Number of Appendices:	1

Executive Summary:

Planning Application reference 15/00749/OUT was validated on 6 July 2015. An appeal has been made against the fact that the Council did not determine the application within the relevant statutory timescale (16 weeks). A Public Inquiry has been arranged to start in June 2017 and the Committee must advise the Secretary of State for Local Government how it would have determined the application had the Council remained the determining authority.

Recommendation:

That the Committee determine to advise the Secretary of State for Communities and Local Government that it would be MINDED TO REFUSE planning application reference 15/00749/OUT.

Reasons for Recommendation:

As set out in Appendix 1.

Resource Implications:

The Council will need to provide evidence to the appeal, taking Officer time and requiring the engagement of consultants to address specific issues.

Legal Implications:

None.

Risk Management Implications:

If, through the course of the appeal, any reasons for refusal put forward by the Council would be considered to result in unreasonable behaviour by the Council which could then result in an adverse award of costs against it, officers will take legal advice on whether such reasons should be pursued.

Performance Management Follow-up:

Officers will arrange for the Council's case to be presented at Public Inquiry.

Environmental Implications:

As set out in Appendix 1.

1.0 INTRODUCTION/BACKGROUND

1.1 Planning Application reference 15/00749/OUT was validated on 6 July 2015. An appeal has been made against the fact that the Council did not determine the application within the relevant statutory timescale (16 weeks). A Public Inquiry has been arranged to start in June 2017.

2.0 The Planning Application

2.1 Planning Application reference 15/00749/OUT proposes the following:

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.

2.2 The Officer recommendation as to how the application should be determined had the Council still been the determining authority is set out in the Officer report attached at **Appendix 1**.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 Consultation has been carried out in accordance with the Development Management Procedure Order 2015. The application has been advertised in the local press and by way of site notices in the local area.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 As set out in Appendix 1.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 As set out in Appendix 1.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 The Council will need to provide evidence to the appeal, taking Officer time and requiring the engagement of consultants to address specific issues.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

8.1 As set out in Appendix 1.

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

9.1 As set out in the report.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 As set out in Appendix 1.

Background Papers: As set out in Appendix 1.

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Appendices: Appendix 1 – Officer Report for application reference 15/00749/OUT