

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	6 June 2017
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Robert Weaver, Deputy Chief Executive
Lead Member:	Cllr Mrs E J MacTiernan, Lead Member for Built Environment
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	16/00924/FUL
Location	Queenwood, Tewkesbury Road, Elmstone Hardwicke, GL51 9SY
Appellant	Mr R Jones
Development	Proposed Conservatory
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Allowed
Reason (if allowed)	<p>The Inspector agreed with the Council that the proposed conservatory comprised a disproportionate addition to the original dwelling and therefore amounted to inappropriate development in the Green Belt. However, the Inspector also noted that a larger outbuilding could be built as permitted development within the property's garden, and that, given the large size of the property's curtilage, further outbuildings could be lawfully built using permitted development rights. The appellants had accepted a condition in the event of the appeal succeeding, effectively removing permitted development rights in respect of the erection of further outbuildings within the garden. The Inspector concluded that this would prove beneficial so as to give further protection to the openness of the GB and to prevent encroachment in the countryside.</p> <p>On balance, it was concluded that given that no other harm has been identified or would be caused, the harm caused by reason of inappropriateness was clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. Accordingly, the appeal was allowed.</p>
Date	25.04.2017

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

Background Papers: None

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Appendices: Appendix 1: List of Appeals received

List of Appeals Received						
Reference	Address	Description	Date Appeal Lodged	Appeal Procedure	Appeal Officer	Statement Due
16/01141/FUL	Quay Cottage The Quay Ashleworth Gloucester Gloucestershire GL19 4HZ	Proposed erection of replacement dwelling, including alterations to existing parking area/driveway.	22/05/2017	W	LJD	26.06.2017
16/01442/OUT	Land To The North Of 15 Bloxhams Orchard Ashleworth Gloucester Gloucestershire	Erection of 8 no. dwellings, with all matters reserved for future consideration except for access	24/05/2017	H	EMB	

Process Type

- **FAS** indicates FastTrack Household Appeal Service
- **HH** indicates Householder Appeal
- **W** indicates Written Reps
- **H** indicates Informal Hearing
- **I** indicates Public Inquiry