

**TO EACH MEMBER OF THE
PLANNING COMMITTEE**

17 January 2023

Dear Councillor

PLANNING COMMITTEE- TUESDAY 17 JANUARY 2023

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Additional Representations Sheet.

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

Head of Democratic Services

Agenda Item 5

ADDITIONAL REPRESENTATIONS SHEET

Date: 16 January 2023

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting. A general indication of the content is given but it may be necessary to elaborate at the meeting.

Item No															
5a	<p>22/00223/FUL</p> <p>Field To The West Of Hucclecote Lane, Churchdown</p> <p>Officer Update</p> <p>Two additional objections and one supporting comment have been received for this application with no new issues raised.</p>														
5b	<p>22/00624/OUT</p> <p>Land East Of St Margaret's Drive, Alderton</p> <p>Description of proposal to be amended to read:</p> <p>Outline application for the demolition of 16 St Margaret's Drive and the erection of up to 48 dwellings (a net increase of 47 dwellings), associated infrastructure, landscape and biodiversity enhancements, all matters reserved except for access from St Margaret's Drive</p> <p>Para 1.2 to read:</p> <p>The appeal scheme seeks outline permission, with all matters reserved except for main vehicular access from St Margaret's Drive only, for up to 48 dwellings (a net increase of 47 dwellings), associated infrastructure, landscape and biodiversity enhancements and demolition of existing structures and properties.</p> <p>Section 3</p> <p>The planning history section in the Committee report to be amended to read:</p> <table border="1" data-bbox="272 1487 1482 2042"> <thead> <tr> <th data-bbox="272 1487 491 1597">Application Number</th> <th data-bbox="491 1487 1046 1597">Proposal</th> <th data-bbox="1046 1487 1318 1597">Decision</th> <th data-bbox="1318 1487 1482 1597">Decision Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="272 1597 491 1706">Application Site</td> <td data-bbox="491 1597 1046 1706"></td> <td data-bbox="1046 1597 1318 1706"></td> <td data-bbox="1318 1597 1482 1706"></td> </tr> <tr> <td data-bbox="272 1706 491 2042">13/00734/OUT</td> <td data-bbox="491 1706 1046 2042">Outline planning application for the erection of up to 60 no. dwellings and associated parking; vehicular access from St Margaret's Drive; provision of open space; the construction of highways through the site and associated engineering works, including the creation of an attenuation pond. Demolition of 16 St. Margaret's Drive.</td> <td data-bbox="1046 1706 1318 2042">APPEAL DISMISSED</td> <td data-bbox="1318 1706 1482 2042">March 2015</td> </tr> </tbody> </table>			Application Number	Proposal	Decision	Decision Date	Application Site				13/00734/OUT	Outline planning application for the erection of up to 60 no. dwellings and associated parking; vehicular access from St Margaret's Drive; provision of open space; the construction of highways through the site and associated engineering works, including the creation of an attenuation pond. Demolition of 16 St. Margaret's Drive.	APPEAL DISMISSED	March 2015
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Adjacent Land to West			
14/00414/FUL	Development of 24 dwellings, access, landscaping and other associated works at land adjoining Willow Bank Road.	ALLOWED AT APPEAL	July 2015
19/00772/FUL	Residential development up to 28 units, including means of access and landscaping.	ALLOWED AT APPEAL	September 2021
22/00901/FUL	Variation of condition 2 of 19/00772/FUL to allow minor alterations to the layout of plots 8, 9, 10, and 11, parking arrangements for plots 9 and 10, amendments to the accommodation schedule and associated minor amendments to the internal layout of the dwellings and elevational alterations. Including the provision of one M4(3) accessible dwelling and one M4(2) dwelling as required by the original s106 agreement.	PENDING CONSIDERATION	

Para 4.2 to include:

Highways comments - No Objection subject to conditions and financial obligations

At Para 8.27 insert:

The Highways Specialist indicates that there is the need for a new minibus service, within the area to serve the closest secondary schools with capacity were the development to go ahead. These are located in excess of 6 miles away from the site. The GCC Integrated Transport Unit department have indicated that this would cost a total of £285,000 to cover a period of 5 years from occupation. Were the scheme otherwise acceptable this could be secured through a s106 legal agreement.

Para 8.46 to read:

Requests have been made by consultees to secure the following contributions:

- £285,000 contribution towards the cost of access to Secondary educational facilities
- Affordable housing at 40% including appropriate mix and tenure
- £10,584 contribution towards libraries provision
- £3,504 Contribution towards the costs of the provision of recycling and waste bins
- Secure onsite public open space provision
- Biodiversity and Ecological enhancements to secure a minimum 10% net biodiversity gain/ mitigate impact upon Bredon Hill SAC
- £3,504 contribution towards the costs of the provision of recycling and waste bin

	<p>Para 9.5 to read:</p> <p>The proposal would result in harm to the significance of designated heritage assets through development in their setting. This level of harm is considered "less than substantial" in the terms set out in the NPPF. The NPPF requires that great weight should be given to the conservation of designated heritage assets. The public benefits of the proposal relate to, amongst others, the delivery of up to 47 dwellings and the associated social and economic benefits. The delivery of housing is afforded significant weight notwithstanding that the Council can demonstrate a 5 year housing land supply. The associated economic and social benefits are afforded moderate weight. However, officers consider that the public benefits would not outweigh the identified heritage harms. As such, the proposal would conflict with those policies of the NPPF relating to the historic environment and designated heritage assets as defined in Annex 2 of the Framework. The proposal also conflicts with Policy SD8 of the JCS and policies HER2 and HER5 of the Tewkesbury Borough Local Plan to 2011 - 2031 (June 2022).</p> <p>Reason for refusal 2 to read:</p> <p>The proposed addition of up to 47 dwellings at Alderton, would result in cumulative development, which would be of a scale disproportionate to the existing settlement. As such the proposed development would fail to maintain or enhance the vitality of Alderton and would have a harmful impact on the social wellbeing of the local community, risking the erosion of community cohesion. As such, the proposal conflicts with Policy SP2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017), Policy H1 of Alderton Neighbourhood Development Plan (July 2018) and the National Planning Policy Framework.</p> <p>Reason for refusal 4 to read:</p> <p>The proposal would alter the character of Alderton causing harm to the setting of designated and undesignated heritage assets. The harm to designated heritage assets represents a less than substantial harm, which is not outweighed by public benefits. The proposal fails to accord with policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017), policies HER2 and HER5 of the Tewkesbury Borough Local Plan to 2011 - 2031 (June 2022) as well as guidance contained in Section 16 of National Planning Policy Framework.</p> <p>Reason for refusal 7 to read:</p> <p>The proposed development does not adequately provide for open space, outdoor recreation, access to education, refuse and recycling and library facilities and conflicts with Policies INF4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (December 2017) and the National Planning Policy Framework.</p> <p>Members will be aware of additional correspondence from the Applicant and Alderton Parish Council the issues raise have been addressed within the report and contents of this document.</p>
<p>5c</p>	<p>22/00686/FUL</p> <p>Land North Of Leckhampton Lane , Shurdington</p> <p>Para 8.63 to read:</p> <p>Requests have been made by consultees to secure the following contributions:</p> <ul style="list-style-type: none"> - £125,769.75 contribution towards Secondary school education provision.

	<ul style="list-style-type: none"> - £1,825 contribution towards the costs of the provision of recycling and waste bins - Secure affordable housing requirement of 10 units, including that 50% of the affordable units will to meet M4(2) standards of accessibility. - S278 works highways improvements to the front triangle including a formalised parking and footpath connection. - A Management Plan for open apace. - Secure off-site habitat enhancements (including a financial contribution) to ensure biodiversity net gain including Beechwood SAC.
5d	<p>22/00245/FUL</p> <p>Peak View Cottage, Green Lane, Witcombe</p> <p>Supporting statement from the applicant was circulated to Members of the Planning Committee on 12 January at 10.52am but this does not change the Officer's recommendation</p> <p>There is still a highways objection, as such, there is another refusal reason:</p> <p>'There is insufficient visibility at the proposed access which would result in an unacceptable impact on highway safety and conflict with providing safe and suitable access for all users, contrary to paragraphs 110 and 112 of the NPPF and policy INF1 of the Tewkesbury Borough Council Local Plan 2011-2031 (adopted June 2022).'</p>
5e	<p>22/01011/FUL</p> <p>Ashstump House, Calcotts Green, Minsterworth</p> <p>There is another general comment received. The main point being:</p> <p>No objection to the principle of the removal of the agricultural tie but there is concern regarding the way in which this seems to be a precursor to offer support for a forthcoming application for 40 houses on the related site of Elms Farm to the West of Lower Moorcroft Farm.</p>
5f	<p>22/01079/FUL</p> <p>Jasmine Cottage, Boddington Lane, Boddington</p> <p>It is noted that Members received an email on 11.01.23 at 14:54 from the agent representing the applicant stating their case. Following this email, no new issues have been raised and the Local Planning Authority still maintain the opinion that the application should be refused in line with the Officer's recommendation.</p>
5g	<p>22/00807/FUL</p> <p>54 Meadowsweet Road, Shurdington</p> <p>An email was received on 12.01.2023 from the agent acting on behalf on the applicant which is attached. These points have been considered and the Local Planning Authority's position, and the Officer's recommendation, remains unchanged.</p>

Item 5g - 22/00807/FUL - 54 Meadowsweet Road, Shurdington - Email from agent

From: Paul Jenkins <paul@sfplanning.co.uk>
Sent: 12 January 2023 13:21
To: Joe Gibbons <Joe.Gibbons@tewkesbury.gov.uk>
Subject: RE: 22/00807/FUL - 54 Meadowsweet Road

CAUTION: This message originated outside of Tewkesbury Borough Council's network.
THINK TWICE before clicking links or attachments.

Dear Joe,

I hope all is well.

We have reviewed your committee report on this scheme and would request the following is clarified to us and to Members by way of update before the meeting as it's not clear within your report in our view;

1. The area of land which the fence is erect on is within the title deeds of the property (from when they purchased the house from Redrow) and not within public ownership;
2. The report doesn't mention the applicants point (which is made within the planning statement) or the Council's response on the matter that Part 2 Class A of the Permitted Development Order allows fencing up to 2m in height on land where it is not adjacent to a highway used by vehicular traffic, as is the case here. As I understand, permitted development rights were not removed under the original Redrow consent application and therefore the fence doesn't require planning permission;
3. The landscaping condition no.3 on 14/00838/FUL only requires the "hard and soft landscaping works to be carried out in accordance with the approved details." It doesn't state that once it

1

has been carried out it needs to be retained as per the approved plan and 5 years have now passed so the relevant period set out in the condition for replacement planting has now passed;

4. The wider estate contains a wide variety of boundary treatments including close boarded fences and brick walls so the report is not correct that "boundary treatments surrounding the application site generally consist of red brick walling, not timber fencing" (see attached just 2 photos to prove this very close to the site);
5. There are 6 letters of support for the proposals from our neighbours with only a single objection/ Your report states there are 7 representation letters but doesn't break this down into support / objection (like other applications on the same agenda do).

I'd be grateful of a reply by return and confirmation these points will be clarified to members and the applicant before the meeting.

Kind Regards,

Paul Jenkins MRTPI



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