Tewkesbury Borough Council

29 June 2015

Committee	Planning
Date	Tuesday, 7 July 2015
Time of Meeting	9:00 am
Venue	Council Chamber

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

for Sara J Freckleton
Borough Solicitor

Agenda

1. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (staff should proceed to their usual assembly point). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.

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Email: democraticservices@tewkesbury.gov.uk Website: www.tewkesbury.gov.uk

Item	Page(s)

3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

4. MINUTES 1 - 27

To approve the Minutes of the meeting held on 9 June 2015.

5. DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

(a) Schedule

To consider the accompanying Schedule of Planning Applications and proposals, marked Appendix "A".

6. CURRENT APPEALS AND APPEAL DECISIONS UPDATE 28 - 31

To consider current Planning and Enforcement Appeals and CLG Appeal Decisions.

7. ADVANCED SITE VISITS BRIEFING 32 - 33

To note those applications which have been identified as being subject to a Committee Site Visit on the Friday prior to the Planning Committee meeting at which they will be considered.

DATE OF NEXT MEETING

TUESDAY, 4 AUGUST 2015

COUNCILLORS CONSTITUTING COMMITTEE

Councillors: R E Allen, R A Bird, Mrs G F Blackwell, D M M Davies, M Dean, R D East (Vice-Chairman), J H Evetts (Chairman), D T Foyle, Mrs M A Gore, Mrs J Greening, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman, R J E Vines and P N Workman

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

Please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chairman will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Planning Committee held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 9 June 2015 commencing at 9:00 am

Present:

Chairman	Councillor J H Evetts
Vice Chairman	Councillor R D East

and Councillors:

R E Allen, R A Bird, D M M Davies, Mrs J E Day (Substitute for Mrs G F Blackwell), M Dean, D T Foyle, Mrs M A Gore, Mrs J Greening, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman, R J E Vines and P N Workman

also present:

Councillor M G Sztymiak

PL.3 ANNOUNCEMENTS

3.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

3.2 The Chairman advised the Committee that the meeting would be filmed/recorded by a member of the public by means of a handheld device. Members were reminded that the Council had resolved to introduce a Scheme for Public Speaking at Planning Committee for a 12 month period starting with the new term of the Council in May 2015. He gave a brief outline of the scheme and the procedure for Planning Committee meetings.

PL.4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4.1 Apologies for absence had been received from Councillor Mrs G F Blackwell. Councillor Mrs J E Day would be acting as a substitute for the meeting.

PL.5 DECLARATIONS OF INTEREST

5.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

5.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R E Allen	15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had visited the application site with another local Member at the end of 2014 as an information gathering exercise but had not expressed an opinion.	Would speak and vote.
R E Allen	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
M Dean	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
R D East	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury. 15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had received correspondence in relation to the applications but had not expressed an opinion.	Would speak and vote.
D T Foyle	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury.	Is a very close friend of the adjacent landowner.	Would not speak or vote and would leave the room for the consideration of this item.

D T Foyle	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
Mrs M A Gore	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury. 15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had received correspondence in relation to the applications but had not expressed an opinion.	Would speak and vote.
Mrs J Greening	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury.	Whilst a Member of Tewkesbury Town Council she had sat on its Planning Committee which had been involved in the decision making in respect of this application.	Would not speak or vote and would leave the room for the consideration of this item.
Mrs A Hollaway	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
Mrs E J MacTiernan	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury. 15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had received correspondence in relation to the applications but had not expressed an opinion.	Would speak and vote.

J R Mason	15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had visited the application site with another local Member at the end of 2014 as an information gathering exercise but had not expressed an opinion. Is a Member of Winchcombe Town Council but does not participate in planning matters.	Would speak and vote.
T A Spencer	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury.	Had received a telephone call from the applicants but had not expressed an opinion.	Would speak and vote.
T A Spencer	15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had received correspondence and telephone calls in relation to the application but had not expressed an opinion.	Would speak and vote.
Mrs P E Stokes	15/00362/FUL 77 Brookfield Lane, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
Mrs P E Stokes	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
P D Surman	General Declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
M G Sztymiak	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury.	Is a Member of Tewkesbury Town Council. Is a Gloucestershire County Councillor.	Would speak but would not vote as he is not a Member of the Planning Committee.

P N Workman	14/00876/FUL Ex Coach Station Car Park, Oldbury Road, Tewkesbury.	Had received correspondence in relation to the application but had not expressed an opinion. Is a Member of Tewkesbury Town Council but does not participate in planning matters.	Would speak and vote.
P N Workman	15/00249/FUL Keepers Orchard, Littleworth, Winchcombe.	Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.

5.3 There were no further declarations made on this occasion.

PL.6 MINUTES

6.1 The Minutes of the meetings held on 21 April and 26 May 2015, copies of which had been circulated, were approved as correct records and signed by the Chairman.

PL.7 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

Schedule

7.1 The Development Manager submitted a Schedule comprising planning applications and proposals with recommendations thereon. Copies of this had been circulated to Members as Appendix A to the Agenda for the meeting. The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by them prior to decisions being made on those applications.

14/00876/FUL – Ex Coach Station Car Park, Oldbury Road, Tewkesbury

7.2 This application was for the erection of retirement living housing for the elderly (category II type accommodation), including communal facilities, landscaping and car parking. The Planning Committee had visited the application site on Friday 5 June 2015.

7.3 Since the publication of the Schedule, the Planning Officer advised that an additional 230 letters had been received in objection to the revised plans. Whilst they were largely based on similar grounds to those already raised, there was an additional objection relating to lack of affordable housing provision. The Oldbury Partnership had submitted a further objection in relation to inadequate parking and overdevelopment of the site. Members were advised that County Highways had originally requested additional information from the applicant to enable full highway consideration of the application but had now undertaken its own assessment. On the basis of that assessment it was considered that the loss of parking spaces at the site would not have a severe cumulative impact on car parking capacity in the town. It was also considered that the proposed access would be safe and suitable and, as such, it had been recommended that there be no highway objection, subject to conditions relating to access, parking facilities and the submission of a construction

method statement. The Economic and Community Development Manager had recommended a contribution towards improved facilities such as the Tewkesbury Riverside Walk. Two letters had been received from a member of the public setting out their intention to judicially review the decision made on the application. The Officer recommendation was to refuse the application for the reasons set out at Page No. 9 of the Schedule, subject to the removal of reason 4 in light of the comments received from County Highways.

7.4 The Chairman invited Councillor Simon Carter from Tewkesbury Town Council to address the Committee. Councillor Carter indicated that the application had been considered at a full meeting of Tewkesbury Town Council where Members had voted unanimously to refuse the application. The building would practically be in the back gardens of the residential properties adjoining the site in Gravel Walk and it was considered that the development would be overpowering in the streetscene. Tewkesbury Town Council was known for being in direct contact with local people and he did not know of a single person in the town who felt that permitting the development would be a good idea. The Oldbury Partnership had done a superb job of setting out a case for refusal and it was made clear that the development was not wanted by either the Town Council or the residents of the town.

7.5 The Chairman invited Kim Casswell, Chair of the Oldbury Partnership, speaking in objection to the application, to address the Committee. Ms Casswell asked that the Committee refuse the application on the grounds of its appearance and poor design which was out of keeping with the adjacent Conservation Area. The Oldbury Partnership considered that the developers were attempting to maximise profit within the smallest place possible and that the development would be better suited to the former MAFF site. The size and scale of the proposed development was far too big, which was reinforced by the model which was displayed in the Council Chamber. Furthermore it would be totally out of keeping with the surrounding area which included the former sheep market office, a Grade II listed building adjoining the site. The buildings would be too tall and would block out sunlight to the residential properties in Gravel Walk and Station Street. It would result in overlooking of the homes and gardens and would be a blot on the landscape which would blight the lives of residents, both now and in the future. She was surprised that the developers had failed to supply sunlight and shadowing information requested by the Council, as well as additional highways information. If permitted, the development would set an unpleasant precedent and she asked that the Committee refuse the application.

7.6 The Chairman invited the applicant's agent, Lisa Matthewson, speaking in support of the application, to address the Committee. She indicated that Oldbury Road car park had been identified for regeneration and County Highways had no objection to the proposal in principle. Gloucestershire County Council had carried out its own study into car parking capacity and had now recommended that there be no highway objection, subject to conditions. There had been a reduction in the height of the development, following consultation, and the number of apartments had also been reduced from 32 to 30, and she considered that the development would sit comfortably in the surrounding context. She confirmed that shadow information had been provided. The proposal would bring substantial benefits in terms of residents shopping locally, and would address a recognised housing need. The redevelopment of a previously developed site would reduce the need to build on greenfield sites. She urged Members to approve the application.

7.7 The Chairman invited a local Ward Member for Tewkesbury Town with Mitton, Councillor Mike Sztymiak, to address the Committee. He indicated that he strongly supported the Officer recommendation to refuse the application and was not convinced of the arguments in favour of the use of the land, particularly when visitor survey results indicated a lack of parking in Tewkesbury. The three and four storey buildings would have an overbearing impact on the environment and would have a harmful impact on the adjoining Conservation Area and Grade II listed building. In addition it would have a negative impact on the quality of life of local residents with gardens which backed onto the site. The buildings would be taller than the streetlights in the car park and would block out the sunlight; this would be worse during the winter months when the sun was lower in the sky and shadows were greater. He raised concern that no light assessment had been provided with the application. Oldbury Road had not benefited from good design in the past and the proposal would do nothing to improve the quality of the streetscene in the area. The application was not supported by County Archaeology, Historic England or the Planning Officers, nor the hundreds of local residents who had objected to the proposal and he asked the Committee to refuse the application.

7.8 The Chairman indicated that the Officer recommendation was to refuse the application and he invited a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The proposer of the motion indicated that the application had been around for some time and yet very little had changed. Whilst there would be an adverse effect on the streetscene of Oldbury Road and Station Street, the impact on the residents of Gravel Walk would be immense. The proposal showed no respect for the former sheep market office on Oldbury Road, which was a Grade II listed building, and the poor design had been observed by the Conservation Officer, Urban Design Officer and Historic England which had all raised considerable concerns regarding the height and scale of the proposed development. The site comprised part of the Bishop's Walk/Spring Gardens redevelopment site and there was a real opportunity to make that part of the town into something significant. He felt that there were many other reasons for refusal including the lack of disabled parking, affordable housing and community infrastructure and the failure to supply an adequate daylight/sunlight assessment. Officers had recommended the application for refusal and there was no support from Historic England or the Oldbury Partnership and over 239 letters of objection had been received from local residents, together with a 4,590 signature petition. He urged Members to support the Officer recommendation. In his view the proposal was too high, too overpowering and poorly designed and Tewkesbury needed, and deserved, something far better than that which was proposed. The seconder of the motion indicated that the Committee Site Visit had been very beneficial and had given a clear indication of what the building would mean for that area. He was in agreement with the Officers and was pleased to second the motion to refuse the application.

7.9 A Member advised that, in 1993, the site had previously been occupied by a coach station garage which had been falling to pieces and nothing had been done to enhance the area since that time. The improvement of Tewkesbury Town Centre was one of his interests and he was strongly in favour of redeveloping the site so that it was worthy of the Town. Officers were trying to ensure that a sensible and suitable building was secured on the site and that was not what would be achieved by the current application. A Member went on to question whether there was a requirement to make a provision for affordable or social housing on the site. In response, the Development Manager advised that there was a policy requirement for the provision of affordable housing, however, in this specific case it was accepted that an off-site contribution may be more appropriate. A Member indicated that she thoroughly supported the motion to refuse the application. There had been terrible mistakes in the past which had resulted in the total abomination of the centre of a beautiful market town and she felt that this proposal was a continuation of that. The

proposed building was generic and could be located anywhere in the country; no attempt had been made to relate to the market town or to enhance the further development of Spring Gardens. This view was echoed by another Member who referred to the comments of Historic England which had recommended that the application required significant alteration in order to better reflect and enhance the character and setting of the Tewkesbury Conservation Area and the setting of the Grade II listed building. On that basis he would be supporting the motion to refuse the application.

7.10 A Member was surprised to see that the application was recommended for refusal given that the principle of residential development on the site was acceptable. Design was subjective and he considered that the proposal would fit nicely into the area without having an adverse impact on local residents. County Highways had confirmed that there was no highway objection to the application and he did not feel that it was necessary for the developer to make a contribution towards affordable housing when the development in question was for retirement living accommodation. Whilst there was no provision for community infrastructure, he noted that a contribution of £73,261 was recommended for appropriate facilities to enhance health and wellbeing which he felt was significant. He felt that the applicant had gone above and beyond to facilitate the building of the retirement accommodation and he could not support the motion to refuse the application.

7.11 A Member took issue with the representation from County Highways which set out that the loss of parking spaces at Oldbury Road car park would not have a severe cumulative impact on parking capacity in the town; when the market was in operation on a Wednesday and Saturday, parking was at a premium. In response, another Member indicated that the argument about car parking provision was long standing and it had now been proven that there was adequate car parking capacity in Tewkesbury. Notwithstanding that, he agreed that design was very much a matter of opinion so he did not feel it was fair to assess the proposal as being poorly designed. Furthermore, he did not consider that the provision of affordable housing was relevant in this case; a decision had been taken by the authority to sell and regenerate the land and he could not see that there was a clear planning reason for refusal. He noted that the proposal was for a mix of three and four storey buildings and indicated that there were examples of other buildings of similar height in the vicinity; The Maltings was five storeys and Oldbury House was four storeys, with adjoining two storey properties at a similar distance to that proposed within this application.

7.12 A Member indicated that, whilst there was no objection to the principle of retirement living accommodation on the site, he felt that the design needed to be improved in order to better reflect the context of the streetscene. He would be supporting the motion on that basis. Upon being taken to the vote, it was

RESOLVED That the application be **REFUSED** in accordance with the Officer recommendation.

15/00249/FUL – Keepers Orchard, Littleworth, Winchcombe

7.13 This application was for demolition of the existing dwelling and erection of replacement dwelling and garage building, reformed drive and parking area. The Planning Committee had visited the application site on Friday 5 June 2015.

7.14 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to refuse the application and he invited a motion from the floor. It was proposed and seconded that the development be permitted on the basis that it was appropriate in size and design and would have an acceptable impact on the Special Landscape Area. A Member expressed the view that the existing bungalow was more obtrusive to the neighbouring properties than the proposed replacement dwelling and setting the house back from the road would be a general improvement to the lane. A Member understood that an Officer had

previously indicated that setting a replacement dwelling back on the site would be acceptable and the Planning Officer advised that, whilst this may have been the case, it was felt that a replacement in the location of the existing bungalow was more appropriate in terms of the character of development in the area. A Member indicated that it had been very difficult to park when the Committee had visited the site and he felt that it would be sensible to move the building away from the road. A local Member was saddened to see the Officer recommendation to refuse the application. He felt that the existing building was of very poor design, was too close to the road and was an isolated addition in the streetscene. He considered that any impact of replacing the bungalow with a house would be mitigated by moving it further away from the road. In his view, the proposal was in keeping with the existing development, would enhance the area and would remove what he felt was an ugly building. As such he would be supporting the motion to permit the application.

7.15 A Member reminded the Committee that each application should be determined on its own merits and it should be borne in mind that the proposal conflicted with the saved local plan policies HOU7 and LND2 which was the basis of the Officer recommendation to refuse the application. A Member questioned whether the principle of a replacement dwelling was acceptable if another scheme were to be submitted with an improved design. The Development Manager confirmed that the application had been considered in the context of the local plan policies which set out that a replacement dwelling should be of a similar size and scale as the existing building. He drew attention to the existing site layout, set out at Page No. 12/D of the Schedule, which showed that the existing houses in the surrounding area were generally quite close to the road; the proposed dwelling would be set well back from the road which would not respect the existing pattern of development in the area or the character and appearance of the surrounding area. In his opinion, the proposal did not comply with local plan policy, however, it was considered that there may be an acceptable two storey solution which was more suited to the characteristics of the area.

7.16 A Member supported the motion which had been proposed, he could see no real reason to refuse the application as he personally disagreed that the design was poor. Another Member felt that the proposal did not comply with the replacement dwelling policy and she agreed with the views of the Town Council that it would represent overdevelopment. The proposer of the motion explained that the existing bungalow would not be permitted in these modern times and he felt that the proposed replacement dwelling was acceptable, particularly as there were larger and more intrusive buildings in the area. The new dwelling would be away from neighbours and from the busy narrow road. The Planning Officer indicated that, if Members were minded to permit the application, it would be necessary to include conditions to ensure that the existing dwelling was demolished and to require details of finished floor levels and materials. Furthermore, she recommended a condition to remove permitted development rights. The proposer and seconder indicated that they were happy with these conditions and the motion was amended to delegate authority to the Development Manager to permit the application, subject to the inclusion of those conditions. Upon being taken to the vote, it was

RESOLVED That authority be delegated to the Development Manager to **PERMIT** the application, subject to conditions to ensure demolition of the existing dwelling; to secure finished floor level details; to agree materials; and to remove permitted development rights.

15/00295/FUL – 82 Gretton Road, Winchcombe

7.17 This application was for a proposed new dwelling on land to the rear of No. 82 Gretton Road.

7.18 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to permit the application and he invited a motion from the floor. It was proposed and seconded that the application be deferred for a Committee Site Visit in order to assess the impact of the proposal on the surrounding area. Upon being taken to the vote, it was

RESOLVED That the application be **DEFERRED** for a Committee Site Visit to assess the impact of the proposal on the surrounding area.

15/00307/FUL – 9 Station Street, Tewkesbury

7.19 This application was for replacement front windows.

7.20 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to permit the application and he invited a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. A Member found it strange that Officers had recommended that an application for uPVC windows be permitted in the Conservation Area. The Planning Officer explained that the existing windows were top hung casements dating from the twentieth century which had no historic interest and the sliding sash design of the replacement windows were considered to be more characteristic of the former railway cottage. On balance, the replacement windows would be a more appropriate design when compared with the existing situation. The proposer of the motion recognised that uPVC windows caused much anguish within the Conservation Area in Tewkesbury Town, however, he agreed that the proposed replacement windows would be an improvement. Upon being taken to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

14/00614/OUT – Queens Head Inn, A46 Aston Cross, Aston Cross, Tewkesbury

7.21 This outline application was for the erection of 11 dwellings together with formation of new vehicular and pedestrian accesses, formation of parking areas and gardens/amenity space.

7.22 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to delegate authority to the Development Manager to permit the application, subject to the completion of a Section 106 Agreement, and he invited a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation.

7.23 A Member noted that formal comments were still awaited from the Council's Community and Economic Development Manager in respect of negotiation around contributions towards open space, outdoor recreation and sports facilities. In response, the Planning Officer confirmed that the total contribution required towards off-site playing pitches and pitch provision was £14,227, as set out on the Additional Representations Sheet, attached at Appendix 1. Consideration had been given as to whether a contribution could be sought in relation to additional community facilities, however, this would not be appropriate given that the application was for 11 dwellings.

7.24 Upon being taken to the vote, it was

RESOLVED That authority be delegated to the Development Manager to **PERMIT** the application, subject to the completion of a Section 106 Agreement, in accordance with the Officer recommendation.

15/00362/FUL – 77 Brookfield Lane, Churchdown

7.25 This application was for a single storey kitchen extension to the front of the dwelling house.

7.26 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to permit the application and he invited a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. Upon being taken to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

15/00368/FUL – 47 Kayte Lane, Bishop's Cleeve

7.27 This application was for the erection of a new single storey flat roof three bedroom dwelling in the rear garden of No. 47 using the existing access driveway and the creation of a new access driveway for the existing dwelling.

7.28 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to permit the application and he invited a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. Upon being put to the vote it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

14/01197/FUL – Land North of Gubberhill Farm, Brockeridge Common, Ripple

7.29 This application was for change of use to residential caravan site for four gypsy families, each with two caravans, and erection of two amenity buildings and laying of hardstanding. The Planning Committee had visited the application site on Friday 5 June 2015.

7.30 The Planning Officer advised that this was a retrospective application for eight pitches to serve four gypsy families currently occupying the site. The lawful use of the land was agriculture and the existing site comprised an area of hardstanding, an existing access and areas of rough grassed land. The site was located outside of a settlement boundary in open countryside and was on the fringes of Flood Zones 2 and 3. A Public Right of Way (PROW) crossed the site in a north easterly direction. Gubberhill Farm, a Grade II listed building, was 60m away to the south west of the site; there were a number of other buildings between the Farm and the application site therefore it was considered that there would be no detrimental impact on the setting of the listed building. In terms of the landscape impact of the proposal, the site was located within an open countryside setting and was visible from a number of public vantage points, including the public highway which ran along the southern site boundary and the PROW. Whilst there was a bus stop within walking distance of Ripple, and some limited local facilities nearby, the isolated location would undoubtedly lead to substantial reliance on the use of the private car. The County Highways Authority had requested a speed survey to establish that appropriate visibility could be provided from the existing access, which was off a narrow country lane. Since the publication of the Officer report, the County Highways Authority had confirmed that there were no grounds for objection on that basis. There were a number of residential properties adjacent to the site but it was not considered that the use of the site by up to four families would have a significantly detrimental impact on the amenities of the nearby properties. The application site was directly adjacent to, and on land associated with, a known area of landfilled ground and a

previous planning application had been refused, and an appeal dismissed, on the basis of contaminated land concerns. The potential extent of contamination arising from the landfill site was unknown and a full understanding of the potential hazards was crucial if a permanent use was to be permitted. Further information had been requested from the applicant but had not been forthcoming. In addition, the applicant had been asked to provide additional information relating to flood risk but this had not been received following a number of requests. In terms of consideration of a temporary permission, in this case it was considered that the adverse impacts of the proposal were so great that the lack of Gypsy and Traveller pitch supply and the personal circumstances of the applicant's family would not warrant the granting of a temporary permission. The application was therefore recommended for refusal on the grounds that the development would result in significant harm relating to landscape, sustainable travel, flood risk and contamination.

7.31 The Chairman invited Councillor Jeremy Horsfall from Twyning Parish Council to address the Committee. Councillor Horsfall indicated that the majority of the Parish Council's concerns had been dealt with in the Officer report. One of the main issues was that no contaminated land assessment had been undertaken which could lead to potential problems for occupants of the site and those in the vicinity of the location. The Parish Council agreed with the Officer recommendation to refuse the application and hoped that the Committee would share that view.

7.32 The Chairman indicated that the Officer recommendation was to refuse the application and invited a motion from the floor. It was proposed and seconded that the application be refused in accordance with the Officer recommendation. The proposer of the motion indicated that there was a tremendous history to the site and this was a classic case of people moving onto a site against planning law. He agreed that a ground survey would be very useful in order to establish exactly what was beneath the site. He considered that the location was inappropriate for a number of reasons and he was pleased to support the Officer recommendation to refuse the application. Upon being taken to the vote, it was

RESOLVED That the application be **REFUSED** in accordance with the Officer recommendation.

PL.8 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

8.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 47-50. Members were asked to consider the current planning and enforcement appeals received and the Communities and Local Government (CLG) appeal decisions that had been issued.

8.2 A Member indicated that he was very interested in application reference: 12/01158/CLE for a caravan site used for static caravan parks at Cotswold Grange Country Park, Meadow Lane, Twyning which had been allowed on appeal. The Legal Adviser explained that the appeal was in respect of a certificate of lawful use granted in 1973 and the main issue related to whether a planning permission for continued use of land as a holiday site, granted in 1983, had been necessary and extinguished any established use rights confirmed in the certificate. Although originally an Inspector had upheld the Officer decision to refuse the application, that Inspector's decision had been challenged in the High Court and quashed. On re-determination, a second Inspector had ultimately concluded that, although the planning permission allowed the issuing of a site licence, this was not necessary in either planning terms, or to avoid enforcement action. As such, the planning permission had not affected the certificate of lawful use and the appeal against the Council's decision had been allowed.

8.3 It was

RESOLVED That the current appeals and appeal decisions update be **NOTED**.

PL.9 ADVANCED SITE VISITS BRIEFING

9.1 Attention was drawn to the Advanced Site Visits briefing, circulated at Page No. 51, which set out those applications that had been identified as ones which would be subject to a Committee Site Visit on the Friday prior to the Planning Committee meeting at which they would be considered.

9.2 The Development Manager clarified it was a list of those applications which would be subject to a Committee Site Visit at some point and did not necessarily mean that all the sites listed would be visited prior to the next Committee meeting. Committee Site Visits would take place on the Friday before the Planning Committee meeting and the dates would be circulated to Members via email. A Member queried whether the application for 300 houses at Bishop's Cleeve would be subject to a Committee Site Visit and the Development Manager undertook to add this to the list. He confirmed that Members would be sent a list of the applications due to be considered at a Committee meeting approximately one week before the Committee Site Visit. He acknowledged that this did not allow much time for Members to request site visits as regards any application not already noted on that list for a site visit, however, Members were regularly informed of planning applications in their areas and there was nothing to prevent them from requesting a site visit well in advance of the list being circulated.

9.3 It was

RESOLVED That the Advanced Site Visits Briefing be **NOTED**.

The meeting closed at 10:40 am

Appendix 1

SCHEDULE OF PLANNING APPLICATIONS
ADDITIONAL REPRESENTATIONS

Date: 9 June 2015

The following is a list of the additional representations received since the schedule of applications was prepared 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.

Page No	Item No	
1	1	**14/00876/FUL** **Ex Coach Station Car Park, Oldbury Road, Tewkesbury.** **Representation & Consultations** 230 letters received objecting to the revised plans on similar grounds already raised and including the lack of provision for affordable housing. Oldbury Partnership - Further objection on following grounds: • Inadequate parking spaces leading to double parking, blocking entry for emergency vehicles and visitors will place additional demand on the local parking spaces; • overdevelopment of the site. County Highways - Consider that the loss of parking spaces at Oldbury Road car park site would not have a severe cumulative impact on parking capacity in the town. The proposed access would be safe and suitable. Consideration should be given to have at least one parking space allocated for disabled parking. Recommend no highway objection subject to conditions relating to access, parking facilities and construction method statement. **A copy of the full consultation response is attached**. Economic and Community Development Manager - Recommends that required community contribution of £ 73,261 be directed towards more age appropriate facilities to enhance health and wellbeing, social interaction and improving the environment within the community. More age and mobility appropriate facilities that meet these objectives include the proposed riverside projects, including the Riverside Walk, which will improve accessibility. This is the nearest POS to the care home. Two letters have been received from a member of the public setting out their intention to judicially review the decision made on the application. **Copies of the letters are attached**. The Officer recommendation to refuse is not altered except in relation to the removal of refusal reason 4 as already set out below. **Officer comments** In the light of the latest comments from County Highways, it is recommended that refusal reason 4 be omitted.

3	13	**15/00295/FUL** **82 Gretton Road, Winchcombe.** **Representation by applicant** An email has been received from the application making the following points: • The proposal is for the applicant's family with three young children and is not just a development opportunity. It is intended to be a family home where the applicant's children can grow up enjoying Winchcombe. This is a major catalyst for the change in design since the rooms now all benefit from more light and headroom compared to the previous dormer style. • Reference is made to a previous decision made by the Council at Meadow Lea, Langley Road, Winchcombe (10/01317/FUL) whereby a contemporary style flat roofed dwelling was permitted in a back garden site similar to the application proposal.
5	21	**14/00614/OUT** **Queens Head Inn, A46 Aston Cross, Aston Cross, Tewkesbury.** ARPC - totally against the wood facia - it is totally out of keeping with the local brick houses in the area. ARPC believe that the wood facias after a year or two will fade and look unsightly so it will end up a collection of neglected looking, out of character ugly houses. Economic and Community Development Manager - Total contribution required towards off-site playing pitches and pitch provision = £14,227 (NB - this figure does not include land value contribution or commuted sum for future maintenance). In this situation where no LEAP or minimal open space is specifically provided, we would request a contribution of £780 per household.
7	36	**15/00368/FUL** **47 Kayte Lane, Bishops Cleeve.** **Representations** 2 additional objections received. Concerns raised over highway safety, tree removal and noise and light pollution.

Item 1 Page 1 - County Highways response

Gloucestershire COUNTY COUNCIL

Highways Development Management
Shire Hall
Gloucester
GL1 2TH

Joan Desmond
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury
Gloucestershire
GL20 5TT

email: owen.parry@gloucestershire.gov.uk

Please ask for: Owen Parry Phone: 01452 426951

Our Ref: T/2014/032849 Your Ref: 14/00876/FUL Date: 1 June 2015

Dear Joan Desmond,

TOWN AND COUNTRY PLANNING ACT 1990
HIGHWAY RECOMMENDATION

Location: Ex Coach Station Car Park, Oldbury Road, Tewkesbury, Gloucestershire, GL20 5LR

Proposed: Erection of Retirement Living Housing for the elderly (category II type accommodation), including communal facilities, landscaping and car parking.

The application proposes 30 retirement living apartments on the Oldbury Road Car Park Site, that has an existing access from Station Street, which is an unclassified road subject to a 30mph speed limit.

I note that many representations have been made against the application, highlighting concerns regarding the loss of 96 car parking spaces at Oldbury Road Car Park and that these spaces are considered to be of value in providing flood free spaces at times of flooding around Tewkesbury Town Centre where other car parking availability may be under pressure.

In 2014 Gloucestershire County Council undertook a review of parking in central Tewkesbury to quantify parking issues in the town and understand travel patterns and parking behaviour. Highlights from this report have been attached as Appendix 1 & 2 clearly showing the availability of spaces.

The review found that long stay accounts for a relatively small percentage of capacity usage across the town whilst short stay accounts for the majority. Whilst there is variation between usages of individual car parks, **in general terms there is no capacity problem** there being generally spare capacity across all zones however **the optimum capacity is approximately 60-70% to allow turnover**. Spring Gardens is the largest car park and the capacity is based on average (220 spaces) as the survey was carried out on market days to reduce the capacity to 182 spaces.

INVESTORS IN PEOPLE

www.gloucestershire.gov.uk

Closure of Oldbury Road Car Park

The proposed development site will occupy the Oldbury Road Car Park site which will see a loss of 96 spaces. The loss of parking spaces in this car park will result in vehicles being displaced to other car parks in the locality. For the purpose of determining the impact of displacement, I have considered the impact this will have and the available capacity at two adjoining car parks being Spring Gardens with an average capacity of 220 spaces (actual capacity of 286 spaces) and Bishops Walk (capacity of 45 spaces).

Having considered the results of the 2014 review and taking into account the likely car parking displacement resulting from the closure of Oldbury Road Car Park, I consider that the remaining optimum capacity for Spring Gardens and Bishops Walk would be approximately;

- Monday to Friday - 42% non market days and 36% market days
- Saturday(s) 34% non market days and 22% market days.

My assessment has only taken account of capacity at Spring Gardens and Bishops Walk, whereas the 2014 review indicates available capacity throughout the town. Therefore the vehicle displacement from the loss of Oldbury Road car park spaces is likely to be more evenly spread than what has been stated above. **Therefore I consider the loss of parking spaces at Oldbury Road Car Park site would not have a severe cumulative impact on parking capacity in the town.**

Accessibility

The proposed site is centrally located in Tewkesbury Town centre and within walking distance to many bus services and accessible to many local amenities and social amenities, including public houses, community centre, a library, shops and many employment sites. There is a good standard of pedestrian footways and adequate cycling accessibility. I consider that the opportunities for sustainable transport modes have been taken up given the nature and location of the site in accordance with Paragraph 32 of the NPPF.

Vehicular Access & Visibility

The proposal shows an amended access from the Station Street access. No visibility splay has been submitted that sets out what the appropriate level of visibility will be achieved. However I have reviewed the site, and visibility splays of 2.4m x 54m can be achieved, this is sufficient for a road subject to a 30mph speed limit. Therefore I consider the proposed access would be safe and suitable

Pedestrian Access, Footway & Drop Kerb Crossings

The main pedestrian access is shown to be from the front of the development facing Oldbury Road and Station Street and is set back and clear of the existing footway.

The site fronts existing footways; there are two drop kerb tactile paving crossings along Station Street. It is considered that these should remain to service the on-street parking and disabled parking along this length of road so as to continue to provide access to Spring Gardens Car Park which serves in part as a market site on Wednesday and Saturdays. The access adjoining the northern boundary of the site fronting Oldbury Road will need to be permanently closed and the footway and dropped kerb reinstated.

I consider that the site is centrally located in Tewkesbury Town centre and is within walking distance to many bus services and accessible to many local amenities and that there are good standard of footways and pedestrian crossing linking the site. Therefore I consider that a Non Motorised Users (NUM) audit is not required.

Vehicle Parking

It is proposed to provide 20 parking spaces for the site, it is noted that there is no provision shown for designated disabled parking bay. Manual for Streets (MfS) recommends that 5% of residential car-parking spaces should be designated for use by disabled people; therefore consideration should be given to have at least one parking space allocated for disabled parking.

I have considered both the Residential Car Parking Research (CLG)) and the Office of National Statistics – Neighbourhood Statistics 2011 Census and considered that that car parking provision is suitable for occupiers of later living apartments and shared facilities are likely to have a significantly reduced level of car ownership.

Having considered the application, the development plan, the NPPF and the needs of the applicant, balanced against that the residual cumulative impacts of development not being severe, **I recommend that no highway objection be raised subject to the following Conditions being attached to any permission granted;**

(1) - *No works shall commence on site until details of the amended vehicular access has been submitted to and approved in writing by the local planning authority. The approved access shall be implemented in accordance with the approved details prior to beneficial occupation of the development and maintained as such thereafter.*

Reason: To reduce potential highway impact by ensuring the access is suitably laid out, that there is a satisfactory access at the commencement of construction works and constructed in accordance with paragraph9s) 32 and 35 of the NPPF and TBC LP Policy TPT1

(2) - No beneficial occupation of the approved building(s) shall occur until the vehicular access from Station Street has been laid out and completed with the visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road at least 54m distant in both directions (Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0mat the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph(s) 32 and 35 of the NPPF and TBC LP Policy TPT1.

(3) - No beneficial occupation shall occur until the vehicular parking facilities have been provided in accordance with the submitted drawing no 1984_ 1_ 02 and shall be maintained available for that purpose thereafter.

Reason: To reduce potential highway impact in accordance with paragraph 39 of the NPPF and TBC LP Policy TPT12

(4) - Prior to any beneficial occupation the existing accesses to the site from Oldbury Road shall be permanently closed, and the footway/verge in front reinstated, in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: - To reduce potential highway impact by ensuring there is no further use of an access that is deemed to be unsuitable to the serve the development and in accordance with paragraph(s) 32 and 35 of the NPPF.

(5) - No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

i. specify the type and number of vehicles;
ii. provide for the parking of vehicles of site operatives and visitors;
iii. provide for the loading and unloading of plant and materials;
iv. provide for the storage of plant and materials used in constructing the development;
v. provide for wheel washing facilities;
vi. specify the intended hours of construction operations;
vii. measures to control the emission of dust and dirt during construction;
viii specify the access points to be used and maintained during the construction phase(s);

Reason: To reduce the potential impact on the public highway and in accordance with paragraph 32 of the NPPF and TBC LP Policy

Informatives

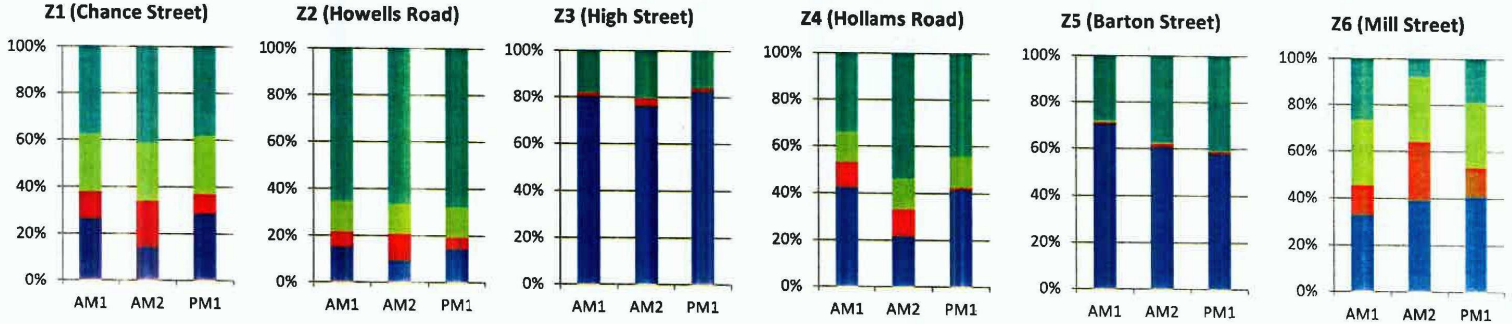
(1) The proposed development will require works to be carried out on the public highway together with the amending the existing vehicle crossing and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including appropriate bonds) with the Local Highway Authority, (Gloucestershire County Council), before commencing works on the development. Further details can be viewed at http://www.gloucestershire.gov.uk/mfgs

Yours sincerely,

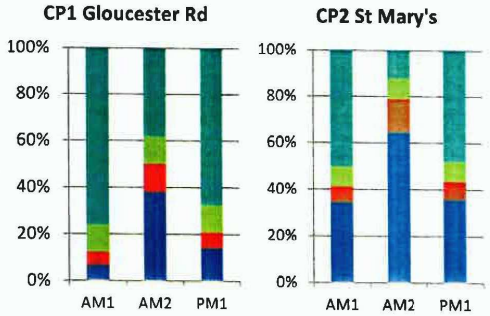
Owen Parry

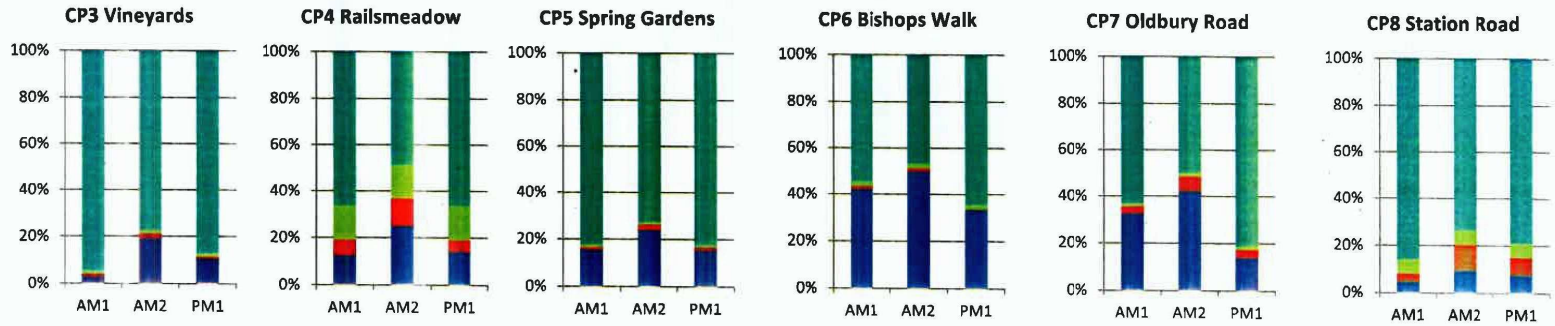
Development Management

Parking Survey Tewkesbury – How many vehicles were parked, and for how long? (weekday average)



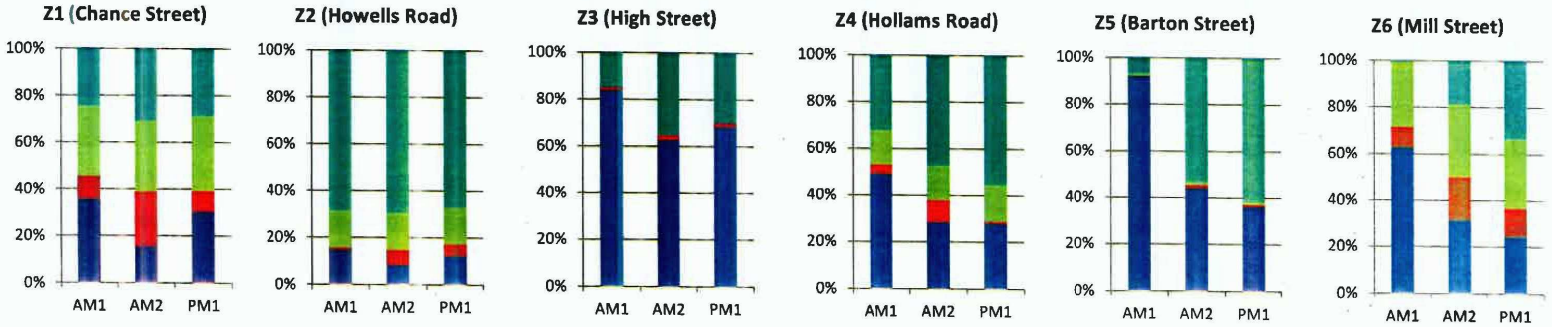
- The graphs show how much of the available parking capacity in each zone was occupied by short, medium and long stay parking throughout the day.
- The results show that on-street parking is most congested in the High St and Mill St (However, Mill St has very low capacity). Generally there is spare capacity across all zones however the optimum capacity is approximately 60 -70% to allow turnover.
- Long-stay parking accounts for a relatively small percentage of capacity usage across the town, whist short stay accounts for the majority.
- Whilst there is variation between usage of individual car parks, in general there is no capacity problem.
- St Mary's is the car park closest to being full, though this is potentially due to the doctors surgery opposite.
- Spring Gardens is the largest car park and the capacity is based on the average (220) as we surveyed on market which reduces the capacity to 182.
- The car parks least utilised throughout the survey were Vineyards and Station Road.



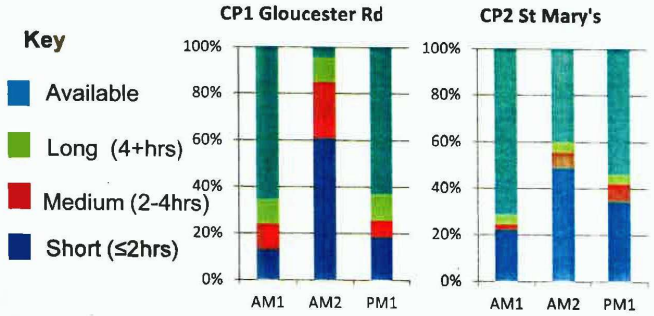


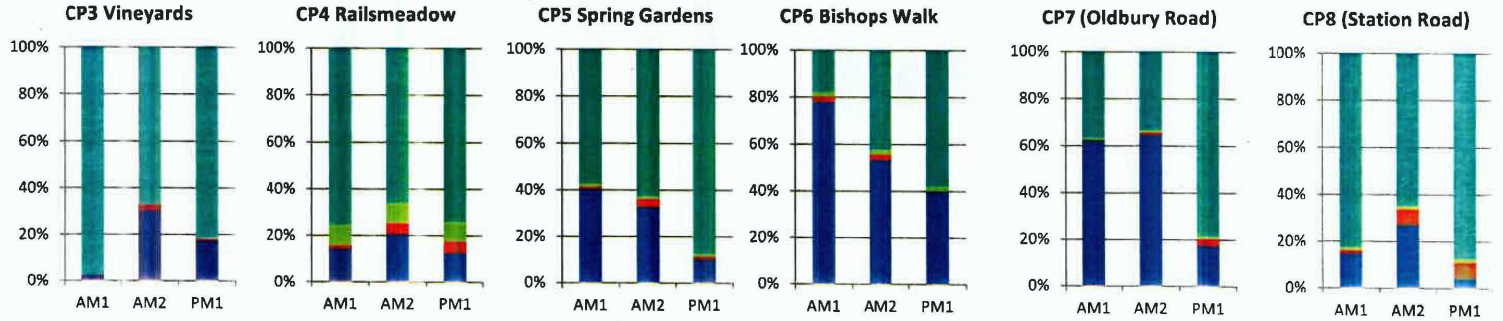
APPENDIX 2.

Parking Survey Tewkesbury – How many vehicles were parked, and for how long? (Saturday)



- The graphs show how much of the available parking capacity in each zone was occupied by short, medium and long stay parking throughout Saturday.
- The results show that on-street parking is more congested throughout all zones compared with the weekday average.
- Generally there is greater long stay parking, likely a result of more residents being home at the weekend.
- A few zones push above the 60-70% optimum, notably in the High St/Barton St accounted for by higher short stay use of local shops.
- Whilst there is variation between usage of individual car parks, in general there is no capacity problem.
- Those car parks serving the high street shops and market are shown as having high occupancy (Spring Gardens, Bishops Walk and Oldbury Road). There is also greater use of the Gloucester Road car park, perhaps as a result of the majority of visitors coming from the southwest and or visitors to the Abbey.
- Again the car parks least utilised throughout the survey were Vineyards and Station Road.





Item 1 Page 1 – Two letters from Members of public

Tipyn o Gymru
Northway Lane
Tewkesbury
GL20 8HA

Customer Services
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury GL20 5TT **By email before 9:30am 4 June 2015**

4 June 2015

Dear Sirs

FORMAL COMPLAINT and
NOTICE OF POTENTIAL JUDICIAL REVIEW PROCESS in the matter of:

Planning Application: 14/00876/FUL - Redevelopment Oldbury Road Car Park

Summary

The Authority (Tewkesbury Borough Council - hereafter TBC) has wilfully excluded important information from the Planning Application decision making process.

TBC has a conflict of interest in that the Planning Application is partly driven by TBC's declared desire to sell off so called "underutilised" public assets, clear contrary information has been excluded / suppressed by TBC.

Most recently this is evidenced in the Planning Agenda Item 5a dated 1 June 2015:

TBC inform in 5.16

"Sufficient Levels of parking can be maintained in the Town should the Oldbury Road Car Park Close"

> TBC fails to disclose that it's officers acknowledge that there is already a shortage of parking at peak times and that the nature of this Market / Tourist Town's parking demand requires sufficient capacity to meet peaks, without which the Town economy would decline. (eg: correspondence TBC's Simon Dix - copies on request)
>
> TBC excludes the impact of regular flooding (up to 3 months each year) on parking, that is the loss of up to 347 parking spaces in 4 low lying car parks and fails to provide any information how this loss would be made up (ref: Town flooding records - copies on request)

TBC has excluded that "Oldbury Road Car Park" is one of 3 Flood Safe car parks (392 spaces average), a vital resource in a Town that has regular flooding and as a result a shortage of parking.

TBC further informs in 5.16:

"the relocation of the Leisure Centre [from town centre to out of town] will further reduce the use of car parking"

TBC relies upon the closure of the existing Town Centre Leisure Centre and perhaps it's demolition (undisclosed) and change to a car park. TBC does not disclose that the Town Centre Leisure Centre may not close. It is owned and controlled (in trust until 2068) by the Town's People (not TBC), no such decisions have been made.

If the Town's people did decide to release the property to TBC and it was not used for another purpose needing parking, it could be years before change took place. It certainly could not replace vital parking at this time and into the near future.

TBC inform in 4.3 and 4.4 about numerous elements of current Official Local Plans:

TBC fails to disclose that the preservation of the existing town centre car parking is called for, which includes Oldbury Road Car Park, (this parking being recognised as a vital resource).

TBC excluded numerous written objections from the Planning Process:

Not acknowledged, nor posted in the Planing Portal despite reminders, for example, those received by TBC 19 May 2015 headed:

- The Applicant has failed to provide Adequate Parking
- The proposed design is not practical and is Unsafe for Aged Residents
- The Shortage of Mobility and Access Facilities
- The implied change of use from a Vital Town Centre Car Park to Residential

TBC is duty bound to consider “correct and complete” information for any decisions it makes. Decisions are “void where information is not correct or incomplete” (Ref: R. v Canterbury City Council ex parte Springimage - JPL 1993, and numerous other precedents).

"Balanced reports should be presented... ...Imbalanced reporting will invalidate any decision” (Ref: R. v Teeside Development Corporation ex parte William Morris Superstore PLC & Redcar & Cleveland Borough Council - JPL P.23 1998, and numerous other precedents).

Injustice

TBC has failed in it's duty to provide balanced reporting in this application.

TBC has breached it's own constitution Article 12 (the requirement to clearly examine and consider complete information)

TBC fails to report and thus conceals the decline in overall revenue the proposed development would introduce, contrary to sustainability and growth principals.

TBC's reported parking argument justification partly relies on the assumed closure of the existing Town Centre Leisure Centre / release of property, a decision that has not been made and a long way off if it was.

Desired Outcome

Immediate suspension of the planning process until complete and balanced reporting enables proper decision making.

Yours faithfully.

Simon and Melanie Hopkins

CC: TBC Officers, Councillors and Stakeholders

Tipyn o Gymru
Northway Lane
Tewkesbury
GL20 8HA

Miss J Desmond (Senior Planning Officer) & Customer Services
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury GL20 5TT **By email before 9:30am 5 June 2015**

5 June 2015

Dear Sirs

FORMAL COMPLAINT and
NOTICE OF POTENTIAL JUDICIAL REVIEW PROCESS in the matter of:

Planning Application: 14/00876/FUL - Redevelopment Oldbury Road Car Park

Further to our letter 4 June 2015, another important matter has arisen.

Without Prejudice to the required "Immediate suspension" of the Application:

We refer to Gloucester Highways very late Recommendation dated the 1st June 2015.

We insist you advise every member of the Planning Committee and TBC Officers immediately that this document is deceptive in so far as the car park survey relied upon (March 2014) does NOT reflect real use of the Town car parks.

This survey and method was previously the subject of correspondence between TBC (Simon Dix) and wvpTV on 7th april 2014 (copy below).

TBC did not dispute, effectively agreeing that the survey TBC relied upon and published misreported true use of the car parks, there being clear contrary evidence from the same time. In summary TBC claimed the car park was just 64% utilised, the real figure shown in photo evidence 90% (at 1:30pm).

This survey (Recommendation) has apparently appeared again at the last moment and has not been disclosed to the Public (as far as we know) to enable consideration and any rightful challenge. Please explain why?

Yours faithfully.

Simon and Melanie Hopkins
CC: TBC Officers, Councillors and Stakeholders

WVPtv.co.uk
Web Video Production TV
On Demand TV and Programme Making
Tipyn o Gymru, Northway Lane, Tewkesbury, GL20 8HA UK
Tel: +44 0845 475 3625

URGENT: Simon Dix
Group Manager for Finance & Asset Management
Tewkesbury Borough Council
Gloucester Road
TEWKESBURY GL20 5TT **Email only**

7 April 2014

Dear Simon

Tewkesbury Car Park Data 2008 to 2014 (Sale Of Oldbury Road Car Park)

Many thanks for the car park data, we are sorry to say there are some problems with it and substantial data is missing (see further down).

Unfortunately it appears your "Useage review - March 14 - working group" document is substantially misleading. The document does not disclose time of observation, it's simply vague. Observations are dated 24 to 30 March, but the report name says March 14.

If the exact time of observation was included your observations could be adjusted to the standard use profile which could make your numbers more accurate.

As it happens we photographed the Spring Gardens car park on Saturday 29 March 2014 at the peak time of 1:30pm the same day as your observation. Our photos show there were only 24 spaces free which were constantly changing (many coming and going). You should know there has to be an element of free space to prevent car park grid lock. Accordingly the car park was in excess of 90% utilised at 1:30pm (your figure 64%). Let us know if you would like to receive the photo set.

At the same time there were only two spaces free in the Oldbury Road car park, again these were constantly changing, thus Oldbury Road was effectively 100% utilised (your figure 80%).

You claim March is 106% of an average month based upon two years data, but you do not disclose the years or the method of calculation, this is as much use as no use and thus potentially misleading. Historically (2004 to 2008) peak months are 25% to 67% higher than March (subject to events, weather and holiday dates), Peak days and weekends are higher again, eg: days in May, June and July.

The same problems may exist in all the data presented to the Strategy Group. We will get back to you more definitively once we have processed the new data you have just sent with that which is missing when we receive it.

Missing Data

Can you please get this to us as soon as possible.

- All Off Street Car Parking Permit sale data (and break down) is missing for the entire period (Jan 2004 to March 2014). We know the annual cash sale equivalent is +70.67% of cash sale ticket revenue in 2008 (from TBC's Audit).

- The spread sheet named “Car Park Ticket Sales March April May 2013” does not include such data, there's simple a single page summary with no period (month name blank and two further blank sheets)

- There's no data after February 2013 for car park cash sales.

Please Confirm

Can you please confirm what if any adjustment or consideration has been made for car parking during flooding at any time and if so please detail.

Can you please confirm that all the Car Park Cash Sale Data you have provided has passed Auditing and similarly for the Off Street Car Park Permit Sales data that you will provide.

Can you please also confirm which Private and Other Car park owners / controllers have agreed to provide long term future parking for the public and disclose the existence of any agreements and time limits that may have been agreed with TBC or GCC.

Please confirm receipt of this letter by return.

This letter has been sent by email (Simon.Dix@tewkesbury.gov.uk)

Thanks for your help, best wishes

Simon Hopkins
for wvpTV tel: 0845 475 3625
CC by email: Car Parking Strategy Group, Stakeholders and others

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	Tuesday 7 July 2015
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Rachel North, 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 recent Communities and Local Government (CLG) Appeal Decisions.

Recommendation:

To CONSIDER the report

Reasons for Recommendation:

To inform Members of appeals that have been submitted and 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 decision has been issued by the First Secretary of State of CLG:

Application No	14/01036/FUL
Location	29 Bryerland Road, Witcombe, GL3 4TA
Appellant	Mr S Ratcliffe
Development	Proposed bungalow
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	**Dismissed**
Reason (if allowed)	
Date	08.06.15

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

Contact Officer: Marie Yates, Appeals Administrator
01684 272221 Marie.Yates@tewkesbury.gov.uk

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**
14/00484/FUL	2 Station Road Bishops Cleeve GL52 8HH	Demolition of existing garage and erection of new detached bungalow.	31/03/2015	W	HMS	07/05/2015
14/00747/OUT	Land To The West Of Willow Bank Road Alderton Tewkesbury Gloucestershire	Outline application for the erection of up to 53 dwellings and associated works including means of access.	31/03/2015	I	JBD	07/05/2015
14/01086/FUL	Land Adjoining 27 Court Road Brockworth Gloucester Gloucestershire GL3 4ES	Construction of a single storey dwelling (revised scheme to 14/00424/FUL)	02/04/2015	W	MAT	N/A
14/00211/OUT	Land West Of Bredon Road Tewkesbury	Outline application for residential development on land west of Bredon Road with associated open space and new access	21/05/2015	I	JBD	24/06/2015
14/00414/FUL	Land East Of Willow Bank Road Alderton Tewkesbury GL20 8NJ	Development of 24 dwellings, access, landscaping and other associated works at land adjoining Willow Bank Road.	10/04/2015	I	JWH	15/05/2015
14/01129/FUL	26 Drews Court Churchdown GL3 2LD	Conversion of existing single storey bungalow to a two storey residential property with new roof over and new two storey kitchen and garage extension to side and rear elevations - revised scheme	05/05/2015	H	MAT	N/A

Advanced Site Visits Briefing

The following applications have been identified as ones which will be subject to a Committee Site Visit on the Friday prior to the Planning Committee meeting at which they will be considered:

Reference No.	Site	Description of Development
15/00295/FUL (Planning Committee – 7 July 2015)	82 Gretton Road, Winchcombe	Proposed new dwelling on land to the rear of Number 82 Gretton Road, Winchcombe
15/00482/FUL (Planning Committee – 7 July 2015)	Spring House Langley Hill Farm Harveys Lane Winchcombe	Carry out extensions to existing farmhouse to accommodate two new bedrooms en-suite, enlarged lounge and kitchen, utility room, new entrance hall and conservatory to dining room
15/00251/FUL (Planning Committee – 7 July 2015)	33 Orchard Road, Winchcombe	Proposed single storey extension and garage extension. Loft conversion with new dormer to provide additional bedroom and en-suite.
15/00504/FUL (Planning Committee – 7 July 2015)	Cock Robin Farm, Winchcombe	Erection of a replacement dwelling
15/00228/FUL (Planning Committee – 7 July 2015)	Land At Headlands, Mill Lane, Prestbury	Full Planning Application for an Exceptional New Dwelling ('Headlands')
13/01003/OUT	Land South Of The A46 And North Of Tirle Brook, Ashchurch	Outline planning application (with all matters reserved except access) for proposed garden centre, retail outlet centre and ancillary facilities together with associated infrastructure works including access), car parking and landscaping.

Reference No.	Site	Description of Development
14/01245/OUT	Land Off Aston Fields Lane, Ashchurch, Tewkesbury	Outline application for residential development (up to 550 dwellings), potential site for primary school, ancillary facilities, open space and landscaping. (Including means of vehicular access from Aston Fields Lane).
14/00838/FUL	Land To The West Of Farm Lane, Shurdington	Full application for residential development comprising 376 dwellings, including access and associated infrastructure.
15/00166/OUT	Land At Stoke Road, Bishops Cleeve	Outline Planning Permission for up to 300 dwellings and A1 convenience retail store of up to 200 sq m, with associated open space and landscaping with all matters reserved, except for access.
15/00638/FUL	Hill Barn, Dryfield Meadow, Cheltenham Road, Winchcombe	Extension to residential property