

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 27 October 2015
commencing at 9:00 am**

Present:

Chairman
Vice Chairman

Councillor J H Evetts
Councillor R D East

and Councillors:

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

also present:

Councillor D J Waters

PL.38 ANNOUNCEMENTS

- 38.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 38.2 Members were reminded that the Council had resolved to introduce a Scheme of Public Speaking at Planning Committee for a 12 month period, starting with the new term of the Council in May 2015, which had therefore commenced with the meeting on 9 June 2015. The Chairman gave a brief outline of the scheme and the procedure for Planning Committee meetings.

PL.39 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 39.1 Apologies for absence were received from Councillors R A Bird and Mrs M A Gore. Councillors Mrs R M Hatton and H A E Turbyfield would be acting as substitutes for the meeting.

PL.40 DECLARATIONS OF INTEREST

- 40.1 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.

40.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
Mrs G F Blackwell	15/00374/FUL 11 Kaybourne Crescent, Churchdown.	Lives in a neighbouring property.	Would not speak or vote and would leave the Chamber for the consideration of this item.
M Dean	15/00764/FUL Part Parcel 2363, Butts Lane, Woodmancote. 15/00744/FUL The Meadows, Butts Lane, Woodmancote.	Is a Borough Councillor for the area.	Would speak and vote.
Mrs A Hollaway	15/00764/FUL Part Parcel 2363, Butts Lane, Woodmancote. 15/00744/FUL The Meadows, Butts Lane, Woodmancote.	Is a Borough Councillor for the area.	Would speak and vote.
Mrs P E Stokes	14/01169/FUL 77 Cheltenham Road East, Churchdown. 15/00374/FUL 11 Kaybourne Crescent, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
P D Surman	15/00242/OUT Manor Farm Buildings, Alstone.	Had previously lived at the property and had known the applicant for many years.	Would not speak or vote and would leave the Chamber for the consideration of this item.
R J E Vines	15/00907/FUL The Uplands, Dog Lane, Witcombe.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

40.3 It was noted by the Chairman that all Members of the Committee would have received correspondence in relation to various applications on the Planning Schedule but they did not need to declare an interest where they had not expressed an opinion.

40.4 There were no further declarations made on this occasion.

PL.41 MINUTES

41.1 The Minutes of the meeting held on 29 September 2015, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

PL.42 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

Schedule

42.1 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.

15/00242/OUT – Manor Farm Buildings, Alstone

42.2 This was an outline application for 15 dwellings, including four affordable homes, with all matters reserved apart from access. The Planning Officer explained that there had been a late request from the applicant to make an amendment to reduce the number of dwellings to six with all matters reserved. It was considered that this was a significant change which would require a fresh application to be submitted as the supporting information would all need to be updated and relevant consultees would need to be consulted on the amended scheme, which would also be subject to public consultation. Clear advice had been provided throughout the application process and the Officer view was that the application which should be determined by Members was the one before them on the papers.

42.3 The Chairman invited Phil Collins, speaking against the application, to address the Committee. Mr Collins indicated that he had been a resident of Alstone for over 40 years and had chaired the Parish Council for over seven years. The Planning Officer's report covered a wide range of issues and he wished to emphasise those which would particularly impact on the village environment. Over the last 15 years there had been pressure to build outside Alstone's established limits, both at the north west end, where this application was proposed, and at the south east end. The village boundary and Cotswold Area of Outstanding Natural Beauty were under threat and, so far, the Council had resisted that pressure and its decisions had been vindicated at appeal. If Members were to grant permission at this site it would surely be used as a precedent to permit even further encroachment. The average size of a plot in Alstone was about half an acre, or 0.2 hectares. The proposal before Members was to locate no less than 15 dwellings on just under 0.6 hectares which was five times the density of the existing population of houses; the proposal was to increase the number of houses by 38%. The existing houses were stone, Bradstone, half-timbered, brick and wood clad construction, with 15% of them being listed, and the proposed high density design of uniform modern houses was totally alien to the setting. The Planning Officer's report exposed the flaws in the so called 'public participation' carried out by the applicant. The Parish regularly saw new barns and yard areas being constructed for cattle accommodation and yet this proposal was to demolish farm barns and hardstanding which he felt surely could not be right. The proposal before the

Committee was a proposition to challenge the village boundary, encroach on the Area of Outstanding Natural Beauty and swamp the existing community and he urged Members to endorse the recommendation of the Planning Officer and refuse the application.

- 42.4 The Chairman invited the applicant, James Brown, to address the Committee. Mr Brown indicated that the application before Members was an outline application for 15 houses and the details had received considerable support at an open day last November which had been attended by approximately 100 people. The overall result of the proposal would be to improve the scene within a beautiful area, and reduce the heavy goods traffic to and from the site to virtually zero which would have a positive impact on residential amenity. The site had a chequered history of commercial use dating back to 1996 and much of the land he farmed was not suitable for modern machinery with lorries being needed to bring produce to and from the site. It was noted that the site had been used as a commercial haulage yard since 2002 which had been adopted as a form of farm diversification. The common theme at the Parish Council meeting in July had been that the proposed scheme comprised too many houses which would spoil the village of Alstone, however, he strongly believed that the overall feeling was that the development would be welcomed. His agent had attempted to work with Officers to reduce the number of houses to 10 but, most regrettably, due to a lack of time and resources, it had not been possible to deal with this request and, as such, a decision had been taken that it would be beneficial to the local Parish to reduce the number of houses to six. His architect had been instructed to amend the scheme on that basis and it had been provided to Planning Officers the previous day. He hoped that the scheme could be shown to Members today and he suggested that they might wish to consider deferring the application for a site visit in order to make an informed decision.
- 42.5 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. In light of the Ministerial Statement regarding the development of redundant farm buildings, a Member sought a view from the Planning Officer as to whether a reduced number of dwellings would be considered more favourably. The Planning Officer explained that the Ministerial Statement related to the conversion of existing farm buildings, however, there was no intention to re-use any of the existing buildings within the current proposal. The scheme would see the redevelopment of the whole site, from a farm complex to a housing site, and the principle needed to be carefully considered. Alstone had not been identified for new housing development and it had no facilities or services. There had been a recent refusal by the Planning Committee for a smaller scheme on the edge of the settlement and the objections would be difficult to overcome in terms of new housing. The Member went on to indicate that there was a will from the Government to increase the number of houses being built. He found it strange that residential development was taking place in Teddington, Toddington and Alderton, which were all isolated villages. He felt that something could be developed on the site and that there may be a way of accommodating housing there in future.
- 42.6 A Member questioned if there was any merit in visiting the site to have a look at the situation on the ground. The Chairman felt that it should be borne in mind that the applicant had indicated that he intended to reduce the number of dwellings to six and he suggested that it would be more appropriate to wait until a fresh application had been submitted rather than to look at the site without having the relevant information. The Member was anxious to prolong the dialogue with the applicant, however, he was happy to wait for the new application to be submitted provided that it was included on the Committee Site Visit list once it was received. A Member raised concern that the affordable housing provision would suffer as a result of the reduction in the number of dwellings, which was a particular concern

in areas such as Alstone where young people would be very unlikely to be able to afford to pay the market price and may be forced to move away from the area they had grown up in as a result. In response, the Development Manager confirmed that the threshold for affordable housing provision was five dwellings, however, he reminded Members that this should not be a discussion based on an application for six houses as that was not what the Committee was being asked to consider today. Whilst he had agreed with some of the sentiments raised by Members when considering the Alderton applications a few months earlier in terms of not allowing villages to die, he reminded Members of the importance of developing sites through the plan-led process to safeguard against opening the floodgates for further development, particularly for a site such as this which was located on the edge of the Area of Outstanding Natural Beauty. He absolutely agreed that affordable housing should be delivered where it was needed but that this should be done in a planned and controlled way. In response to a Member query, clarification was provided that the application site was located in the Area of Outstanding Natural Beauty and outside of a recognised settlement boundary.

42.7 Upon being put to the vote, it was

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

15/00527/FUL – Red House Farm, Copse Green Lane, Elmstone Hardwicke

42.8 This application was for a change of use from an old dairy to a dwelling house, including partial demolition of the existing dairy store, removal of the adjacent side part of the steel Dutch barn and part rebuilding of the collapsed old dairy. The Committee had visited the application site on Friday 23 October 2015.

42.9 The Chairman invited the applicant, Ruth Powell, to address the Committee. She thanked Members for the opportunity to make representation supporting the planning application, on behalf of herself and her husband. The process had been ongoing for the past 12 months and she genuinely felt that the proposals would fit squarely within the spirit of planning guidelines and would enhance the character and appearance of the immediate, somewhat derelict, farmyard area by careful, considered conversion and reinstatement of the agricultural building. They were the fourth generation of the family to live and farm at Red House and the opportunity to create a new family home would help to secure the holding for future generations. The substantial part of the building remained in place, although one section of the roof had collapsed since the start of this planning journey. For those parts of the building where the roof was no longer present, the existing foundations clearly marked out the original footprint, being a continuation of the building now seen. The proposal remained within the original footprint as confirmed by the aerial photograph included in the application, and omitted by the Planning Officers from the summary presented to Members today. They had been advised and encouraged by Officers to submit their proposals in a full planning application which they had done in May that year. Both this and their previous application had received positive support from neighbours and the local community, with no objections raised by either the Parish Council or Gloucestershire County Highways. Part of the adjoining Dutch barn would be removed, benefiting the appearance of the whole yard by providing separation between the two buildings. The area proposed to be removed was greater than the area of roof required to be reinstated. It was important to point out that the dairy sat in a hollow within the landscape, meaning that it was not visible from surrounding roads or footpaths. She indicated that they intended to respect absolutely the agricultural character of the building and they had discussed the aspect of the proposed windows at their meeting in July, reaching agreement which would ensure that the building would look like a barn. The intention was to retain all aspects that made it agricultural; it was not, and never had been, proposed to be a new building in the countryside as suggested by Officers; if a new house was being designed it would certainly not

look like their proposal. The retention of the agricultural character would help counterbalance the recent nearby development of a large, modern, portal-framed grain store. The Officer report stated that the proposal would harm the landscape and would be detrimental to the rural character of the site, however, they failed to understand how the conversion of a historic, agricultural building, ensuring its future survival, could be viewed in anything but a positive manner. The National Planning Policy Framework supported appropriate development; the proposal would lead to an enhancement of the immediate setting and was not proposed in open countryside. The proposal was to reinstate the original building, sympathetically convert to a dwelling, and protect and conserve the character of the rural landscape, and they did not see the conflict identified by the Planning Officers.

- 42.10 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 permitted. The proposer of the motion indicated that the applicant had been very clear in her statement about what was involved and he found it to be an acceptable scheme which fitted with the spirit of the Ministerial Statement about the reuse of redundant farm buildings. He felt that Members would be foolish to refuse the application. The seconder of the motion considered that the buildings were worthy of conversion and that it could be a very nice site, however, he questioned whether it would be possible to add a condition to ensure the complete removal of the old tin barns from the site which would result in a smaller footprint. The Planning Officer confirmed that, if Members were minded to permit the application, it would be possible to stipulate the removal of the buildings via condition and this would be considered to be reasonable if Members felt that it would be appropriate.
- 42.11 A Member indicated that it would be helpful for the Planning Officer to clarify the Council's position on the conversion of redundant barns and farm buildings. The Planning Officer advised that Policies AGR6 and AGR7 of the Tewkesbury Borough Local Plan encouraged the re-use of rural buildings and stated that they should be capable of conversion to the proposed alternative use without substantial alteration or extension to their original structure. There was an objection in principle in terms of the Council's own policy as the significant extensions and rebuilding works proposed were considered to be tantamount to a new dwelling in an area where new building would not normally be allowed.
- 42.12 A Member indicated that, whilst she was supportive of the motion to permit the application, she did not agree with the condition which had been suggested in relation to the complete removal of the barns given that this was a working farm which would require buildings. Another Member supported this view and indicated that barns could act as natural landscaping and would ensure that the development could be identified as a farm in the scenery. He did not feel that the removal of the barns should be insisted upon. In light of the views expressed, the seconder of the motion confirmed that he did not wish such a condition to be included. The Chairman suggested that, if Members were minded to permit the application, they may wish to consider the inclusion of conditions to ensure the use of reclaimed brick and to remove permitted development rights. A Member expressed the opinion that Officers had made a correct recommendation given that the proposal included an element of new building in the countryside, however, in reality it was an on balance decision and he found the proposal to be acceptable. He concurred that reclaimed brick should be used in keeping with the rest of the buildings and he felt that this was a critical condition. The Development Manager

recommended that conditions be included in relation to the use of reclaimed brick,

access/visibility, joinery details, rooflight details and the removal of permitted development rights and the proposer and seconder of the motion confirmed that they would be happy to amend their motion on that basis.

42.13 Upon being taken to the vote, it was

RESOLVED That the application be **PERMITTED** subject to conditions relating to materials (reclaimed brick to be used); access/visibility; joinery details; rooflight details; and, removal of permitted development rights.

15/00944/FUL – Bragman’s Croft, Great House Lane, Hasfield

42.14 This application was for a two storey extension to the existing dwelling to provide enlarged living accommodation.

42.15 The Chairman invited the applicant’s agent, Andrew Winstone, to address the Committee. Mr Winstone noted that the Officer’s report was thorough and balanced and found in favour of the proposals. The report correctly identified the 2013 appeal decision as being a new material planning consideration with regard to the assessment of any impacts on the setting of the listed Primrose Cottage. Consistent with that decision, the Conservation Officer had not raised any objections to the application. It was also important to note that Hasfield Parish Meeting did not object to the application. With regard to the issue of landscape impact, Policy LND3 was interpreted not as imposing a bar on new development, even where it was visible from viewpoints. The proposed extension had been designed to be clearly subservient to the main house in terms of its scale and lower ridge line, and it would project no closer to Primrose Cottage than the previous linked garage and breakfast room that it replaced, thereby maintaining the visual gap between the properties. Members would have seen from the plans that the design incorporated simple gables in keeping with the house, and matching external materials would be used. The applicants were aware that a lawful development certificate issued by the Council in 2012 enabled a more substantial single storey extension to be added to the eastern side of the house under permitted development rights. However, that would noticeably reduce the gap between the house and Primrose Cottage and, in visual terms, would detract from the integrity of the house. That solution was not favoured by the applicants as it would simply spoil the house. Instead the extension proposed in the current application was more compact in terms of footprint and was fully in keeping with the house with regard to its design, scale and proportions. Officers had been advised that the applicants would be agreeable to a planning condition requiring the planting of strategically placed clumps of native trees consistent with the prevailing landscape character which, over time, would lessen views of the development, if that was considered necessary. The reservations expressed previously about extending the property were acknowledged, however, it was firmly believed that, in this case, the proposed extension would not have a demonstrable detrimental visual effect on the landscape setting of the Severn Vale. The proposed extension would greatly assist the applicant’s family circumstances and accommodation needs, and he respectfully asked that the Committee granted planning permission.

42.16 The Chairman indicated that the Officer recommendation was to permit the application and he sought 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.

15/00720/FUL – Land at Ash Lane, Down Hatherley

- 42.17 This application was for village infill development of two detached dwellings. The application had been deferred at the Planning Committee meeting on 29 September 2015 for a Committee Site Visit in order to judge the Green Belt policy issues on the ground. The Committee had visited the site on Friday 23 October 2015.
- 42.18 The Chairman indicated that there were no public speakers for this item. 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. A Member indicated that he disagreed with the motion to refuse the application. He indicated that there had been a lot of debate as to whether Down Hatherley could be considered as a village or not, and whether the proposal would represent infilling. To his mind this proposal would be considered as limited infilling in a village and he felt that would be acceptable in this area. The application had been called-in for Committee determination by the Local Ward Councillor who asked Members to consider the use of the Green Belt in the manner proposed and the precedent this might set for future encroachment. Members were frequently reminded to consider each application on its own merits and, in this instance, he felt that there would be no significant harm in allowing the development as a form of infilling in the area.
- 42.19 The Development Manager explained that there was obvious disagreement between Officers and the applicant in terms of the application of the National Planning Policy Framework which allowed infilling in villages. There was some ambiguity in the policy due to the absence of a definition of a village and there was case law to suggest that, although an area may not be identified as a village in the Local Plan, this did not necessarily mean that it could not be considered to be a village in terms of the National Planning Policy Framework. The applicant had provided some examples of appeal decisions around this subject but the arguments to date had been based on sites which could very clearly be defined as villages which had lots of facilities. It was not felt that Ash Lane fitted within that description as it had never been designated as a village in any documentation and it did not benefit from any of the facilities which would normally be expected in a village. Ash Lane was a private road with approximately 30 residential plots with intermittent gaps of agricultural land between the built developments. It was within the Parish of Down Hatherley, which the Parish Council had referred to as a hamlet. The Parish Council had raised concern that permitting this application would open the floodgates for further development and, whilst each application must be considered on its own merits, there was a danger of creating a new policy if this application was permitted. He emphasised the importance of protecting the Green Belt, and preventing sporadic development within it, and he strongly advised Members to exercise caution when determining an application such as this.
- 42.20 A Member noted that Down Hatherley was referred to as a village within the objections from Down Hatherley Parish Council, set out at Page No. 367 of the Officer report. A Member expressed the view that this was an on balance decision as he was aware that there had been some new building in the area over the last 10 years. He felt that there was an argument to permit the application in order to have some control over the way that the land was developed; he felt that it would be much more dangerous if the gap was not blocked up. Another Member agreed that it would be beneficial to the area to make a continuation of the houses which were already there and he felt that this proposal would complete the vista along the road. The Chairman explained that the Parish Council was particularly concerned that, by permitting development in this area, it would be classifying it as a village which could result in other sites becoming vulnerable and this was something which should be borne in mind when determining the application.

- 42.21 Upon being put to the vote, the proposal to refuse the application in accordance with the Officer recommendation was lost. It was subsequently proposed and seconded that authority be delegated to the Development Manager to permit the application on the basis that the proposed development would represent appropriate development within the Green Belt and would not compromise its character, appearance or openness, subject to the inclusion of conditions relating to materials, access/visibility and site levels. Upon being taken to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application on the basis that the proposed development would represent appropriate development within the Green Belt and would not compromise its character, appearance or openness, subject to the inclusion of conditions relating to materials, access/visibility and site levels.

15/00764/FUL – Part Parcel 2363, Butts Lane, Woodmancote

- 42.22 This application was for the erection of 38 two, three, four and five bedroom dwellings, open space, parking, associated works and new vehicular access from Butts Lane. The Committee had visited the application site on Friday 23 October 2015.

- 42.23 The Chairman invited Councillor John Glass, Chairman of Woodmancote Parish Council, to address the Committee. He indicated that the Parish Council was most concerned by the highways report which considered that the application was acceptable. Previous applications on Bushcombe Lane had been refused by Gloucestershire County Council due to the substandard nature of the road, the width and lack of visibility. On its visit to the site, the Planning Committee had been able to view just how narrow the two lanes were and the lack of any footway for much of the right hand side of Bushcombe Lane when viewed from Bushcombe Close; two vehicles and pedestrians could not occupy the same part of the road at the same time. The 'Manual for Streets' stated that two cars needed at least 4.1m to pass each other in a straight line, or a shared space of 6.8m where pedestrians were present. Gloucestershire County Highways' own response to a previous application confirmed that Bushcombe Lane was only 3.8m wide in places, up to a maximum of 4.2m. There was no room to carry out any meaningful road widening and nothing had changed since Gloucestershire County Highways' previous response. The two proposed footways were short; one from the entrance into the proposed site to the corner of Bushcombe Lane and the other from the corner of Butts Lane to the ramp into the existing Crest site. There was nothing beyond that in a westerly direction. In view of the discrepancies in the Gloucestershire County Highways response when compared with previous responses, the Parish Council recommended that an independent study be carried out; desktop exercises and scoping with the developer was completely unacceptable. The Parish Council hoped that the Committee would agree with the Officer's comprehensive report and refuse this application in the Cotswold Area of Outstanding Natural Beauty.

- 42.24 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. Upon being taken to the vote, it was

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

15/00907/FUL – The Uplands, Dog Lane, Witcombe

- 42.25 This application was for the replacement of two existing dilapidated sheds and barn with a single skin low-level workshop for private use. The Committee had visited the application site on Friday 23 October 2015.
- 42.26 The Chairman invited the applicant, Stephen Hawkins, to address the Committee. Mr Hawkins explained that there were a number of dilapidated sheds stuffed with various types of equipment which were neither secure, weatherproof or rat proof. He had paid for written pre-application advice in March 2015 and had been advised by Planning Officers that planning permission was not required. Building had started in April and he had sent an attachment which showed the timeline of events and helped to explained why the build was already at a mature stage. Unfortunately, he had received an email on 16 August explaining that a mistake had been made and that planning permission was required. The email advised that the application was low risk and it was inferred that it was more a formality and that no additional information was required. He felt that this was a missed opportunity as size should have been flagged up at that point. Frequent contact was retained with the Planning Officer and written assurance had been provided on 6 October 2015 that the application would be recommended for permission at the Planning Committee meeting today. Notwithstanding this, on 19 October, a further email had been received advising that the recommendation had been reversed to refusal. He was grateful that the Planning Officer had corrected the mistake in the report which had originally stated that the footprint would be doubled when in fact the overall increase in the dwelling area was just 5%. The report conclusion stated that no special circumstances existed to outweigh the deemed harm to the Green Belt, however, he begged to differ. The original sheds were rotten and unsightly and three of his neighbours, two living directly opposite, had written in support, stating that the new workshop would be an improvement over the grotty sheds, would reflect the quality build of the house and would not be an apparent increase in size. A review of recently approved applications in Dog Lane would show far larger increases than this application. In summary, the increase in size was much less than originally reported and neighbours had identified that the development would result in an improvement to amenity.
- 42.27 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 permitted. The proposer of the motion stressed that the application was to replace dilapidated sheds rather than to create a new building. He did not feel that this would be a disproportionate addition to the dwelling which was the basis of the refusal reason put forward by Officers. He could not see how the proposal would change the open character of the area and he considered that it would enhance the Area of Outstanding Natural Beauty as it would be an improvement on the existing buildings. A Member endorsed those views and indicated that he was satisfied that there would be no adverse impact on the Green Belt. Upon being put to the vote, it was

RESOLVED

That the application be **PERMITTED** as the proposal did not constitute a disproportionate addition to the dwelling and would not be detrimental to the open character of the Green Belt.

14/01169/FUL – 77 Cheltenham Road East, Churchdown

- 42.28 This application was for the erection of four terraced dwellings. The Committee had visited the application site on Friday 23 October 2015.
- 42.29 The Chairman indicated that there were no public speakers for this item. 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 refused on the basis of the 2.5 storey element of housing which was proposed as this would be out of keeping with the other dwellings in the area and would be incongruous with the existing streetscene. A Member raised concern that the application site was within the flight path of Gloucestershire Airport; she was aware that a building had recently been moved in order to extend the runway and she felt that there was a danger that taller buildings could become a problem in the future. The seconder of the refusal motion queried whether it was possible to defer the application in order to negotiate the design of the buildings and was advised that this was a matter of judgement for the Committee. The Officer report set out that Planning Officers were happy with the proposals but it would not be unreasonable to defer the application to see if the applicant was willing to make an amendment to reduce the height to the more traditional two storeys, in line with neighbouring properties. In response to a query, the Development Manager confirmed that a deferral would only result in a delay of one month and, as such, there was unlikely to be a risk of a non-determination appeal.
- 42.30 A Member had noted on the Committee Site Visit that, when taking into consideration the chimney stack on the roof of the building next door, the difference in height was probably only just over 1m. Another Member expressed the view that conformity with the ridgelines was what was trying to be achieved, not the chimneys. He felt that, if Members were minded to defer the application to negotiate the design, more information should be sought in relation to the concerns raised by Gloucestershire Airport. It was subsequently proposed and seconded that the application be deferred to negotiate the design of the proposal in order to reduce the height of the dwellings to true two storey dwellings which would be more in keeping with the streetscene, including reduced ridge height; and to further consider the comments raised by Gloucestershire Airport. The seconder of the deferral motion expressed the view that something needed to be done to improve the streetscene and the height of the dwellings was the main point of concern. A Member was of the view that it would be preferable if the porch design was amended so that it was straight on and the Chairman agreed that it was an issue that there were no front doors facing the street and it would be more favourable for the doors to be visible from the streetscene. The proposer and seconder of the deferral motion agreed that this should be incorporated into the deferral reasons. Upon the deferral motion being taken to the vote, it was

RESOLVED That the application be **DEFERRED** to negotiate the design to reduce the proposed dwellings to true two storey dwellings which would be more in keeping with the streetscene, including reduced ridge height, and to include front doors facing the street; and to further consider the concerns raised by Gloucestershire Airport.

15/00374/FUL – 11 Kaybourne Crescent, Churchdown

42.31 This application was for the erection of a one bedroom single storey dwelling. The Committee had visited the application site on Friday 23 October 2015.

42.32 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.

15/00744/FUL – The Meadows, Butts Lane, Woodmancote

42.33 This application was for the erection of a three bay oak-framed detached garage. The Committee had visited the application site on Friday 23 October 2015.

42.34 The Chairman indicated that there were no public speakers for this application. The Officer recommendation was to permit the application and he sought 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.

PL.43 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

43.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 42-44. Members were asked to consider the current planning and enforcement appeals received and the Communities and Local Government (CLG) appeal decisions issued.

43.2 A Member felt that there had been some heartening decisions and he was sure that Officers were pleased with the results. It was

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

PL.44 ADVANCED SITE VISITS BRIEFING

44.1 Attention was drawn to the Advanced Site Visits briefing, circulated at Pages No. 45-46, 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. Members were asked to note the applications in the briefing.

44.2 It was

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

The meeting closed at 10:25 am

Appendix 1**SCHEDULE OF PLANNING APPLICATIONS**
ADDITIONAL REPRESENTATIONS

Date: 27 October 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	
349	1	<p>15/00242/OUT</p> <p>Manor Farm Buildings, Alstone, GL20 8JD</p> <p>Consultations & Representations</p> <p><i>County Education</i> - There is currently forecast some capacity within the nearest primary school (Oak Hill), and will be able to provide for the additional 3 to 4 pupils. Winchcombe School will require a contribution to its expansion/increased capacity: £42,408 for the secondary yield arising from this development.</p> <p><i>County Highways</i> - No response to query on proposed visibility from agent but this issue could be addressed by condition.</p> <p><i>Economic and Community Development Manager</i> - £11,640 (£776 per dwelling) for off-site play area and public open space; £6,821 off-site contribution for nearest village hall (based on IDP) Teddington and Alstone Village Hall; £6,250 off-site contribution for Alstone playing fields (based on Playing Pitch Policy requirement for 0.05 ha); and £7,880 off-site contribution for sports provision at Teddington and Alstone Village Hall (Sport England facility calculator)</p> <p>Officer comments:</p> <p>Refusal reason 7 to be amended to delete words 'and library provision'.</p>
363	3	<p>15/00944/FUL</p> <p>Bragmans Croft, Great House Lane, Hasfield, GL19 4LQ</p> <p>Officer Report</p> <p>The applicant's agent has pointed out an omission in the Officer Report relating to the planning history of the site. A certificate of lawful proposed development (reference: 11/01257/CLP) was granted in February 2012 confirming that proposed single storey extensions to the existing dwelling would be lawful. The agent is of the view that this represents a fall-back position which adds further justification to the acceptability of the proposed two storey extension. Whilst Officers note the fall-back position, they are not convinced that this is a realistic proposition which would add significant support for the proposals.</p>

		<p>The applicant's agent has also advised that his client would be agreeable to a planning condition requiring the planting of strategically located clumps of native trees consistent with the prevailing landscape character, which over time would lessen views of the development, if this is considered to be necessary. As set out in the report, on balance it is considered that the proposals are acceptable. Any condition requiring such planting could not be enforceable in the long term and, as such, landscape conditions will rarely be a justification for permitting unacceptable development. Nevertheless, this is a course of action that Members could take if considered necessary, being mindful of the enforceability issues above.</p>
367	4	<p>15/00720/FUL</p> <p>Land at Ash Lane, Down Hatherley</p> <p>Consultations and Representations</p> <p>An email has been received from Councillor G J Bocking, the local Ward Member for the application, who comments as follows:</p> <p><i>I support the Officer decision to refuse this application and have had numerous resident comments to this effect as it sets a dangerous precedent for using greenbelt land for extra development</i></p>
371	5	<p>15/00764/FUL</p> <p>Part Parcel 2363, Butts Lane, Woodmancote</p> <p>Additional representations:</p> <p>Further representations have been received from Woodmancote Parish Council, Woodmancote Residents Action Group and two local residents. Concerns have primarily been raised in relation to the highways response made by Gloucestershire County Council (GCC). Concerns have also been expressed in relation to biodiversity, landscape and heritage matters as summarised below:</p> <p><u>Highways matters</u></p> <ul style="list-style-type: none"> – The carriageway widths for Bushcombe Lane referred to in GCC's response are factually incorrect. It is claimed that the road width is 3 meters wide at sections, and not between 3.9 and 4.3 metres wide as stated in the response. – No consideration of traffic movements to the east of the site up the steep gradient of Bushcombe Lane. – The Transport Assessment gives little weight to the additional safety measures needed where vehicle use is mixed with horse riders, cyclists and walkers. – There is no land available for carriageway widening. – A minimum unobstructed width of 2 metres is required for footways/footpaths in residential areas. This cannot be achieved as the proposed route for the footpath on Bushcombe Lane is within a hedgerow that was part of the application for the existing estate. This would breach conditions attached to that permission. – During the traffic survey the equipment being used was damaged. <p><u>Other concerns</u></p> <p>The site sits within a Strategic Nature Area. This has not been addressed in the Officer's report.</p>

		<p>Officer comments:</p> <p>Officers can advise that the response of GCC Highways has been reviewed by the Development Control Manager at GCC in light of the concerns raised by Woodmancote Parish Council and local residents. The response is understood to be valid and accurate.</p> <p>Based on a recent site visit by the Development Control Manager at GCC, Officers can confirm that the minimum highway width of Bushcombe Lane is 4.1 metres. This is taken at a point closest to the junction with Butts Lane junction.</p> <p>Officers have no reason to believe that the provision of 2 metre wide footpath alongside the boundary of the existing Crest Nicholson development with Bushcombe Lane would necessitate the removal of the hedgerow along this boundary.</p> <p>With the hedgerow cut back the existing grass verge would be sufficient to accommodate the proposed 2m wide footpath.</p> <p>It is understood from GCC Highways that there is no evidence to suggest that the traffic survey information submitted is in any way flawed or unreliable. The collected data is consistent with the results of a manual traffic count which confirms its validity.</p> <p>With regard to the site being within a Strategic Nature Area, this does not feature as a material consideration within the NPPF and its Practice Guidance. Reference is made to Strategic Nature Areas at Policy SD10 of the emerging JCS which advises that the creation, restoration and management of priority landscapes and habitats will be encouraged by, for example, securing improvements to Strategic Nature Areas. In this regard, Officers would refer to the Phase 1 Habitat Survey submitted with the application which concludes that the development would produce ecological enhancement and overall benefits to biodiversity. Officers therefore have no reason to believe that the application would be inconsistent with Strategic Nature Area objectives, or with Policy SD10 of the emerging JCS.</p> <p>Additional consultee comment</p> <p>The Economic and Community Development Manager has advised that, based on Sport England's Sports Facility calculator, the development will require the following contributions towards sports facilities:</p> <ul style="list-style-type: none"> - £19,813 towards sports halls <p>The required contribution would go towards sport provision at Woodmancote Village Hall and recreation ground. The developer has been made aware of the required contributions but has not yet agreed to them.</p>
388	6	<p>15/00907/FUL</p> <p>The Uplands, Dog Lane, Witcombe, Cheltenham, GL3 4UG</p> <p>Consultations & Representations:</p> <p>Three letters of support has been received from local residents. The reasons are summarised as follows:</p> <ul style="list-style-type: none"> - The residents of The Kneelings live opposite The Uplands and are the only house in Dog Lane that has a direct view of the proposed building. - The site previously comprised 3 very grotty, ramshackle sheds / outbuildings that were an eyesore. The new workshop is to be built using materials to match the house, and will undoubtedly enhance the appearance of the AONB and the Green Belt.

- When the sheds were removed earlier in the year the residents of The Tarry were delighted. They consider that the new workshop matches the rest of the house perfectly. With regards to the size of the workshop, it does not look as if it covers any bigger an area than the old sheds. It certainly does not look big in the three acre site that is the footprint of their land.
- The residents of 2 Mason Cottage are very pleased that the proposal will replace some of the final 'ugly' buildings within the lane with a functional, rather than derelict, sympathetic building which would be both in keeping with their recent house build and other builds within the lane, all of which only aim to enhance the local area of AONB. They walk past The Uplands on a regular basis and they consider that the new workshop would be an immense improvement to that specific area, the size of which does not look to be significantly larger than that of the original outbuildings.

Update from Applicant:

A letter has been received from the applicants in response to the Committee report making the following comments:

The applicants were originally advised by the planning authority that planning permission was not required to erect the garage and we therefore began construction. We were subsequently told that planning permission was required, but that there would be unlikely to be any concerns from the planning authority. We are now informed that the Authority has changed its stance.'

They point out that the floor space of the proposed new garage is **59sq.m**, not 77sq.m as suggested in the Officer report. The original sheds and barn (excluding the chicken shed) totalled 40.5sqm making an increase in external size of 46%. (If the chicken shed - an adapted greenhouse - is included in the calculation the total original external area would have been 50.4sqm reducing the increase to 17%).

They also point out that the floor areas of all the original structures being replaced by the workshop were specifically excluded from any calculation used to support our previous applications 10/00693 and 13/00105 and have not therefore in any sense been included in the baseline for the 48% increase quoted in the report. The following calculations have been provided:

a. Existing sheds (excluding chicken shed) 40.5sqm

Replacement workshop 59sqm

$$(59 - 40.5) / 40.5 = 45.7\%$$

b. Existing house 259sqm

Existing garage 34sqm

Sheds (excluding chicken shed) 40.5sqm

Replacement workshop 59sqm

$$(259+34+59) - (259+34+40.5) / (259+34+40.5) = 5.5\%$$

c. Original	sqm	Replacement	sqm
House	164	House	259
Garage	34	Garage	34
Sheds (excluding chicken shed)	40.5	Workshop	59
Total	238.5	Total	352
$(352 - 238.5) / 238.5 = 47.6 \%$			

		<p>In light of the above, the applicants consider that any harm deemed to have been caused by the 18sqm increase over and above the existing buildings is more than offset by the mitigating circumstances of the position and scale of the site and the enhancement to local amenity of replacing the motley collection of dilapidated sheds with a building in keeping with the others on the site.</p>
391	7	<p>14/01169/FUL</p> <p>77 Cheltenham Road East, Churchdown, Gloucester, GL3 1JN</p> <p>Environmental Health Officers - No objection but, due to its previous use as car sales/garage, recommend a contaminated land condition for the site.</p>
401	9	<p>15/00744/FUL</p> <p>The Meadows, Butts Lane, Woodmancote, Cheltenham, Gloucestershire, GL52 9QH</p> <p>Update from applicant</p> <p>The applicant has written to make the following additional comments:</p> <p>‘The garage that is currently on the site is in very, very poor condition and I have applied to replace it with a new oak framed garage. I have tried to make sure the new garage will be less visible and blends into the local area with wooden cladding rather than the more visible existing concrete rendered garage.</p> <p>In terms of the Parish Council’s concerns about overdevelopment, I would point out that the new garage is actually covering less floor area than the existing building.</p> <p>As far as I am aware neither the existing or new proposed garage are easily visible from any public footpath. In fact, the new garage is positioned to be as inconspicuous as possible. The existing garage already has planning permission to convert to a log cabin for holiday lets. I am prepared to remove the existing garage and have the planning removed granting me permission for the log cabin.</p> <p>It has also been mentioned by the Parish Council that the garage is to be constructed with dormer windows and thus may be converted into accommodation. I would like to state that I have chosen this construction purely for two reasons. The dormer windows make the building much more aesthetically pleasing to the eye and to provide light to the storage section of the garage. My wife and I live in a five bedroom house and need clean dry garage and storage unit, not extra accommodation.</p> <p>The proposed new garage will greatly improve the site and will be much more pleasing to the eye than the existing one’.</p> <p>Woodmancote Parish Council</p> <p>The Parish has revised its response based on the additional plan which shows that the existing garage will be removed. The Parish request that there should be a condition requiring this, and also a condition requiring that the garage can only be used as ancillary accommodation to the house and not a separate dwelling.</p> <p>These conditions (3 and 4) form part of the recommendation.</p>