

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Tuesday, 19 October 2021 commencing  
at 10:00 am**

## **Present:**

Chair  
Vice Chair

Councillor J H Evetts  
Councillor R D East

## **and Councillors:**

R A Bird, G F Blackwell, M A Gore, D J Harwood, M L Jordan, E J MacTiernan, J R Mason,  
P W Ockelton, A S Reece, J K Smith, P E Smith, R J G Smith, P D Surman, R J E Vines  
and P N Workman

## **PL.28 ANNOUNCEMENTS**

- 28.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 28.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

## **PL.29 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

- 29.1 Apologies for absence were received from Councillor M J Williams. There were no substitutions for the meeting.

## **PL.30 DECLARATIONS OF INTEREST**

- 30.1 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.
- 30.2 The following declarations were made:

<b>Councillor</b>	<b>Application No./Agenda Item</b>	<b>Nature of Interest (where disclosed)</b>	<b>Declared Action in respect of Disclosure</b>
G F Blackwell	Agenda Item 5c - 21/01008/FUL – 8 Keriston Avenue, Churchdown. Agenda Item 5e - 21/00657/FUL – 25 Tudor Close, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
R D East	General declaration.	Had received correspondence in	Would speak and vote.

		relation to various applications but had not expressed an opinion.	
D J Harwood	Agenda Item 5i – 21/00601/FUL – Croft Amber, Green Street, Brockworth.	Is a Member of Brockworth Parish Council but does not participate in planning matters.	Would speak and vote.
M L Jordan	Agenda Item 5c - 21/01008/FUL – 8 Keriston Avenue, Churchdown.  Agenda Item 5e - 21/00657/FUL – 25 Tudor Close, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.
J R Mason	Agenda Item 5a – 21/00277/FUL – Tresco, Langley Road, Winchcombe.	Is a Member of Winchcombe Town Council but does not participate in planning matters.	Would speak and vote.
P W Ockelton	Agenda Item 5f – 20/01024/FUL – 15 Swallow Crescent, Innsworth.	Is a Member of Innsworth Parish Council but does not participate in planning matters.	Would speak and vote.
R J G Smith	Agenda Item 5c - 21/01008/FUL – 8 Keriston Avenue, Churchdown.  Agenda Item 5e - 21/00657/FUL – 25 Tudor Close, Churchdown.	Is a Member of Churchdown Parish Council but does not participate in planning matters.	Would speak and vote.

30.3 There were no further declarations made on this occasion.

### **PL.31 MINUTES**

31.1 The Minutes of the meeting held on 21 September 2021, copies of which had been circulated, were approved as a correct record and signed by the Chair.

### **PL.32 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL**

32.1 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 Members prior to decisions being made on those applications.

### **21/00277/FUL - Tresco, Langley Road, Winchcombe**

- 32.2 This application was for erection of a single storey rear extension, first floor extension and dormer windows. The application had been deferred at the Planning Committee meeting on 21 September 2021 for a Planning Committee site visit to assess the proposal in the context of the streetscene and neighbouring properties. The Committee had visited the application site on Friday 15 October 2021.
- 32.3 The Planning Officer advised that the application required a Committee determination as Winchcombe Town Council had objected to the proposal on the basis of the scale of the extensions and the lack of conformity with the requirements of Policy 3.3 of the Winchcombe and Sudeley Neighbourhood Development Plan relating to bungalow development. Three letters of representation had been received objecting to the proposal on amenity grounds, one of which related specifically to the revised scheme. Concerns raised included potential overlooking, overbearing impact and loss of light to the adjacent dwelling to the east. An additional objection had been received prior to the Planning Committee meeting on 21 September 2021 which was set out in the Additional Representations Sheet, attached at Appendix 1 to the report. Whilst these concerns had been taken into account, it was not considered that the proposal would have a significant adverse impact on the amenity of neighbouring properties. In terms of the Parish Council's concerns, it was recognised that the proposal would not fulfil the requirements of the bungalow development policy; however, it was the view of Officers that the proposal would be reasonable in the context, considering the scale and location of the development and the orientation of the dwellings in the locale. In addition, permission had been granted on the site for a one and a half storey replacement dwelling and detached garage in 2020 and the property benefitted from permitted development rights, allowing for extension into the roof space without the need for planning permission – these represented realistic fallback positions. It was therefore considered that the proposed extensions would be acceptable in the context and would not have an adverse impact on residential amenity, as such, the Officer recommendation was to permit the application.
- 32.4 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the application had been deferred at the last meeting for a Planning Committee site visit and he hoped Members would have seen how the extensions would provide a more appropriate living space for the family without adversely impacting on neighbouring amenity or the streetscene. The application had come to the Committee for determination purely on the basis of the objection from the Town Council that the proposal conflicted with Policy 3.3 of the Winchcombe and Sudeley Neighbourhood Development Plan in relation to the retention of bungalows. As the Committee report explained, planning permission had been granted in 2020 for a replacement dwelling at the site and that scheme was for a new property, similar in scale to the one before Members today, which resulted in the loss of all ground floor bedrooms. The Town Council had raised no objection to the replacement dwelling, nor had it objected to the recent application at Giles Piece, also on Langley Road, which proposed enlarging the roof space to relocate all bedrooms to first floor level and had been granted planning permission in April 2021. Policy 3.3 of the Winchcombe and Sudeley Neighbourhood Development Plan did not appear to be applied rigidly or consistently by the Town Council and, with reference to this and other sites, the applicant's agent could not see why it had objected now. That aside, the current application retained two bedrooms and bathrooms on the ground floor and so continued to enable the single storey living that Policy 3.3 sought to secure. The aim of the policy was being met, even though it was not in other applications the Town Council had not opposed.

The Town Council had also raised concerns about the perceived overdevelopment of the site; however, the Committee report carefully assessed the proposal, including the streetscene and neighbouring amenity, and found it to be acceptable in all respects. Members would have seen a wide variety of property styles on Langley Road including many which had extended upwards and had dormer windows in the roof. The proposal here showed a good design approach with no adverse effects and the resulting development allowed a local family to stay in their home for the long term, in a way which complied with the local and Neighbourhood Development Plan policy. The applicant's agent fully endorsed the Officers' thorough analysis of the application and asked that Members grant planning permission in line with the recommendation.

32.5 The Chair 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. A Member noted that the Town Council had objected on the basis that the proposal conflicted with Policy 3.3 of the Winchcombe and Sudeley Neighbourhood Development Plan and he questioned the strength of the policy given the change in permitted development rights which allowed bungalows to build another storey. He asked whether Winchcombe Town Council needed to be given advice that the policy was no longer fit for purpose. The Development Manager felt this was a good question and he advised that changes to national rules could impact local policies and meant that they ceased to have the desired effect. In this case, permitted development rights meant that the policy could not be applied; however, the policy was clearly important to the local community and it still had a part to play as it could be taken into account in situations where planning permission was required. A Member indicated that the Democratic Services department had recently circulated an email to all Members giving advice on the review and update of Neighbourhood Development Plans which he felt needed to be promoted to Parish Councils with Neighbourhood Development Plans - particularly those which were, or would soon be, over two years old.

32.6 Upon being put to the vote, it was

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

**21/000247/FUL - Beech Cottage, Stockwell Lane, Woodmancote**

32.7 This application was for the erection of a two storey side extension, front porch, demolition of existing garage and rebuild and alterations to existing dwelling.

32.8 The Planning Officer advised that the proposal was to extend and alter the existing dwelling by adding a two storey side extension and front porch extension as well as demolishing and rebuilding the existing garage. The proposal also sought to add skylights to the property. A Committee determination was required as Woodmancote Parish Council had objected to the scheme on the basis of its concerns around highway safety resulting from the proposal and the possible impact on surface water flooding further down Stockwell Lane in Woodmancote, and potentially elsewhere in the borough. No representations had been received in relation to the initial scheme or the revised scheme. The comments received from Woodmancote Parish Council in relation to the revised scheme were set out in the Additional Representations Sheet, attached at Appendix 1 to the report. Whilst the Parish Council's concerns had been considered, it was Officers' view that the revised proposal would not have a significant adverse impact on flooding in the area. County Highways had been consulted on the scheme and raised no objection to the proposal on the basis that it would have no greater impact on highway safety than the existing situation. The site was considered large enough to accommodate the proposed extensions and there would not be any resulting

adverse impacts on the residential amenity of neighbouring properties. Therefore, the Officer recommendation was to permit the application.

- 32.9 The Chair indicated that there were no public speakers for this item. 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 and, upon being put to the vote, it was

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

#### **21/01008/FUL - 8 Keriston Avenue, Churchdown**

- 32.10 This application was for the erection of a two storey side extension.

- 32.11 The Planning Officer advised that the proposal was to add a two storey side extension to the property following the chalet bungalow style of the existing dwelling. A Committee determination was required as Churchdown Parish Council had objected to the application on the basis that the proposed extension would be out of proportion with the existing dwellings in the area, representing overdevelopment of the site. One letter of representation had been received, neither objecting to, nor supporting, the application - comments related to the potential impact of the proposal on surface water drainage at times of heavy rainfall. Whilst the Parish Council's concerns had been considered, it was the Officers' view that the proposal, as revised, would be in keeping with the character and appearance of the host dwelling and wider area. The site was considered large enough to accommodate the extension and there would be no resulting impacts on the residential amenity of the neighbouring dwellings or users of the adjacent footpath. As such, the Officer recommendation was to permit the application.

- 32.12 The Chair indicated that there were no public speakers for the item. 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. A Member noted that a 2.4 metre acoustic fence would be provided at the boundary and he questioned whether the existing hedgerow, as shown on the plans, would be removed as a result. He expressed the view that it would be a shame to lose the hedgerow. In response, the Planning Officer indicated that she assumed the fence was required by the applicant due to the proximity to the main road. A local Ward Member for the area clarified that the hedge bordered an alleyway which bounded the A40 which she assumed was the reason for the applicant requesting an acoustic fence. The Development Manager confirmed that the acoustic fence was part of the proposal, it was not a requirement that was being imposed by Officers. As the local Ward Member had suggested, it was presumably required to safeguard the amenity in terms of the location of the A40. Whilst it was unclear whether the hedgerow would be removed or retained, there would still be substantial greenery on the bund to the A40.

- 32.13 Upon being put to the vote, it was

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

#### **21/00702/FUL - Framfield, Two Hedges Road, Woodmancote**

- 32.14 This application was for the erection of a single storey side extension (resubmission).

- 32.15 The Planning Officer advised that a Committee determination was required as the

Parish Council had objected on the grounds that the proposed extension would be overdevelopment and there would be a negative impact on the Green Belt. Whilst the Parish Council's concerns had been noted, the 'studio outbuilding' as granted under the 2020 certificate of lawfulness application (CLP) would be in the same location as the proposed extension and only marginally smaller. Therefore, there was a reasonable prospect that the CLP proposal would be implemented if the current application was refused. Although the proposed extension would be a disproportionate addition of 65% when added to the previous 2019 extension, the realistic fallback position was considered to amount to very special circumstances. With regard to overdevelopment, this would be a relatively modest single storey side extension and there would still be adequate garden space remaining at the front and rear of the plot. Overall, the proposal was considered to be of an acceptable size and design and would not be harmful to the openness of the Green Belt, therefore, the Officer recommendation was to permit the application.

- 32.16 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that he wished to fully endorse the Officer recommendation. There was little to add to the Officer report which, along with the plans and the presentation, clearly explained the situation and why planning permission should be granted. Although a similar application was previously refused, it had been shown that an almost identical structure to that proposed could be built without planning permission. The Officer presentation demonstrated how an even larger outbuilding could also be constructed in the rear garden under permitted development rights. In the context of that fallback position, Officers rightly considered that any harm caused by the small extension would be less significant than that which would occur anyway and so the application was acceptable. That was the correct interpretation of case law and appeal precedent around this subject and provided the very special circumstances which may be needed to approve this proposal. The extension was sensitively designed to reflect the main house and was a small single storey addition which did not affect neighbouring amenity. No objections had been received from neighbouring residents and, although the Parish Council had objected on the basis of this being overdevelopment of the plot, the plot was large and could comfortably accommodate this small extension. The applicant's agent hoped Members would agree that the application was completely acceptable as proposed and grant planning permission in line with the Officer recommendation.
- 32.17 The Chair 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 and, upon being taken to the vote, it was

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

### **21/00657/FUL - 25 Tudor Close, Churchdown**

- 32.18 This application was for the erection of a two storey rear extension and garage conversion.
- 32.19 The Planning Officer advised that a Committee determination was required as the Parish Council had objected to the proposal on the grounds of overdevelopment

and loss of privacy to neighbouring dwellings. The Parish Council's concerns had been noted; however, in terms of loss of privacy, the 'window to window' distance from the two storey rear extension to the neighbour's nearest windows at the rear would be about 20 metres so the overlooking was not considered to be harmful. In terms of overdevelopment, the original front extension had been omitted from the proposal, there had been no previous extensions at the site and there would be adequate garden area free from extensions/additions. Overall, the proposal was considered to be of a suitable size and design and there would be no harmful impact on the neighbour's residential amenity. Therefore, the Officer recommendation was to permit the application.

- 32.20 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. A Member noted that the plans included in the Additional Representations Sheet, attached at Appendix 1, showed an existing soil drain and she asked whether that could still be accessed, should that be necessary once the extension was built. In response, the Development Manager confirmed that would be a matter for building regulations and was not something which Planning Officers would consider. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

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

#### **20/01024/FUL - 15 Swallow Crescent, Innsworth**

- 32.21 This application was for a new attached two bedroom dwelling to the side of 15 Swallow Crescent.
- 32.22 The Planning Officer advised that the application sought permission for a new dwelling attached to a pair of semi-detached dwellings so that the development would appear as a row of three terraced properties. The new dwelling in this location would comply with the strategic housing policies in the development plan and, as the Council could not demonstrate a five year supply of deliverable housing sites, the presumption in favour of sustainable development was engaged in this case. As mentioned, the proposal would add a dwelling to the existing pair of semi-detached properties, introducing a terraced form into the streetscene and; although the built form was predominantly semi-detached dwellings, there were small sections of terraced properties on Swallow Crescent and in the wider area. In terms of design, the proposal would be broadly consistent with neighbouring two storey semi-detached properties with a hipped roof design. No. 15 Swallow Crescent had been granted permission to be clad in red facing brick and the materials of the proposed new dwelling would be in materials to match. The application had been amended to reduce the size of the property to two bedrooms to comply with national space standards. There were many other examples of similar terraced properties within the area and, given the mix of building materials and house types in the area, the proposal was considered to respect the streetscene and character of the area. In terms of overlooking, the adjacent dwellings were semi-detached and it was considered it would not be significantly different from that already experienced. In respect of parking provision, the existing dwelling would be provided with one on-site parking space and one on the road and the proposed dwelling would benefit from two parking spaces at the front of the property; County Highways considered the parking arrangements to be acceptable subject to conditions. Therefore, the Officer recommendation was to permit the application.
- 32.23 With regard to the five year housing land supply, the Development Manager stated that, as Members were aware, the Council had received the High Court judgement in respect of the challenge to the appeal decision which granted planning

permission for up to 50 dwellings at Land off Ashmead Drive, Gotherington. Whilst the Council did not succeed in getting the appeal decision quashed, the Judge had confirmed that, in most cases, the question of oversupply would need to be considered in assessing housing needs and requirements. For the reasons set out in the Committee report for this application, and the reports for the other items on the Agenda, it remained Officers' view that past oversupply should be taken into account when calculating the five year supply and that the published five year supply statement was robust in light of the High Court judgement. Nevertheless, the Council could not currently demonstrate a five year supply of deliverable housing sites, therefore, the presumption in favour of sustainable development was engaged in this case, and in all relevant cases on the Agenda today; he did not intend to repeat this for each application as it did not alter the Officer recommendations.

32.24 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. A Member indicated that he wanted to support the Officer recommendation; however, he drew attention to the consultation response from Severn Trent Water, set out at Page No. 94 of the Committee report, which stated there was a public 100mm surface waste sewer and public 100mm foul sewer located within the site which had statutory protection and may not be built close to, over or diverted without consent. Severn Trent Water would seek to assist in obtaining a solution which protected the public sewer and the building and the Member asked whether it would be appropriate to delegate authority to the Development Manager to permit the application, subject to that being found to be satisfactory. In response, the Development Manager advised that the comment from Severn Trent Water was a standard response which was often submitted and it was proposed to be included as a note on the planning permission, should Members be minded to permit the application. The Planning Officer had confirmed that the applicant was fully aware of the comment and it was a technical issue relating to Severn Trent and the building regulations process. The Development Manager's view was that a note to the applicant, and any subsequent owners, would be sufficient and he did not think a delegated permission would achieve anything over and above that.

32.25 Another Member raised concern over the consultation response from County Highways; in her view, County Highways' role was to advise on matters of highway safety and yet it was imposing conditions in relation to cycle storage and she drew attention to condition 6 which stated that the cycle storage facilities must be implemented in accordance with the submitted plans and retained thereafter. She questioned who would enforce this and expressed the opinion that it was down to the local authority to determine whether or not cycle storage should be required in line with the National Planning Policy Framework. She felt that not having specific cycle storage at a property did not mean that the residents would not have bicycles or somewhere to store them. On that basis, she proposed that the application be permitted, subject to the removal of condition 6. This proposal was duly seconded. The Development Manager explained that there were planning policies seeking to engage measures to assist with the climate change agenda and the Council should be doing all it could to try to help. It was within Members' gift to remove the condition but that may send out the wrong message to the public in view of the Council's stated position in terms of the climate change emergency. In response to a query as to whether it was reasonable to include a condition which could not be enforced, the Development Manager confirmed it was not; however, it was possible to enforce this condition as Officers could go and check the cycle storage was still in situ. A Member indicated that he was very troubled by this advice as specific policies in relation to cycling had been considered in detail during the development of the Borough Plan which was hopefully nearing the end of its journey. In his view, this was County Highways attempting to apply policy through the back door which he found unacceptable; as the proposer of the motion had stated, the role of County Highways was to comment on highway safety in the planning process, not to

influence planning policy.

32.26 During the debate which ensued, a Member took the point that policy should not be dictated by the County Council; however, there were emerging policies in the local plan which did include cycle storage provision. The proposer of the motion stated that she was not against the climate change agenda but pointed out that bicycles had been around for longer than the motor car and not having a specific cycle store would not prevent people from having bicycles and a place to store them. The suggested condition was clearly not enforceable in her view as the Planning Enforcement team could not be expected to check every cycle shed in the borough and she did not think there was sufficient policy to impose the condition. Another Member agreed that it was not realistic to expect Officers to check cycle sheds every year to ensure they were still there and not being used for other purposes. A Member completely agreed with the points made by the Development Manager in terms of the fact that Tewkesbury Borough Council – and Gloucestershire County Council - should be doing all in its powers to encourage the use of bicycles and any other environmentally friendly means of transport. In her opinion, removing the condition would send out completely the wrong message. The Chair stated that, should Members disagree with the proposal to permit without condition 6 they should vote against it and, if that fell, he would seek another motion.

32.27 Upon being put to the vote, it was

**RESOLVED** That the application be **PERMITTED**, subject to the removal of condition 6.

#### **21/00494/FUL - Brock Farm, Church Lane, Staverton**

32.28 This application was for the change of use of land for the temporary siting of a mobile home (farm worker accommodation). The application had been deferred at the Planning Committee meeting on 17 August 2021 to allow further information to be provided and for the application concerning the proposed calf building to have been determined.

32.29 The Planning Officer advised that planning permission for a calf-rearing building had been granted on 27 September 2021. Additional information had also been submitted with regard to the need for someone to be on the site for the calf-rearing business and to state that No. 1 and No. 2 Church Cottages were not on modern assured shorthold tenancies which allowed landlords to serve a notice to gain possession; there were extremely limited grounds for possession, therefore, neither property was available for the applicant. In addition, the applicant had considered housing available in Staverton and maintained there was nothing within easy accessibility of the farm. The applicant had also put forward personal circumstances for living within close proximity to the farm. The information had been submitted to the Council's Agricultural Consultant who considered that, on balance, there was an essential need for a temporary dwelling on the site. The proposal was located within the Green Belt so was inappropriate development; however, on the basis of the additional information provided, this constituted the very special circumstances required and the essential need for an agricultural worker's mobile home in this location had been accepted. Condition 3 stated that the mobile home should be removed and the site restored to agricultural land within five years of occupation and the Planning Officer advised this needed to be changed to three years to ensure compliance with saved local plan policy AGR2. Therefore, the Officer recommendation was to permit the application, subject to the amendment of condition 3.

32.30 The Chair invited the applicant's representative to address the Committee. The applicant's representative began by outlining both his, and his wife's, background and experience in agriculture. He understood that the Planning Committee considered many applications and to Members this was just another; however, for

himself and his wife there was a lot riding on the decision. He explained they were a young and enthusiastic farming couple who relished the opportunity to live, work and bring their ideas to Brock Farm. Setting up a calf-rearing business would enable them to maximise their skill set and continuing to live within sight and sound of the calves would be essential to maintain a high health status. He went on to give details of his personal circumstances which he felt contributed to the need to reside in close proximity to the farm. He pointed out that his neighbours and the other residents of Staverton village were fed up with fly-tipping and unwanted visitors and so would benefit from increased security which their presence would undoubtedly bring. It was their intention to farm in an inclusive manner, inviting the community onto the farm to enjoy the countryside alongside them. He hoped Members would take on board the points he had raised when making their decision.

- 32.31 The Chair indicated that the Officer recommendation was to permit the application, subject to the amendment of condition 3 to state that the mobile home should be removed from the site and the site restored to agricultural land within three years of occupation, and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

**RESOLVED** That the application be **PERMITTED**, subject to the amendment of condition 3 to state that the mobile home should be removed from the site and the site restored to agricultural land within three years of occupation.

#### **20/01179/FUL - Land Adjacent to the Bungalow, Down Hatherley Lane, Down Hatherley**

- 32.32 This application was for the erection of two single storey dwellings. The Planning Committee had visited the application site on Friday 15 October 2021.
- 32.33 The Planning Officer explained that the application required a Committee determination as the Parish Council had objected to the proposal, as set out in the Committee report. The application related to a parcel of land associated with a property known as The Bungalow which was located in a set-back position off Down Hatherley Lane. The Bungalow was accessed via a private driveway from Down Hatherley Lane, although there was a secondary access off Ash Lane. The application site was not subject to any formal landscape designation but was located within an area of safeguarded land. The application had been submitted in full and sought permission for the construction of a pair of semi-detached bungalows; vehicular access to the development would be via the existing access off Ash Lane. Each property would benefit from at least two off-road parking spaces. In addition, one of the proposed dwellings would have an integral garage whilst the other would benefit from a detached garage. The proposed dwellings would be of traditional design with a simple shape and form. As clarified in the Additional Representations Sheet, attached at Appendix 1, permission in principle had been granted on the site in May 2020 for the erection of a single dwelling which had established that the location and size of the site was suitable in principle for a single dwelling. An assessment of the material considerations, including an assessment of the impact of the development upon the safeguarded land, was set out at Pages No. 120-135 of the Committee report. As stated in the report, Officers considered that, when taking account of the material considerations, including the identified harm which came from the conflict with Policy SD5 of the Joint Core Strategy, the harm would not significantly and demonstrably outweigh the benefits in the overall planning balance. It was therefore considered that the proposed development would constitute sustainable development in the context of the National Planning Policy Framework as a whole. Page No. 132, Paragraph 7.30 of the Committee report, set out that an update would be provided at the Committee as to whether Severn Trent Water had considered the drainage details

shown on the plan to be acceptable; however, a response had not yet been provided, therefore, the Officer recommendation had been changed to delegate authority to the Development Manager to permit the application, subject to establishing the wording of a condition in respect of drainage details with Severn Trent Water and adding such a condition, should it be necessary.

- 32.34 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to delegate authority to the Development Manager to permit the application, subject to establishing the wording of a condition in respect of drainage details with Severn Trent Water and adding such a condition should it be necessary, and he sought a motion from the floor. A Member raised concern that this was what he had requested in relation to Agenda Item 5f - 20/01024/FUL – 15 Swallow Crescent, Innsworth and he sought clarification as to the difference between the applications. In response, the Planning Officer explained that, in this case, Severn Trent Water had raised no objections to the application and had recommended standard conditions be applied regarding drainage details; however, this application had been submitted with a detailed drainage plan so Severn Trent Water had been asked to confirm whether the details were acceptable or if a condition was still required. If the plan was considered to be acceptable, that would negate the need for a condition. With regard to 15 Swallow Crescent, an informative note had been included on the planning permission regarding the drainage being close to the site whereas this was about making sure the detail of the drainage was acceptable. The Development Manager advised that an alternative approach would be to include the condition requiring the drainage details but that would be prolonging the matter and would create additional work for everyone.
- 32.35 It was proposed and seconded that authority be delegated to the Development Manager to permit the application, subject to establishing the wording of the condition in respect of drainage details with Severn Trent Water and adding such a condition should it be necessary, and the removal of condition 7 which required cycle storage facilities to be made available and maintained for the duration of the development. The Planning Officer explained that, in this case, plans had been submitted showing the cycle storage and those plans would be approved as part of condition 2 which required the development to be carried out in accordance with the approved plans. The proposer of the motion clarified that he objected to the requirement for cycle storage being included as a specific condition as this meant that it could only be used for that purpose and he suggested that the plans should refer to it as 'storage'. The seconder of the motion felt that surely it was possible to negotiate a minor alteration to the plans and he indicated that his issue with the cycle storage condition was that it was imposing something on an individual applicant; if the individual wanted to provide that facility that was fine, but the Council should not be imposing it on them as it was not part of its policy. The Council had a number of policies about cycling etc. but the current policy suite did not stipulate that all new development should have cycle storage facilities so the condition was wrong in his view. The Chair indicated that the removal of the condition did not mean that the cycle storage on the plans also needed to be removed. A Member accepted that there were no set cycle storage provision policies within the local plan; however, the Council had declared a climate change emergency and it should be doing everything possible to eliminate carbon emissions; provision of cycle storage was one such example of this and he felt it was an appropriate condition given that this was a semi-rural location and people should be encouraged not to rely on motor cars. He did not see a problem with the condition being included and felt there were more important things to discuss. He indicated that he would be voting against the proposal as he felt it was piecemeal development - there were two other houses which had been granted planning permission on the site but had not yet been built and, based on the Planning Committee site visit, some Members had considered there was potential for

another six houses on the site. Another Member echoed the comments about the condition as there was a danger of undoing any progress that had been made with the Council's climate change agenda; in her opinion, any policy which encouraged alternative transport should be kept in place and she was disappointed with the proposals being put forward to the contrary.

32.36 A Member noted that there were two double garages on the premises which the occupant could use for bicycle storage. For the benefit of the Committee and members of the public, particularly the objectors, she sought clarification that the site was not in the Green Belt and therefore very special circumstances were not required to be demonstrated in order for the development to be permitted. In response, the Planning Officer confirmed that the application site had been removed from the designated Green Belt as part of the boundary review during the adoption of the Joint Core Strategy and now formed part of the Council's wider 'safeguarded land'. The new boundaries identified on the Green Belt map had taken into account longer term need by identifying safeguarded land which may be required beyond the Joint Core Strategy plan period to ensure that the Green Belt did not need an early review. That said, Policy SD5 of the Joint Core Strategy set out that safeguarded areas were not allocated for development at the present time and planning permission for the permanent development of safeguarded land – except for uses that would not be deemed inappropriate within the Green Belt – would only be granted if a future review of the Joint Core Strategy deemed the release of the land necessary and appropriate and proposed the development. The first test was to establish whether the development would be deemed inappropriate in the Green Belt; in this case, the Planning Officer's assessment was that it would be inappropriate development in the Green Belt, but that the harm that would be caused would not significantly and demonstrably outweigh the benefits.

32.37 In terms of the cycle storage, a Member indicated that he felt it was important to be realistic; in his view, including cycle storage in planning permissions would not encourage people to cycle. To do that it was necessary to change the attitude of motorists who made it difficult for cyclists and County Highways needed to make sure that roads were safe for people to cycle on. He also questioned why County Highways was not insisting on electric vehicle charging points being installed in new properties given that it was imposing the conditions about cycle storage. A Member indicated that she took these points on board but continued to be of the view that any conditions which helped to encourage cycling should remain. In terms of the earlier comment about the garages being included on the plans, she had studied the plans in detail and had attended the Committee site visit so she had thoroughly considered the issue of storage in expressing her view. Another Member indicated that he agreed with a lot of the comments that had been made, particularly those about the need to make roads safer for cyclists; however, he felt that things were becoming overly complicated. The condition around cycle storage was based on an aspiration – ultimately, he did not think it mattered if the cycle storage was used for something other than a bicycle and the bicycle was actually stored in one of the garages; the aspiration was a good one which the Committee should support. The proposer of the motion clarified that he was not against cycling at all but he disagreed with the inclusion of condition 7 which had been imposed by another authority.

32.38 Upon being put to the vote, it was

**RESOLVED** That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to establishing the appropriate wording of a condition in respect of drainage details with Severn Trent Water and adding such a condition should it be necessary, and the removal of condition 7 in relation to cycle storage provision.

**21/00601/FUL - Croft Amber, Green Street, Brockworth**

- 32.39 This application was for change of use from granny annexe to separate dwelling.
- 32.40 The Development Manager advised that the application required a Committee determination as the Parish Council had objected on the grounds that this could be a precedent for further dwellings in the Area of Outstanding Natural Beauty. Nevertheless, as Members were aware, planning applications should be determined on their merits having regard to the development plan. In these circumstances, the proposal was supported by the Council's planning policies, as set out in the Committee report, and no additional harms had been identified. On that basis, the Officer recommendation was to permit the application.
- 32.41 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the application had been brought to the Committee for determination following an objection from Brockworth Parish Council on the grounds that the development set a precedent for developing additional properties in the Area of Outstanding Natural Beauty. She directed Members to Pages No. 147-150, Paragraphs 7.2-7.17 of the Committee report, which comprehensively set out the planning policy position in relation to the principle of development and any impact it would have on the Area of Outstanding Natural Beauty. The report concluded that, given the proposal involved the subdivision of an existing dwelling creating an independent residential unit in a sustainable location, through the conversion of an existing residential annexe with established amenities – privacy, garden land, parking and vehicular access – and without any external alterations, the principle and detailed matters of the proposed development complied with relevant development plan policies. Furthermore, County Highways raised no objections and the proposal would also make a small contribution towards the five year housing land supply which was currently in deficit. The applicant's agent explained that the existing annexe had been occupied since 2009 as ancillary residential accommodation and she went on to refer to the applicant's personal circumstances. In light of the findings of the Committee report, which were fully supported by the applicant, the proposal was a sustainable form of development in accordance with relevant development plan policies and should be approved as recommended by Officers.
- 32.42 The Chair 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 and, upon being taken to the vote, it was
- RESOLVED** That the application be **PERMITTED** in accordance with the Officer recommendation.

**21/00347/FUL - Land Attached to April Cottage, 39 Newtown, Toddington**

- 32.43 This application was for use of land for the stationing of two shepherd huts for holiday let purposes and provision of an associated vehicular parking area.
- 32.44 The Development Manager advised that the application required a Committee determination due to an objection from the Parish Council. The Parish Council's main concerns related to the precedent for commercial development of the area and highway safety. Given the relationship of the site with the settlement, the proposal was in accordance with the Council's policies in respect of holiday accommodation.

Furhermore, against the backdrop of the village, and given the scale and form of development, there would be no undue impact on the landscape, including the Area of Outstanding Natural Beauty. In terms of drainage, the Land Drainage Officer had assessed the submitted details and had no objection. Therefore, the Officer recommendation was to permit the application.

- 32.45 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that national and local planning policy was highly supportive of rural tourism, particularly in tourist hotspots such as the Cotswolds. Policy supported tourism both through the conversion of existing buildings and the provision of well-designed new facilities. As set out in the Committee report, the Council's Economic Development and Tourism Strategy also encouraged the provision of visitor accommodation in the borough. As a result of the COVID-19 pandemic and the restrictions on international travel, the desirability of holidaying in the UK – "staycations" – had rapidly increased and that trend was likely to continue. As such, now more than ever, there was a need for a broad choice and variety of visitor accommodation, including lower cost facilities. In particular, there had been a big shift toward glamping and "back to nature" holiday experiences. With its many tourist attractions, towns and walking routes, the Cotswolds had a high demand for such facilities. This application proposed the stationing of two shepherd huts for short-stay holiday purposes within the village of Toddington, a designated service village on the basis of its relative sustainability and access to services. The huts would be stationed on land previously used for the storage of agriculture and equestrian machinery. The applicant's agent noted that the Parish Council had raised some concerns, referring to Area of Outstanding Natural Beauty location and the use as a commercial activity; however, as set out by Officers, the Council's policies were supportive of rural tourism and enterprise and he indicated that agriculture equated to commercial activity. Officers had recommended a condition tying the use to holiday accommodation only and he confirmed the applicant was more than happy to accept that. The location of the site within the Area of Outstanding Natural Beauty was not a barrier to development and the government's policies on minor developments within Areas of Outstanding Natural Beauty were permissive. The proposals were low-key and inoffensive and landscape softening would be undertaken in any event. The huts would be sited close to an existing stable block and well-related to the built form of the village so Officers had correctly advised no harm would be caused. County Highways, Environmental Health and the Lead Local Flood Authority had considered the proposal and had raised no objections. The access visibility was in accordance with national transport standards and the low-key nature of the use ensured there would be no undue disturbance to neighbours, particularly as the units would each be for a maximum of two persons. The applicant's agent could see nothing but positives arising from the proposal and the opportunity to support rural tourism by increasing availability and choice of short-stay accommodation within the Cotswolds seemed a no-brainer to him; therefore, he hoped Members would lend their support to the application.

- 32.46 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member noted that the plans included electric vehicle charging points for both huts and she queried whether a condition should be included to ensure those were delivered, bearing in mind this had been put forward as a sustainable development. In addition, the objection from Toddington Parish Council seemed to suggest that the proposal was temporary in nature and she sought clarification on this as she could not see it referenced in the Committee report. In response, the Development Manager confirmed that it was within Members' gift to include a condition requiring installation of electric vehicle charging points. He clarified that the proposal was not temporary; he suspected

that the temporary nature of the structures may be why it was considered to be temporary but that was not the case. The Member subsequently proposed that the application be permitted, subject to the inclusion of a condition requiring electric vehicle charging points to be installed in respect of each of the huts prior to first occupation. This proposal was duly seconded. A Member indicated that the Licensing Committee had recently approved a revised Mobile Homes and Caravan Sites Licensing Policy in view of new legislation which required site owners and managers to be assessed to be “fit and proper” persons to hold a licence so he assumed this site would be subject to that requirement, should Members be minded to grant permission. The Development Manager indicated that the site may well require a licence; however, that would be considered through separate legislation and was not relevant to the Committee’s decision today. The Legal Adviser clarified that there were various exceptions to sites which required a licence, and she did not know if this would be the case here or not, but the question for the Committee was whether this proposal was acceptable from a planning perspective.

32.47 Upon being put to the vote, it was

**RESOLVED** That the application be **PERMITTED**, subject to the inclusion of a condition requiring electric vehicle charging points to be installed in respect of each of the huts prior to first occupation.

### **21/00559/OUT - The Newtons, School Road, Apperley**

32.48 This was an outline application for the erection of one dwelling with all matters reserved for future consideration except for access. The Planning Committee had visited the application site on Friday 15 October 2021.

32.49 The Development Manager advised that the application related to a parcel of land on the western side of School Road in Apperley, immediately north of the detached dwelling known as The Newtons. To the north was an agricultural track and beyond were the rear boundaries of No. 1 and No. 2 Westview. An amended indicative plan had been received in response to concerns relating to layout; however, he clarified that the plan was illustrative only and was not proposed to be approved as all matters were reserved except for access – the plan was merely to show what could be achieved. The site had some relevant planning history and he advised that permission in principle for the erection of one dwelling had been refused and the subsequent appeal dismissed for a site to the rear of The Newtons which included part of the application site. More recently, outline planning permission had been granted for the erection of one dwelling with all matters reserved. The main concerns submitted by the Parish Council and local residents related to the extension of the site previously approved into part of the site where permission in principle had been refused and use of the agricultural access and its impact on neighbours. In terms of the larger application site, there was not considered to be significant additional landscape harm arising from the proposal – Members would see the rear boundary line of The Newtons was proposed to continue along the rear of the proposed site before it met the properties in Westview. County Highways had considered the proposed intensification of the new access and had raised no objections. The intensification would result in more traffic using the access but, given the agricultural use, it would not, in Officers’ view, cause undue impact on the neighbouring residents. It was also noted that the Environmental Health Officer raised no objections to the proposal. As such, the Officer recommendation was to permit the application.

32.50 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that she was speaking on behalf of the villagers who would be impacted by the proposal, none of whom objected to the building of the property on the site but who did have concerns that two other contentious planning issues had been bundled into this application

which, in their opinion, did not allow proper scrutiny and examination. The two issues were: the widening of the farm track to a six metre road and the incorporation of pastureland into the curtilage of the residential property. In terms of the track, the Parish Council strongly objected to the width increase due to the close proximity of a school safety zone, bus stops and sub-station, and questioned why a smaller farmer with only grassland, a dozen cows and a few horses needed such a wide track. The width being asked for was way beyond that stipulated as necessary in the Manual for Gloucestershire Streets. The local resident explained that the concerns were threefold: firstly, the track went through the back garden of the proposed property which begged the question of who would buy such a property in the future; secondly, there was a clear disregard of conditions for farm tracks with dual use with residential property which required a separation of the rural track from residential and demanded certain distances from the property; and thirdly, the most concerning aspect of the track was the impact on No. 1 Westview which would become surrounded by a six metre road on three sides – the track had grown from a two metre grass ransom strip at its entrance in 1998 when No. 1 Westview had been purchased to the now proposed six metres. The local resident suggested that the solution would be for the track to be subject to a separate planning application so that County Highways could apply the correct technical requirements for a dual use track. In terms of the issue around the pastureland, the local resident indicated that there had been three separate applications in recent years to re-zone the pastureland into domestic use; those applications had all been refused by Planning Officers. The last application in 2019 had been subject to appeal which was dismissed by the Planning Inspector in 2020. The local residents strongly contested the assertion at Page No. 186, Paragraph 8.3 of the Committee report, that the application site was located within the development boundary and they had submitted a map showing the actual boundary. On that basis, they asked Members to consider why the applications regarding the pastureland had all been refused, yet only a matter of months after those decisions it was now considered acceptable to encroach on the land. If the Committee had any doubts, the way to resolve this was to request separate applications for the track and pasture. With regard to the property itself, a full application could be submitted which would cause no issues with local residents on permitted development land.

- 32.51 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the applicants were not the owners of the land when planning consent 19/01218/OUT was granted for a single dwelling on the plot; however, given the application for a dwelling on their own land was refused, and a family member was looking to build a home in the village, this presented an opportunity for them. As adjoining landowners to the plot, they felt they could improve the layout and access arrangements to avoid creating a further access off School Road as well as improving the existing agricultural access. As Members would have seen on the site visit, the existing agricultural access was very narrow by today's machinery standards and very tight against the residential boundary to the north. The access was essential for the agricultural business as it was the only owned access to the land and building behind. Regardless of the size of the farm business, farm machinery was the size it was and that could not be changed. The proposal before the Committee therefore addressed the dual access issue and squared off the plot in line with the other residential properties on School Road; neither of those proposals could have been included in the original consent as the land was not owned by the then applicant. The two changes balanced the area sacrificed at the side of the site to allow the single access with the additional garden area to the rear. The exact layout was yet to be determined but, by adding that area, the rear of the house could be moved forward to match the existing building line along School Road and a parking and turning area could be located to the rear. The site levels would need careful consideration at the reserved matters stage but the applicant's agent confirmed there was absolutely no intention to

position the house at the back of the plot on the highest point. This application was in outline so all of the design, layout and landscape details would be dealt with at the reserved matters stage when Officers would have a further opportunity to ensure development on the site was appropriate. The conditions proposed by Officers mainly encompassed the details as required at the reserved matters stage. The applicant's agent pointed out that there were no statutory objections to the application and there would be no increase in the amount of agricultural traffic using the road; the dwelling would be a self-build project for the applicants which would provide their family member with a home. The fallback position, should Members be minded to refuse the application, was the existing consent for a dwelling and a second access with a dropped kerb would be created off School Road. The house would need to be positioned slightly further back to provide a parking and turning area in front of the dwelling and there would be no change to the agricultural use of the existing track.

- 32.52 The Chair 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, subject to the removal of condition 14 in relation to cycle storage provision. A Member sought clarification as to whether this was a self-build application as he did not see that mentioned in the Committee report. He also queried whether Page No. 187, Paragraph 8.13 of the Committee report, around housing land supply needed to be amended in view of the Development Manager's earlier comments. In response, the Development Manager clarified that the application had not been promoted on a self-build basis and, in terms of the five year housing land supply, as he had stated previously, the Council's position remained as set out in the Committee report and the published five year housing land supply statement was robust – certainly Officers did not agree with the contention that the five year supply was around two years or less. The Member indicated that Mr Justice Dove had disagreed with two sites which he did not believe to be achievable and, that being the case, the Council could only demonstrate a 1.82 year housing land supply. The Legal Adviser clarified that the judgement did not consider what sites should be in or out, but was focused on the question regarding oversupply and the part the Member was referring to was probably an extract that appeared in respect of the appeal Inspector's decision. The Member indicated that his reading and interpretation was different but he was happy for Officers to give an explanation of what they thought it said.
- 32.53 The Chair indicated that he had been on the site visit and had not seen a problem with the application; however, he could not recall being advised at any point then that the track would be made into a six metre wide drive and he could not see how there would be room for that and a house on the site. Another Member agreed that the width had not been mentioned and he noted there was no comment from County Highways. As such, he queried whether it was possible to deal with the access via a separate application or if authority could be delegated to the Development Manager to permit the application in order for the applicant to come up with a more satisfactory access. A Member indicated that she was equally disturbed about the proposed size of the track and she felt there may be plans afoot to develop the field but she appreciated that could not be taken into consideration at this stage. The Development Manager advised that two separate applications could have been submitted but they had not been and Members had to determine what was before them. If Members had concerns about the width of the track, they could defer the application for further details and could request that the layout be unreserved in order to obtain greater clarification on the access.
- 32.54 Upon putting the motion that had been proposed and seconded to the vote, it was
- RESOLVED** That the application be **PERMITTED**, subject to the removal of condition 14 in respect of cycle storage provision.

**PL.33 CURRENT APPEALS AND APPEAL DECISIONS UPDATE**

33.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 203-205. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

33.2 A Member noted that the report stated there had been no appeal decisions but she was aware of decisions in relation to appeals at Alderton and Highfield Business Park amongst others. The Development Manager apologised and indicated that there had been some timing issues in terms of producing the report; however, he provided assurance that those decisions would be included next month.

33.3 It was

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

The meeting closed at 12:04 pm

## Appendix 1

### ADDITIONAL REPRESENTATIONS SHEET

Date: 19 October 2021

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting.

A general indication of the content is given but it may be necessary to elaborate at the meeting.

Item No	
5a	<p><b>21/00277/FUL</b></p> <p><b>Tresco, Langley Road, Winchcombe</b></p> <p><b>Please see attached letter of objection from a neighbour</b>, received prior to the Committee meeting in September.</p>
5b	<p><b>21/00247/FUL</b></p> <p><b>Beech Cottage, Stockwell Lane, Woodmancote</b></p> <p><b>Woodmancote PC object to this proposal.</b> The Parish Council felt that the plans were unclear and failed to explain exactly what is being proposed.</p> <p><b>However, if Tewkesbury Borough Council decide to approve then the Parish Council wish to request the following conditions:-</b></p> <ol style="list-style-type: none"> <li>1. Full Building Control required with detailed plans on foundations and impact on bank stability</li> <li>2. Example panel with all materials to be approved</li> <li>3. Drainage strategy to be submitted with approval from Severn Trent Water to discharge into combined sewer</li> <li>4. Removal of permitted development rights to all garden structures</li> <li>5. Driveway and all hardscaping to use permeable surfaces</li> </ol> <p><b>Officer comment:</b> It is noted that building regs will be required for the development. Notwithstanding the suggested conditions above, Officers have added planning conditions to the report for this applications that have been considered necessary to the development.</p>
5e	<p><b>21/00657/FUL</b></p> <p><b>25 Tudor Close, Churchdown</b></p> <p>The revised plans dated 30 July 2021 are not in the schedule. <b>They are as attached.</b></p>
5h	<p><b>20/01179/FUL</b></p> <p><b>Land Adjacent To The Bungalow, Down Hatherley Lane, Down Hatherley Correction</b></p>

	<p>Paragraph 1.5 of the Committee report sets out that Permission in Principle was granted in May 2020 on the southern part of the site for the erection of a single dwelling, planning reference 20/00233/PIP. This is incorrect. The site area for this application is the same as the site area for the approved Permission in Principle.</p>
5k	<p><b>21/00559/OUT</b></p> <p><b>The Newtons, School Road, Apperley</b></p> <p>A further five representations were received with comments as summarised:</p> <ul style="list-style-type: none"> <li>• Concerns about farm machinery running along rear of boundary with neighbouring properties</li> <li>• Considers the site layout should revert back to front entrance rather than dual track and parking to rear.</li> <li>• Widening of agricultural track for access is further encroaching on land that is pasture land and should not be supported as per the dismissed appeal.</li> <li>• Concerns with the additional amended Block Plan uploaded on site and protocols.</li> <li>• Pleased to see the house has been pushed back into the original approved Newtons site.</li> <li>• Concerned the widened agricultural track would serve large development in future.</li> <li>• Re-emphasis that the footprint goes beyond the original approved Newtons site footprint.</li> <li>• Concerned of the exacerbation safety with residents whom live outside schools find it hard enough with parking issues and children walking out of school but with the addition of tractors, diggers, combine harvesters, skips , horse trucks.</li> <li>• Number 2 Westview would have 2 roads and at one point 2 metres either side.</li> <li>• References made to planning references 20/00644/FUL and 20/00869/FUL relating to Benhay and Redberry which refused a garden extension.</li> </ul> <p><b>Additionally plans have been separately circulated to Members of the Planning Committee by email dated 18.10.2021 by an objector to provide context to the comments of the speaker against the application.</b></p>

## Item No. 5a -21/00277/FUL - Tresco, Langley Road, Winchcombe

Dear Councillor and Planning Committee Member

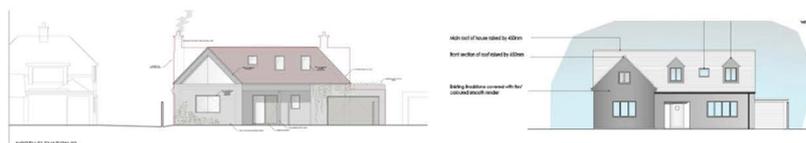
**REF: 21/00277 – Tresco, Langley Road, Winchcombe – Proposed erection of a single storey rear extension, first floor extension and dormer windows.**

I write with respect to the above application which you will consider at you meeting of 21<sup>st</sup> September 2021.

We recognise and accept that many properties are purchased for their development potential. Tresco was purchased by the applicants in May 2018 and plans were first drawn up to alter the dwelling in February 2019. In September 2020 planning permission was granted under reference 20/00095/FUL for a replacement dwelling. Whilst we were not keen on the plans we were grateful to the planning case officer for seeking amendments to the scheme to reduce the impact on The Birches.

Points made by the Planning Case Officer, in his delegated report relating to the replacement dwelling, are noted below followed by our comments on the current application below (our emphasis in **bold**) and plans to illustrate the points where appropriate:

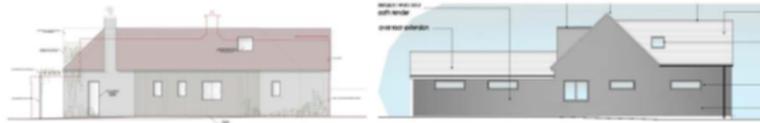
- REPLACEMENT DWELLING - 'The building would have a similar form from the front elevation and **whilst it is higher the hip roof approach would lessen the mass of the roof** and help it to recede more into the plot'  
CURRENT APPLICATION – The scheme includes increasing the height of the building **and the gable elevation** within 1m of The Birches. **The proposed extension does not see the building hipped thereby increasing the impact on The Birches.**



We are grateful that the scheme has been revised to include the two pitched gable elements on the rear in place of a large flat roofed element with high eaves but the proposed extension still has a much greater impact on The Birches than the approved scheme.

- REPLACEMENT DWELLING - '**The proposed hipped roof of the replacement dwelling would slope away from the Birches.** The potential impact that would occur would arise from the additional height of the eaves (approximately 0.4m) over and above the existing building, which is not considered excessive in its context. The roof slope rises away from this elevation and notwithstanding the increase in overall height it is considered that the light received to the first-floor windows (*The Birches*) would be minimally impacted by the development'

**CURRENT APPLICATION** – The impact is from the increase in the eaves height **and the increased ridge height and enlargement of the gable facing The Birches thus impacting more significantly on light received by the first floor windows in The Birches.**



- **REPLACEMENT DWELLING** - 'The proposed building would be deeper than that of the building it is replacing, this would result in long side elevations that project towards the rear garden. Concerns were raised that these elevations may appear (when viewed from the side) as large areas of rendered mass. **The applicant has sought to address this by including areas of timber cladding to break this massing up.** This approach is considered acceptable'

**CURRENT APPLICATION** – The scheme would see a huge extent of wall within 1m of the boundary of The Birches with no relief.

The delegated report into the replacement dwelling also noted that the replacement dwelling would be some 17m in depth, 8 metres further from the rear conservatory of the Birches (11.5 from the rear elevation). The current application is 2m longer at 19m ie. 10m beyond the rear conservatory of The Birches (13.5m from the rear elevation). The proposed 19m depth of the building is nothing short of monstrous and completely at odds with anything in the surrounding area. The site plan below shows the scheme compared with surrounding dwellings. We struggle to see how this is acceptable under current local plan policies.



It is noted that Winchcombe Town Council did not raise objection to the replacement dwelling but have objected to the current scheme in both its original and revised forms as below:

*22 March 2021*

*Winchcombe Town Council objects to this application, because it proposes an excessively large flat roofed extension creating a negative impact on the residents of neighbouring properties. Policies in the Winchcombe Neighbourhood Plan are designed to limit the upward extension of modest homes, to help ensure a supply of homes suitable for older and retired people. The extension proposed in this case, albeit mainly on the ground floor, would also have a similar effect in reducing the pool of relatively modest properties in the town.*

*6 August 2021*

*Objection still stands, it is still to greater an extension and not compatible with the Winchcombe and Sudeley Neighbourhood Plan. Policy 3.3 Bungalow development.*

The revised NPPF states at paragraph 30 that 'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.'

Policy 3.3 Bungalow Development of the Winchcombe and Sudeley Neighbourhood Plan seeks to resist the upward extension of dwellings. This policy should therefore take precedence over non-strategic plans in the local plan.

The planning case officer for the current application relies on the existing permission for a replacement dwelling and permitted development rights to justify the setting aside of Policy 3.3 of the Winchcombe and Sudeley Neighbourhood Plan and recommending approval of the current proposals. However, it is clear that in order to extend into the roof space in a meaningful way, the ridge height of the property needs to be increased. This would not be permissible under Permitted Development and would require permission in itself. Further, as has been demonstrated, the fall-back position i.e. the approved replacement dwelling is preferable in terms of the impact on The Birches. The replacement dwelling includes a hipped roof which sees the gable on the boundary with The Birches removed and is 2m less in length, again reducing the impact on The Birches.

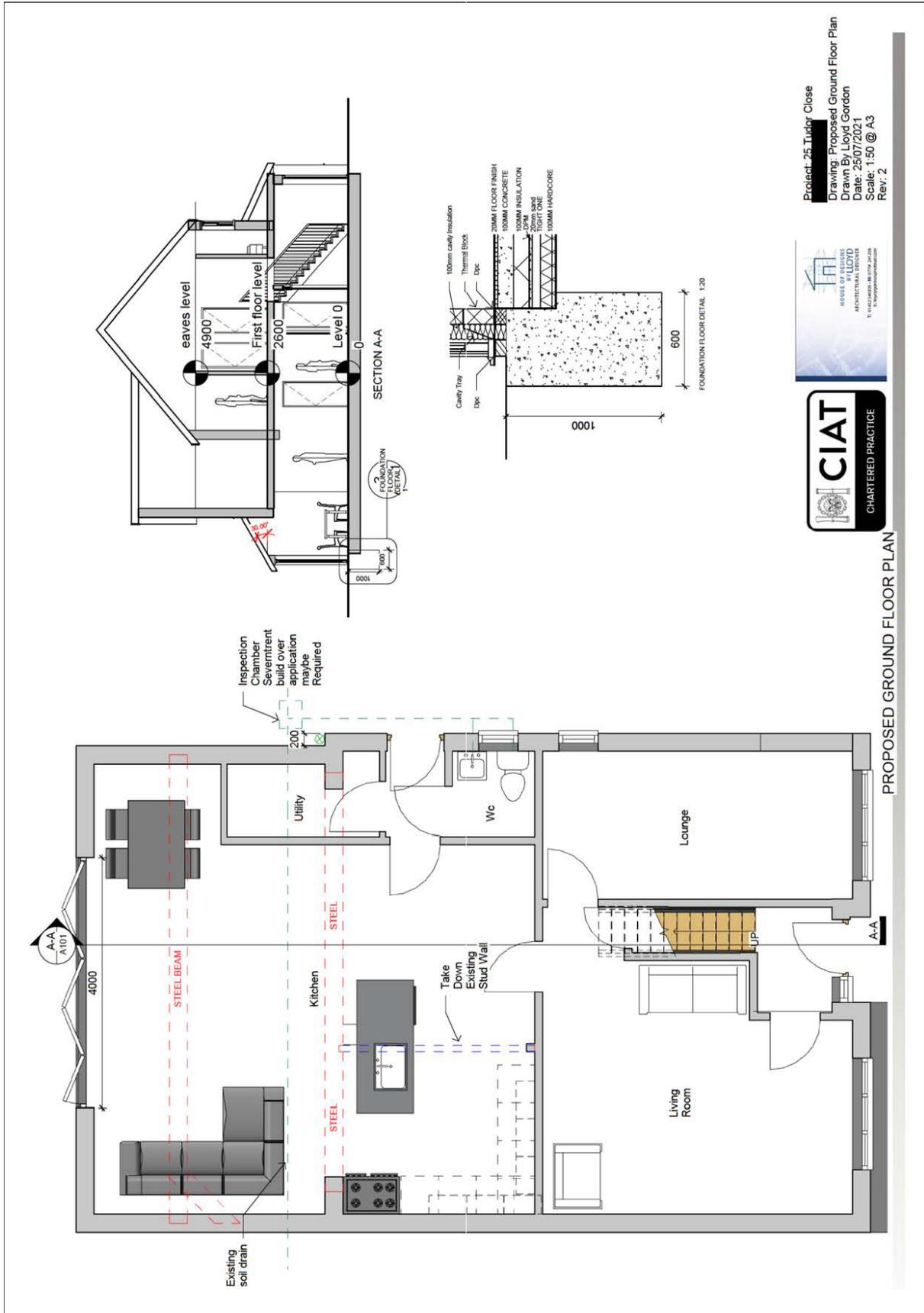
In conclusion, we do not agree that the current proposal would have a lesser visual impact in terms of scale and design than the replacement dwelling granted permission in 2020. We consider that there would be significantly greater harm caused to The Birches. Winchcombe Town Council did not object to the replacement dwelling but have objected to the current scheme of extension. The resulting dwelling some 19m in depth goes wholly against development plan policies that seek to ensure that extensions are in keeping with and not out of proportion with the host dwelling.

We would be grateful if you would consider our comments and refuse the application as it stands. We are not against an extension provided it is respectful of Tresco and amenities currently enjoyed by The Birches.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Item No. 5e -21/00657/FUL - 25 Tudor Close, Churchdown



Project: 25 Tudor Close  
 Drawing: Proposed Ground Floor Plan  
 Drawn By: Lloyd Gordon  
 Date: 25/07/2021  
 Scale: 1:30 @ A3  
 Rev: 2



PROPOSED GROUND FLOOR PLAN

Notes:  
 All Dimensions are to be checked on site  
 Proposed Not to protrude the boundary

Specification:

foundation Depth of Proposed to be confirmed by the Building Inspector  
 Structural Engineers designs & Calculations required for steel beams  
 Roof to be designed by Timber engineers

300mm wide External cavity wall with 100mm cavity wall  
 rock wool insulation Batts to BS 6676  
 100mm x 215 x 65mm bricks to match existing  
 100mm x 440mm x 215mm Thermalite Blocks  
 cavity wall ties positioned max 450mm vertical, 900mm  
 horizontal to BS EN 845-1

Damp proof course laid 150mm above the level of  
 existing floor level to BS EN 14909

Damp proof tray laid to BS 8215

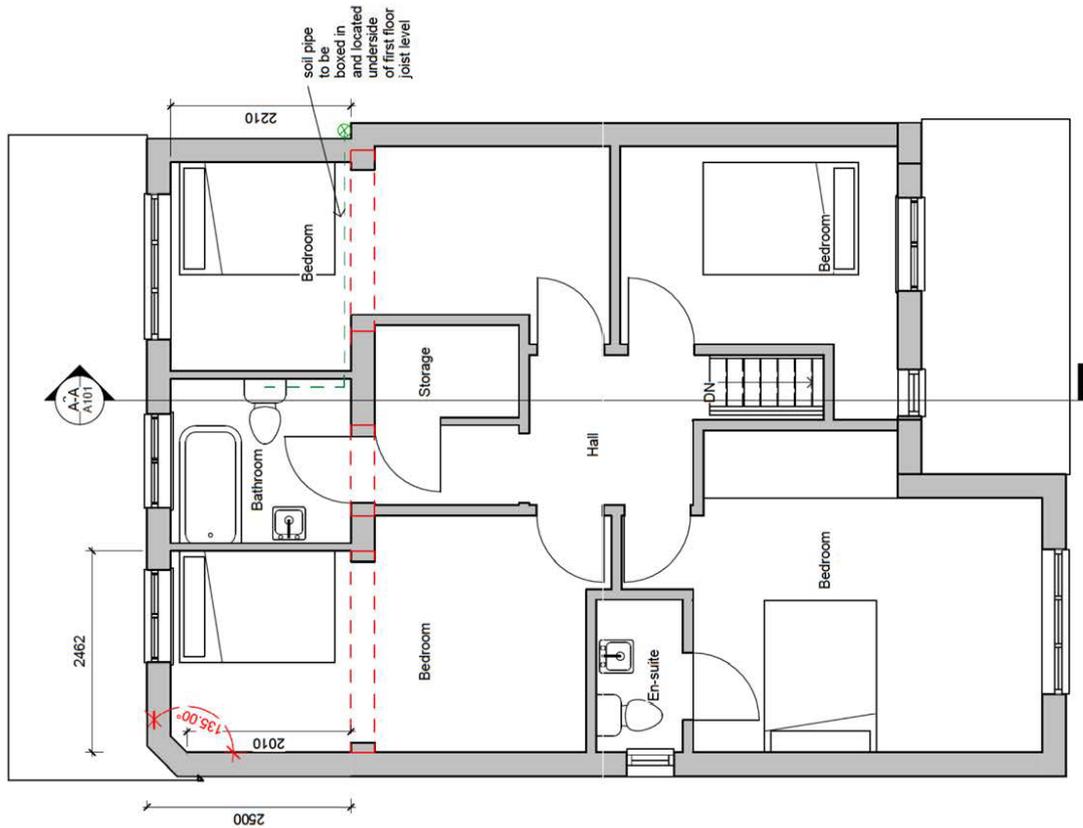
Cavity wall closures positioned at windows and doors  
 to BS EN ISO 9001

Proposed ground floor Dpc level to be level with existing  
 Dpc level

- Ground floor spec-
- (1) 100mm Hardcore
  - (2) 100mm compacted tight one stone
  - (3) 20mm sand binding
  - (4) Damp proof membrane BS EN 13967:2012.
  - (5) 100mm rigid insulation BS 5241-1:1994
  - (6) separation layer
  - (7) 100mm concrete floor
  - (8) floor finish to be confirmed by client

Proposed Lounge floor to be checked for insulation

First Floor Joists to run level with existing first floor joist level  
 175mm x 47mm C24 @400 centres

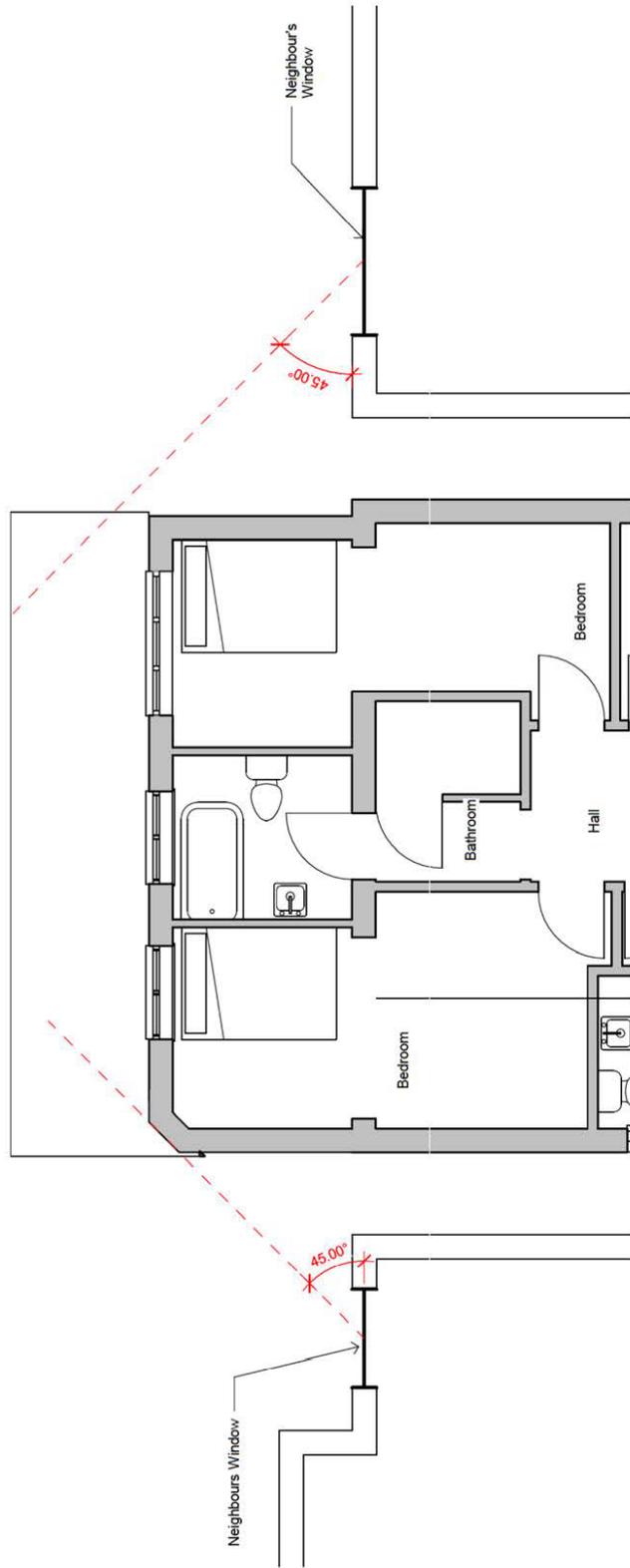


PROPOSED FIRST FLOOR PLAN



Project: 25 Tudor Close  
 Drawing: Proposed First Floor Plan  
 Drawn By: Lloyd Gordon  
 Date: 25/07/2021  
 Scale: 1:50 @ A3  
 Rev: 1





FIRST FLOOR WINDOW 45 DEGREE RULE

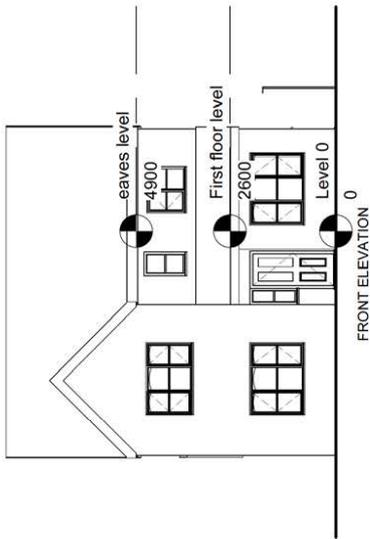
1:50



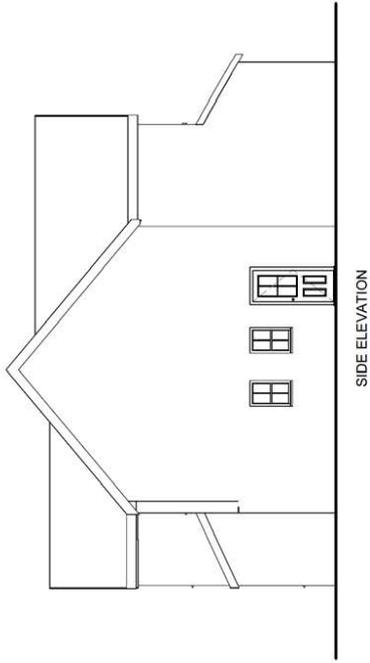
Project: 25 Tudor Close  
Drawing: Proposed 45 Degree Rule  
Drawn By: Lloyd Gordon  
Date: 25/07/2021  
Scale: 1:50 @ A3  
Rev: 1



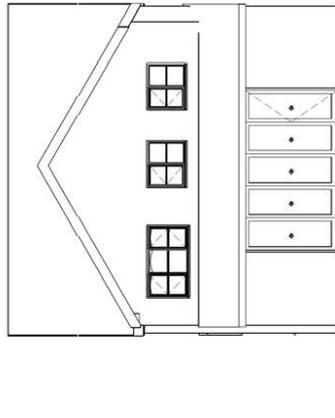
45 DEGREE RULE



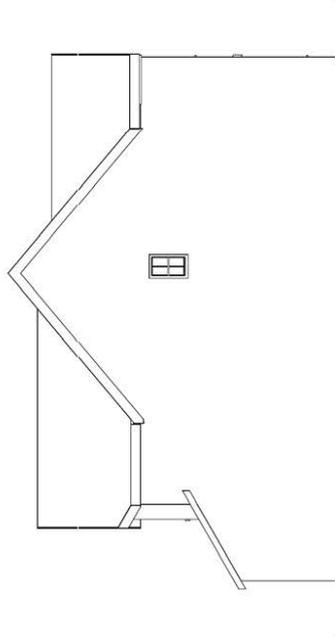
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



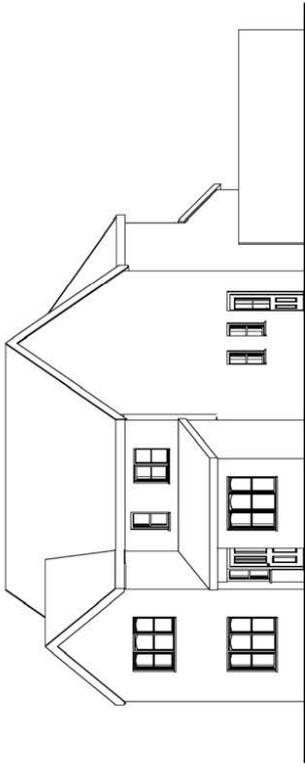
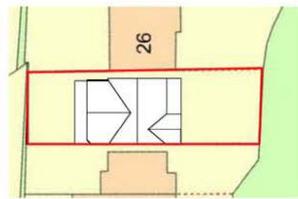
1:100

SIDE ELEVATION

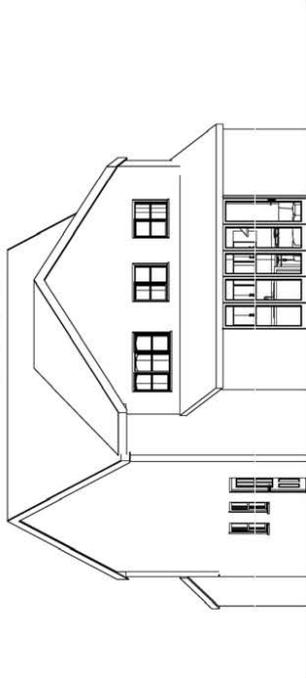
PROPOSED ELEVATIONS



Project: 25 Tudor Close  
 Drawing: Proposed Elevations  
 Drawn by: Lloyd Gordon  
 Date: 25/07/2021  
 Scale: 1:100 @ A3  
 Rev. 2



3D VIEW OF FRONT



3D VIEW OF REAR



RENDER OF KITCHEN



Project: 25 Trinks Close  
 Drawing: Proposed Site Block/Plans  
 Drawn By: Lloyd Gordon  
 Date: 25/07/2021  
 Scale: 1:1250, 1:500 @ A3  
 Rev: 2

PROPOSED SITE/BLOCK PLANS

