

TEWKESBURY BOROUGH COUNCIL

Report to:	Planning Committee
Date of Meeting:	29 September 2015
Subject:	Current Appeals and Appeal Decisions Update
Report of:	Paul Skelton, Development Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Cllr D M M Davies
Number of Appendices:	1

Executive Summary:

To inform Members of current Planning and Enforcement Appeals and of Communities and Local Government (CLG) Appeal Decisions issued in August.

Recommendation:

To **CONSIDER** the report

Reasons for Recommendation:

To inform Members of recent appeal decisions

Resource Implications:

None

Legal Implications:

None

Risk Management Implications:

None

Performance Management Follow-up:

None

Environmental Implications:

None

1.0 INTRODUCTION/BACKGROUND

1.1 At each Planning Committee meeting, Members are informed of current Planning and Enforcement Appeals and of Communities and Local Government (CLG) Appeal

Decisions that have recently been issued.

2.0 APPEAL DECISIONS

2.1 The following decisions have been issued by the First Secretary of State of CLG:

Application No	14/00211/OUT
Location	Land West Of , Bredon Road, Tewkesbury
Appellant	Mactaggart and Mickel
Development	Outline application for residential development on land west of Bredon Road with associated open space and new access
Officer recommendation	Permit
Decision Type	Committee
DCLG Decision	Allowed
Reason (if allowed)	<p>The application had been refused on landscape grounds.</p> <p>In determining the appeal, the Inspector considered that the development would result in only limited harm to landscape character but would deliver a range of other environmental, social and economic benefits. He concluded that the limited harm identified was significantly and demonstrably outweighed by the benefits of the scheme in delivering both market and affordable housing towards the Council's identified housing need and in the context of the need to boost significantly the supply of housing, as set out in the Framework. Finally, the Inspector concluded that the development represented sustainable development to which the presumption in favour applies.</p>
Date	11.08.15

Application No	14/01086/FUL
Location	Land Adjoining 27, Court Road, Brockworth, Gloucester
Appellant	Mr R J Franklin
Development	Construction of a single storey dwelling (revised scheme

	to 14/00424/FUL)
Officer recommendation	Refuse
Decision Type	Delegated
DCLG Decision	Allowed
Reason (if allowed)	<p>The application was refused on the basis that the creation of a new dwelling, shoe-horned into this site, would result in a private amenity area to the front, with privacy secured by the erection of a 1.8m high close boarded fence which was incongruous with the established pattern of development in the area.</p> <p>The Inspector observed that, although many of the houses along Court Road in the vicinity of the proposal were of traditional domestic design, on the opposite side of the road were community use buildings (a church and library) and so the road had a mixed character and performed a transitional role in the area. For these reasons, he felt that the proposal would not be incongruous and overall would be acceptable to the character and appearance of Court Road.</p> <p>In respect of the close boarded fence itself, the Inspector judged that, at a height of 1.8m, the proposed fence would be lower than the existing hedgerow and result in no more visual intrusion and would be similar to other boundary treatments in the area.</p>
Date	27.08.15

3.0 ENFORCEMENT APPEAL DECISIONS

3.1 None

4.0 OTHER OPTIONS CONSIDERED

4.1 None

5.0 CONSULTATION

5.1 None

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

6.1 None

7.0 RELEVANT GOVERNMENT POLICIES

7.1 None

8.0 RESOURCE IMPLICATIONS (Human/Property)

8.1 None

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 None

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 None

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None

Background Papers: None

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Appendices: Appendix 1: List of Appeals received

Appendix 1

List of Appeals Received

Reference	Address	Description	Date Appeal Lodged	Appeal Procedure	Appeal Officer	Statement Due
15/00027/FUL	Uphill Cottage Churchdown Lane Churchdown GL3 2LR	Change of use of barn to a dwelling and associated works	15/09/2015	W	HMS	20/10/2015
15/00134/FUL	2 Paynes Pitch Churchdown GL3 2NP	Proposed two storey rear extension and alterations to include new pitched roof to existing two storey side extension and new front porch.	02/09/2015	W	LIV	07/10/2015
14/01286/FUL	Land Opposite The Orchard & Lamorns Dixton Road Alstone Tewkesbury Gloucestershire	Proposed 3 no dwellings with garages, access, drives/turning & parking spaces - revised scheme to 14/00299/FUL	10/09/2015	W	CIP	22/10/2015

Process Type

- "HH" Indicates Householder Appeal
- "W" Indicates Written Reps
- "H" Indicates Informal Hearing
- " I " Indicates Public Inquiry