

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Planning Committee
<b>Date of Meeting:</b>	17 August 2021
<b>Subject:</b>	Current Appeals and Appeal Decisions Update
<b>Report of:</b>	Development Manager
<b>Lead Member:</b>	Lead Member for Built Environment
<b>Number of Appendices:</b>	1

**Executive Summary:**

To inform Members of current planning and enforcement appeals and Ministry of Housing, Communities and Local Government (MHCLG) appeal decisions issued.

**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 Ministry of Housing, Communities and Local Government (MHCLG) appeal decisions that have recently been issued.

## 2.0 APPEAL DECISIONS

2.1

<b>Application No</b>	PP-08969736
<b>Location</b>	2 Oak Drive Brockworth Gloucester Gloucestershire GL3 4DQ
<b>Proposal</b>	Erection of single storey 1-bed dwelling.
<b>Officer recommendation</b>	Refuse
<b>Decision type</b>	Delegated Decision
<b>PINS reference</b>	APP/G1630/W/21/3267834
<b>PINS decision</b>	Appeal Dismissed
<b>Reason</b>	<p><b>Officer to summarise decision</b></p> <p>The Inspector considered there were 2 main issues relevant to the Appeal.</p> <p><b><i>The effect of the proposed development on the character and appearance of the area.</i></b></p> <p>Here the Inspector noted that the appeal site was considerably smaller in comparison to others in the area and that the layout of the site with the proposed dwelling set very close to the rear boundary would be incongruous with the reasonably sized rear garden spaces prevalent in the area. As such, the proposed development would appear cramped. Furthermore, this would erode the openness of the area and the feeling of space at the location which contributes positively to its character.</p> <p><b><i>Whether the proposed development would provide appropriate living conditions for future occupiers, with particular regard to private outdoor space.</i></b></p> <p>The Inspector noted that the layout would only provide garden to the front of the property and that the visibility splays required for the access would mean there would be clear views from the street into the only garden space. Therefore, the outdoor space would be overlooked and lack privacy.</p> <p><b>Conclusion</b></p> <p>The Inspector concluded that the proposal conflicted with the development plan when considered as a whole and there were no material considerations, either individually or in combination, that outweighed the identified harm and associated development plan conflict. The appeal was therefore <b>dismissed</b>.</p>
<b>Date of appeal decision</b>	25.05.2021

**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

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**Background Papers:** None

**Contact Officer:** Appeals Administrator  
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**Appendices:** Appendix 1: List of Appeals received

None

**Process Type**

- **FAS** indicates FastTrack Household Appeal Service
- **HH** indicates Householder Appeal
- **W** indicates Written Reps
- **H** indicates Informal Hearing
- **I** indicates Public Inquiry