

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Thursday, 25 May 2023  
commencing at 10:00 am**

## **Present:**

Chair  
Vice Chair

Councillor P E Smith  
Councillor P W Ockelton

## **and Councillors:**

M Dimond-Brown, M A Gore, S Hands, D J Harwood, G C Madle, J R Mason, G M Porter (Substitute for T J Budge), R J G Smith, J K Smith (Substitute for R J E Vines), P N Workman and I Yates (Substitute for M L Jordan)

## **PL.3 ANNOUNCEMENTS**

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

## **PL.4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

- 4.1 Apologies for absence were received from Councillors T J Budge, M L Jordan and R J E Vines. Councillors G M Porter, J K Smith and G I Yates would be substitutes for the meeting.

## **PL.5 DECLARATIONS OF INTEREST**

- 5.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.

5.2 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>
M A Gore	Agenda Item 5d – 22/00834/OUT – Land to the South-East of Bluebell Road and East of Rudgeway Lane, Wheatpieces, Tewkesbury.  Agenda Item 5g – 22/00740/FUL – Green Cottage, Snowhill.	Had been party to discussions and had received emails in relation to the applications but had not expressed an opinion.	Would speak and vote.
D J Harwood	Agenda Item 5h – 22/00916/FUL – 2 Moorfield Road, Brockworth.	Is the Chair of Brockworth Parish Council and had listened to the debate when this application had been considered by the Parish Council Planning & Highways Committee but had not taken part.	Would speak and vote.
P W Ockelton	General declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.
P N Workman	General declaration.	Had received correspondence in relation to various applications but had not expressed an opinion.	Would speak and vote.

5.3 There were no further declarations made on this occasion.

## **PL.6 MINUTES**

6.1 The Minutes of the meetings held on 18 April and 17 May 2023, copies of which had been circulated, were approved as correct records and signed by the Chair.

**PL.7 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL**

- 7.1 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.

**23/00205/FUL - Land North of Sandy Pluck Lane, Bentham**

- 7.2 This application was for one self-build single storey detached dwelling including re-use of existing access from Sandy Pluck Lane, landscaping and parking, following demolition of redundant former agricultural barns and removal of concrete hardstanding. The Planning Committee had visited the application site on Wednesday 24 May 2023.
- 7.3 The Development Management Team Manager (Northwest) advised that the application site was land between two dwellings – Brook House and Brook Cottage – forming part of a small cluster of dwellings outside of any settlement and in the open countryside. The site was in agricultural use, comprising a single storey brick barn to the site frontage and a larger concrete framed portal barn to the rear. An area of concrete hardstanding lay between the two barns. The site was within the designated Green Belt. On the opposite side of Sandy Pluck Lane and to the rear of the site were open agricultural fields. Badgeworth Parish Council was in favour of the application and a number of other representations had been received in support of the proposal. As outlined in the Committee report, the Planning Officer view was that the site was not an appropriate location for new residential development as it lay outside of any defined settlement boundary and was not considered to fall within a settlement or village, rather, it was a cluster of dwellings remote from the nearest settlement, notwithstanding the more dispersed character of Bentham village. In relation to the locational policies of the adopted development plan, the development was not considered to constitute infilling within the existing built-up areas of a village, contrary to Joint Core Strategy Policy SD10, neither was it considered very small scale development within or adjacent to the built-up area of settlement not featured in the Joint Core Strategy settlement hierarchy, contrary to Tewkesbury Borough Plan Policies RES3 and RES4. In terms of Green Belt policy, the development was not considered to satisfy any of the exemptions for the construction of new buildings in the Green Belt as set out at Paragraph 149 of the National Planning Policy Framework, in particular limited infilling in villages. The proposal was therefore considered inappropriate development by definition and would have an unacceptable impact on the openness of this part of the Green Belt and no very special circumstances had been advanced that would outweigh the identified harm. The design of the scheme was also not considered to be in keeping with the more traditional character and appearance of nearby development by reason of its size, scale and appearance and would have an adverse impact on the appearance of the area and the landscape character. Finally, the site was not in a sustainable location, offering no realistic transport choices other than the private vehicle to gain access to the site and facilities. It was therefore recommended that the application be refused for the reasons outlined in the Committee report.
- 7.4 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that this was an application for the redevelopment of a redundant site to provide a new high quality self-build infill dwelling and he trusted that yesterday's Planning Committee site visit allowed Members to appreciate what the applicant and local residents were trying to achieve. Firstly, he felt it was important to note that the proposed development had the full support of Badgeworth Parish

Council and the neighbouring residents within Sandy Pluck Lane and there were no objections to the application. Furthermore, there were no technical objections in relation to landscape, drainage, trees, ecology or access. The application was advanced on the basis that the new dwelling represented limited infilling in a village, one of the defined exemptions to development in the Green Belt both nationally and locally. The Planning Officer recognised that the proposals would represent infilling but suggested that the site was not located within a village. The applicant's agent indicated that, in his view, the characteristics of the village had been misinterpreted in this instance; as Members would be aware, Bentham was a classic example of a dispersed village settlement which had no defined core. Instead, the village was essentially made up of a series of separated housing clusters fronting the lanes of Bentham, of which Sandy Pluck Lane was one. He considered that the proposal lay within the village of Bentham and consequently would meet the necessary Green Belt policies and be acceptable in principle, a view also held by local residents and the Parish Council. The proposed dwelling had been designed at a scale that was reflective of the existing built form on the site and it was noted that the Planning Officer had confirmed that a new dwelling would not be materially larger than the buildings it would replace, which was welcomed, but there was no mention that the proposed dwelling would also be considerably lower in height than the existing barns. As a single storey dwelling, with design features such as a green roof – and several other design credentials - it would remain a very low key addition in this location which would represent a significant improvement to openness. Furthermore, Members would be aware that recent contemporary dwellings had been permitted by Tewkesbury Borough Council within Sandy Pluck Lane at Hunt Court Farm and Wind in the Willows to the west. Sandy Pluck Lane had a mixed character, scale and design of buildings which included single storey dwellings and reflected the rest of the village – in his view, the Planning Officer's assertion that a single storey contemporary dwelling would be out of character was simply not consistent in this instance. He could not understand the suggestion it would be an unsustainable location in relation to travel choices - Members would have seen from the site visit there was a bus stop at the end of Sandy Pluck Lane, on Shurdington Road, which was on the Stagecoach No. 10 route with a very regular service at all times of day and Shurdington Road was a well-used cycle route towards Cheltenham. Finally, the applicant's agent was concerned that the Officer had also significantly downplayed the substantial benefits of providing a self-build dwelling in this location given there was a historic undersupply of this type of dwelling. In conclusion, he considered this to be a high quality addition to the area which would meet all necessary policies. The proposals had the full support of the Parish Council and local residents and the applicant was now seeking the support of the Planning Committee in a positive determination of the application.

- 7.5 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member indicated that he had asked what growth was taking place within this area during the Joint Core Strategy plan period and was informed that between 2011 – the start of the Joint Core Strategy period – to date, nine new dwellings had been permitted in Badgeworth, six of which were new builds, one was a barn conversion and two were replacement dwellings. It was proposed that the application be permitted on the basis that there were very special circumstances arising from it being a self-build dwelling which was supported by the Parish Council and neighbouring residents and it complied with Policy RES4 of the Tewkesbury Borough Plan and Paragraphs 137 and 138e of the National Planning Policy Framework. A Member indicated that she was supportive of a permit but she did not fully agree with the justification. She advised that the Planning Committee had visited this site before in 2016, albeit they had not had the opportunity to go onto the site and had viewed it from the road. She thanked the Planning Officer for the comprehensive report but did not agree with some of the assumptions. She did not believe that very special circumstances were necessary given that, in her view, the proposal met the five requirements of Green Belt Policy in the National Planning

Policy Framework and she shared the Parish Council view that Sandy Pluck Lane formed part of the hamlet, therefore, it constituted limited infilling which met the requirements of the test for appropriate development in the Green Belt. She would second a motion to permit on that basis and for to be delegated to the Development Management Manager to permit the application subject to appropriate conditions. The proposer of the motion to permit the application indicated that he was happy to amend his motion on that basis. The Development Management Team Manager (Northwest) suggested that conditions should be included in relation to materials, site levels, landscaping, submission of a surface water drainage scheme, removal of permitted development rights with regard to fences, gates and garage extensions to safeguard the openness of the Green Belt and the landscape character, ecological enhancement conditions recommended by the Ecological Adviser, lighting and tree protection and arboricultural conditions relating to protection and enhancement of trees and hedgerows on the site. The proposer and seconder of the motion confirmed they were satisfied with the suggested conditions.

- 7.6 A Member indicated that the Committee would be aware of the overuse of the A46, which was proposed as a cycle route to Cheltenham; whilst he was not an experienced cyclist, he would not consider the A46 to be a suitable route for anyone to cycle. He noted that County Highways had objected to the scheme on sustainability grounds due to the limited choice of transport modes available and he shared this view and felt that more sustainable transport should be encouraged in the area. The proposer of the motion for a delegated permission appreciated the Member was new to the Committee, so may not have had the opportunity to read the Tewkesbury Borough Plan which had been approved in 2022, and pointed out that Policy RES4 had been included because there were a host of smaller villages which would otherwise not have any development if policies in relation to sustainable transport were adhered to – if development of villages stopped, those villages would die. In terms of County Highways, no representation had been made against the Tewkesbury Borough Plan in that regard, therefore, it was necessary to move forward with the Plan in its current form.

- 7.7 Upon being put to the vote, it was

**RESOLVED** That authority be **DELEGATED** to the Development Management Manager to **PERMIT** the application, subject to conditions in relation to materials, site levels, landscaping, submission of a surface water drainage scheme, removal of permitted development rights with regard to fences, gates and garage extensions to safeguard the openness of the Green Belt and the landscape character, ecological enhancement conditions recommended by the Ecological Adviser, lighting and tree protection and arboricultural conditions relating to protection and enhancement of trees and hedgerows on the site.

#### **22/01306/FUL - Elm Gardens, Badgeworth Road, Badgeworth**

- 7.8 This application was for a proposed single storey detached residential annex and garden storage used ancillary to the host dwelling (Elm Gardens) following demolition of existing residential outbuilding. The Planning Committee had visited the application site on Wednesday 24 May 2023.
- 7.9 The Development Management Team Manager (South) advised that the application site comprised a detached dwelling with a large outbuilding to the rear and was located to the western side of Badgeworth Road within the Green Belt. The application proposed to replace the existing outbuilding with an annex to provide a disabled accessible single storey one bedroom unit with an attached garden store. The proposed building would have a simple linear pitched roof design which would be finished in render and slate. It would be smaller than the building it replaced,

would have a lesser impact upon the openness of the Green Belt and would be of an acceptable design and appearance. Given the substantial curtilage and separation from any nearby properties, there would be no adverse impact to any other occupiers. He drew attention to a typographical error at Page No. 49, Paragraph 10.1 of the Committee report and clarified that the Council's Land Drainage Engineer had raised no objections to the proposal, as correctly set out at Page No. 48, Paragraph 8.30 of the Committee report. Members were advised that the proposal would accord with Policies RES10 and GRB4 of the Tewkesbury Borough Plan and Policy SD5 of the Joint Core Strategy and it was therefore recommended that planning permission be granted subject to the condition set out in the Committee report.

- 7.10 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that he was disappointed not to have been notified of the Planning Committee Site Visit which had taken place yesterday which was why the site was not accessible. He indicated that there was currently a mobile home on the site which was occupied by the family whilst their house was being renovated; his understanding was this was temporary and would be removed by the end of the year when the work was completed. He advised that the proposed annex building was required by the property owners for a disabled family member who used a wheelchair and required suitable level access accommodation over a single storey. In order to cater for their needs, the annex building was situated in close proximity to, and had a functions link with, the host dwelling. The Tewkesbury Borough Plan was supportive of the provision of such annexes to support households and it was acknowledged that the Planning Officer agreed that the principle of development was acceptable. The new building was formed following the removal of a pair of ancillary residential outbuildings within the established curtilage of Elm Gardens which had become redundant for use. It was recognised that the site was located within the Green Belt; however, replacement residential buildings were allowed in the Green Belt where the new residential building was not materially larger than the one it replaced. In this instance, the new building would result in a 29% reduction in footprint, a 28% reduction in volume and a 30cm reduction in height over existing outbuildings to be removed. Therefore, the proposals would be materially smaller than the existing outbuildings, supporting the openness of the Green Belt in this area. The new building had been designed to match the character and materials of the host dwelling at Elm Gardens which the Planning Officer noted would represent a visual improvement to the area. Matters relating to neighbouring amenity, highway impact, drainage and trees had been considered by Officers and statutory consultees and no objections had been raised subject to conditions. Furthermore, there had been no objections raised by neighbouring residents. In conclusion, the applicant's agent felt it was clear that the proposed annex was acceptable in principle and would meet the requirements of local and national Green Belt policy. The proposed reduction in built form and a design to match the host dwelling would also have a significant beneficial impact on the character of the area and the openness of the Green Belt in this location. For the avoidance of doubt, he clarified that the applicant was agreeable to the suggested range of conditions imposed by the Planning Officer. Overall, the proposals accorded with the development plan and he hoped the Planning Committee would feel able to support the Officer recommendation and permit the application.
- 7.11 The Chair indicated that the Officer recommendation was to permit and he sought a motion from the floor. A Member questioned whether any renewable energy and energy efficiency measures had been considered as part of this application and he was advised that no specific measures were being proposed. The Member sought clarification as to how compliance with condition 3 would be managed in terms of the development only being used in conjunction with, and as ancillary to, the residential enjoyment of the adjoining dwelling house. In response, the Development Management Team Manager (South) advised that if any reports were

received of the building being used in any other manner, the planning authority had powers to investigate; however, it was noted that the location of the building in the back garden was not conducive to occupation as a separate unit. As referenced by the applicant's agent, a Member pointed out that the Planning Committee had not been able to access the site when they had visited yesterday and she felt it would be appropriate to have a further visit on that basis. As such, it was proposed and seconded that the application be deferred for a Planning Committee Site Visit to assess the appropriateness of the development in Green Belt policy terms.

7.12 Upon being put to the vote, it was

**RESOLVED** That the application be **DEFERRED** for a Planning Committee Site Visit to assess the appropriateness of the development in Green Belt policy terms.

### **22/01375/FUL - Part Parcel 8019, Chargrove Lane, Up Hatherley**

7.13 This application was for agricultural access and hardstanding (amended description). The Planning Committee had visited the application site on Wednesday 24 May 2023.

7.14 The Senior Planning Officer advised that, on the Planning Committee Site Visit, Members had been shown the position and extent of the access and turning circle which lay between Up Hatherley Way and former South Park Farm. As set out in the Committee report, the principle of agricultural development in the countryside was well established but, in all cases, development had to be balanced correctly to limit any harm. In this case, there was no identified ecological harm, nor any objections from County Highways; however, as set out in the Committee report and as Members would have seen, Chargrove Lane had considerable character and the new entrance would create significant change to the character of the countryside, concerns which were reflected in the number of objections that had been received. For that reason, and because the development would appear conspicuously detached from the existing development, there was conflict with Policies AGR1 and LAN2 of the Tewkesbury Borough Plan. Officers had carried out a balancing exercise, taking into account the economic benefits of the development in terms of the existing rural economy and employment as well as site mitigation measures; however, it was not considered that those benefits would outweigh the harm that would be caused to the open countryside and landscape. Therefore, the Officer recommendation was to refuse the application as set out in the Committee report.

7.15 The Chair invited the applicant to address the Committee. The applicant explained that his family had farmed here for over 15 years and the field was used for both hay production and livestock grazing for 30-40 cattle. The access was needed to ensue that livestock and machinery could be safely taken on and off the site. Access had previously been through South Park Farm to the south; however, planning permission had been granted to convert the buildings there so that route was no longer an option. That access had been problematic due to the size of vehicles/machinery and walkers obstructed the entrance by parking vehicles; it was also very close to residential properties. Having a safe and secure access was essential for the care of animals and the field needed to be regularly attended for TB testing, cattle loading and hay production, none of which could be done safely on the road, particularly with a 13 tonne cattle truck. Furthermore, when producing hay, it was necessary to be able to process and load directly onto the truck using machinery and vehicles within the field. The applicant pointed out that the application had been amended to remove the much-needed cattle-handling fencing at the request of Officers due to concerns it would harm the rural landscape. The amended scheme before Members was now solely for an agricultural access, hardstanding for vehicle turning and an agricultural gate. He

felt the proposal was sensitive to the landscape, a view which was supported by the Council's Ecological Adviser, and a new native hedgerow was proposed to reduce impact. The applicant recognised there had been concern regarding the location of the access and he explained that it had been selected to ensure adequate visibility was provided – this was the only safe location for visibility reasons due to the narrow and tight nature of Chargrove Lane and if other locations were proposed these would have attracted objection from County Highways. It was noted that County Highways had not objected to this proposal. The applicant stressed how important the access was for his business as without it he would not be able to safely gain access to the field to look after his animals properly, or produce hay in the way they did. There were no objections to the application on highway, ecology or Green Belt grounds and the principle of development was accepted by Officers. The applicant was upset that Officers were essentially objecting on landscape grounds given this was an agricultural access in the working countryside which had been designed to ensure cattles, vehicles and equipment could safely enter, load, turn and exit the site without causing wider harm. He confirmed he would be happy with landscape conditions to control planting. With that in mind, he urged Members to support the application which would help a local farming business and ensure safe access was provided. If there were concerns regarding the proposal, he asked that the application be deferred rather than refused so that he could work proactively with Officers to find a solution.

- 7.16 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be deferred for further negotiations to establish whether changes could be made to the proposal to reduce the visual harm to the undeveloped rural landscape. The proposer of the motion indicated that this was an agricultural field and the applicant ran an agricultural business – farming was one of the main businesses in Tewkesbury Borough and it was important to ensure farming communities were supported; however, the site was within the Green Belt and Members on the site visit had seen the length of the access and the turning space that would be needed to accommodate the large vehicles which would not be able to reverse in and out of the site. The applicant had stated he would be willing to work with Officers and she felt that it was appropriate to try to find a better solution for all parties. The Development Management Team Manager (East) felt it must be borne in mind that the site needed to facilitate articulated lorries and the proposal had been designed with that in mind; any renegotiation may require completely changing the access and he was unsure how far the negotiations could go given that County Highways had already assessed the application. It may be that landscaping was the only factor which could be considered in the negotiations. The proposer of the motion confirmed that she would be more comfortable with the proposal if there was landscape mitigation to reduce the visual impact.

- 7.17 Upon being put to the vote, it was

**RESOLVED** That the application be **DEFERRED** for further negotiations to establish whether changes could be made to the proposal to reduce the visual harm to the undeveloped rural landscape.

**22/00834/OUT - Land to the South-East of Bluebell Road and East of Rudgeway Lane, Wheatpieces, Tewkesbury**

- 7.18 This was an outline application for the erection of up to 250 dwellings, community sports pavilion and outdoor sports pitches, as well as associated highway, drainage and green infrastructure including trim trail, outdoor play and community orchard with all matters reserved except for access. The Planning Committee had visited the application site on Wednesday 24 May 2023.



- 7.19 The Senior Planning Officer advised that the application site extended to approximately 15.1 hectares and was located to the south of Wheatpices on the edge of Tewkesbury. The site was in open countryside and outside of the defined settlement boundary of Tewkesbury which was along the north edge of the site; however, the site was in close proximity to local services at Wheatpices, which had a primary school, community centre and convenience store, and within walking and cycling distance of the wider area of Tewkesbury. The proposed dwellings would comprise a mixture of house types and tenures including one, two, three, four and five bedroom homes. Of the 250 houses, 100 would be affordable with 60% social rented and 40% shared ownership and, due to the size of the site, it had been possible to negotiate a range of housing including five bedroom social rented units which were uncommon on smaller sites. In terms of the application site itself, new outdoor sports pitches were proposed along with a new community sports pavilion. The parameters plan showed the sports pavilion was of sufficient size to include four changing rooms – this was beneficial for women/girls football and allowed separate changing rooms for home and away teams - two official changing rooms for the referee, community area and kitchen facility. The exact details of the sports pavilion would be agreed at the reserved matters stage; the Section 106 Agreement was currently being progressed and would result in the transfer of the sports pitches and pavilion to Tewkesbury Colts Football Club with the proviso that there was a fallback position within the agreement that the area would come to Tewkesbury Borough Council if Tewkesbury Colts ceased to exist. It was envisaged that the sports pitches would also be used by the wider community whilst being managed by Tewkesbury Colts. It was noted that visual impact of the development would be relatively modest due to the flat nature of the landscape and the intervening hedgerow which meant there was limited visibility from Rudgeway Lane which allowed accessibility into the site. He also clarified that the flood zone was to the east of the site rather than the south as he had stated on the Planning Committee site visit.
- 7.20 He advised Members that the application site was not allocated for housing development and did not meet any of the exceptions of Policy SD10 of the Joint Core Strategy or Policy RES3 of the Tewkesbury Borough Plan, as such, the application conflicted with Policy SP2 and SD10 of the Joint Core Strategy and Policy RES3 of the Tewkesbury Borough Plan and the conflict with these adopted development plan policies was the starting point for decision-making. In this instance, Officers felt there were material considerations which weighed in favour of the development, including the proximity and accessibility of the application site to community infrastructure, the benefits of additional community facilities and the range of affordable housing provision. These material considerations must be weighed against the harms of the development which was a matter for the overall planning balance. It was considered that the proposal would provide a significant number of dwellings in a sustainable location which would contribute to the Council being able to maintain a five year supply of deliverable housing. Furthermore, there were economic benefits associated with a development of this scale. Whilst Officers had identified some harms arising from the development, including landscape harms, loss of agricultural land and minor harm to designated heritage assets, they considered these were outweighed by the benefits and it was therefore recommended that authority be delegated to the Development Management Manager to permit the application, subject to any additional/amended planning conditions and the completion of Section 106 Agreements to secure the heads of terms listed within the Committee report, subject to any amendments arising from ongoing discussions.

- 7.21 The Chair invited the applicant's representative to address the Committee. The applicant's representative advised that they had worked collaboratively with Tewkesbury Town Colts Football Club, Tewkesbury Borough Council, statutory consultees and the local community from the outset, as a result, they were pleased to see that Officers were recommending the application be permitted. The proposal represented a genuinely exciting opportunity to provide the long-awaited and much-needed provision of a new community sports pavilion and associated pitches within the heart of the community, alongside up to 250 new dwellings including 100 affordable homes. To show their commitment to the delivery of the new community sports facility, it had been agreed that the first reserved matters application submitted would be for the community sports pavilion; further to this, they would commence construction of the pavilion prior to the occupation of the 25<sup>th</sup> dwelling. The applicant's representative explained they were committed to addressing the climate change emergency and would ensure all of the new dwellings, including the community sports pavilion, were constructed to meet the latest building regulation standards which would mean all homes were built with enhanced materials and fitted with photovoltaic panels and electric vehicle charging points. In addition, a minimum 10% biodiversity net gain would be provided on site including 400 metres of new native species hedgerow and a community orchard. Given the importance of this application to Tewkesbury Town Colts Football Club, the applicant's representative indicated he had been asked to say a few words on their behalf. He explained that the club was established in 1975 and was the largest junior football club in North Gloucestershire with over 500 members, including around 100 girl players. The club was proud to be a leading example for promoting female sport in the county and its continued efforts had a profound impact both on and off the pitch. In recognition, Gloucestershire Football Association had awarded the Colts 'Club of the Year' in 2017 and, for the first time in the club's long history, the under 13 girls team had become County Cup Winners this year. Despite the on and off field successes, the club did not currently have a home and rented football pitches in six different locations across the borough on annual lease agreements; four of the locations lacked access to basic hygiene and welfare facilities. Furthermore, given the structure of the lease agreements, the long term use of the pitches was not secure. Subject to a favourable decision from the Planning Committee today, the club planned to create a unique facility in the county which was able to host female-only games and training sessions – not only would it provide female players with access to hygiene and welfare facilities, it would provide the club with pitch security which would support the retention of the existing girls' teams and allow the club to increase membership. The applicant's representative hoped that Members would feel able to support the Officer recommendation to permit the application and, thereafter, the delivery of the new community sport pavilion and up to 250 much-needed homes.
- 7.22 The Chair indicated that the Officer recommendation was to delegate authority to the Development Management Manager to permit the application, subject to any additional/amended planning conditions and the completion of Section 106 Agreements to secure the heads of terms listed within the Committee report, subject to any amendments arising from ongoing discussions, and he sought a motion from the floor. A Member sought clarification on recommended condition 21 which stated that the development proposals would not be occupied unless, or until, the proposed improvement schemes identified for M5 Junction 9 as shown in the PFA Consultants 'Proposed Improvements to M5 Junction 9' drawing ref: H556/12, had been completed to the satisfaction of the Local Planning Authority, in consultation with National Highways, and were open to traffic. In response, the Senior Planning Officer explained this had been requested by National Highways and he confirmed that the work had been completed. The Member drew attention to Pages No. 74-75, Paragraph 4.1 of the Committee report which outlined the objection from

Ashchurch Rural Parish Council and sought clarification on whether allotments were to be included; arrangements for transfer of the management and maintenance of the facilities; and connectivity, including the Public Right of Way. The Senior Planning Officer explained that the community orchard was currently proposed to be located in the south-east corner of the site – there were no allotments proposed but this was an outline application to establish the principle of development and, if permitted, Officers could negotiate their inclusion with the applicant if that was required by Members. In terms of management of the site, this needed to be finalised but it was anticipated that it would be via a private management company run by the applicant. The Member also noted there were no bungalows proposed within the affordable housing despite this being a requirement of the Ashchurch Rural Parish Neighbourhood Development Plan and she asked if that could be negotiated with the developers. The Senior Planning Officer explained that the affordable housing mix had been agreed with the Council's Housing Enabling Officer based on the housing need in the evidence base and there had been detailed discussions in order to achieve the proposed mix which included larger affordable housing units than would generally be provided. In terms of the market housing, condition 7 required submission of a housing mix statement so the inclusion of bungalows within the market housing could be explored. The Member raised concern that bungalows were much-needed but not often available and she hoped the applicant would take that into consideration when the layout and design for the site came forward. She went on to indicate that this area was popular with horse riders and there was bridleway at the top of the site which was well-used so she was keen to ensure that the interaction between horses and residents was considered and did not cause any issues for either party. The bridleway crossed the road going into the development and she indicated that she would like to see a Pegasus crossing required as part of the Section 106 Agreement.

7.23

Another Member supported these points and asked that bungalows be included as part of the mix as he agreed there was a lack of that type of housing in Tewkesbury. He also supported the comments made by the British Horse Association around the access arrangements, trail setting and increased fragmentation of groups. He sought assurance that the local schools were able to accommodate the additional pupils estimated to arise from the development as he understood that John Moore Primary School which was located on the Wheatpieces estate was oversubscribed. The Senior Planning Officer advised that the Local Education Authority had a statutory duty to ensure there were sufficient school places for all children in the borough. Gloucestershire County Council had been consulted on the application and had responded with a request for a Section 106 contribution of £772,687.50 towards secondary education provision; this was based on an assessment of how many pupils would be derived from the development in dwellings of two bedrooms or more in conjunction with pupil ratios and how many school places were available. In this instance, the County Council had not asked for a contribution towards primary school places recognising that, although the closest was John Moore Primary School and that could not accommodate all of the pupils arising from the development, there were four other primary schools within two miles of the site and there was sufficient spaces within those schools which were within walking distance. In terms of secondary schools, Tewkesbury School was 1.9 miles from the site and Cleeve School and Winchcombe School were within six and eight miles respectively but they did not have sufficient collective capacity to accommodate the development meaning that expansion was needed which was why the Section 106 contribution had been requested. The Member questioned whether Officers were confident there were suitable routes for children to walk or cycle safely to all of the schools and noted that concerns had been raised with regard to Queen Margaret's Primary School in particular which he felt ought to be considered. In response, the Senior Planning Officer confirmed this would be considered in terms of relative sustainability – there were cycle routes within the facility and the site was a lot more sustainable than a number of Service Villages. The Member indicated that he had

been struck by the magnificence of the hedge running through the site which had been teeming with birds when the Planning Committee had visited the previous day and he noted that Landscape Adviser's view, set out at Page No. 88, Paragraph 8.31 of the Committee report, that retention of the site's hedgerows was readily achievable. With that in mind, he asked if provisions could be put in place for its retention in greater quantities than were currently being proposed as it would take decades for replacement hedges to achieve the same level of biodiversity. The Senior Planning Officer advised this had been investigated and, in terms of that part of the hedge, more had been lost throughout the design process compared to the masterplan in the papers which was incorrect and showed a larger hedge. He explained this had been necessary to provide a circular bus route. The previous scheme had broken the linear hedgerow and created more space for the Locally Equipped Area of Play (LEAP); however, it had been felt it would be better to lose a section of the other hedgerow rather than break that one. If the hedgerow was retained across the northern boundary, it meant only one row of dwellings could be included resulting in close board fencing backing onto the Public Right of Way and a poor streetscene. Officers had been working with the applicant to achieve a balance but it was inevitable there would be some losses. It was necessary to ensure that the site contained as many houses as possible in order to maintain the Council's five year housing land supply and the illustrative masterplan was the result of balancing of a number of decisions – whilst the hedgerow had been lost, there was a better bus route and better retained hedgerow with useable spaces in the middle of the site. He gave assurance that nobody wanted hedgerow to be lost for the sake of it and there would be significant new hedgerow planting on the eastern boundary of the site which was currently open field. The Member asked that, if the application was granted permission, the developer be asked to retain as much of the mature hedgerow as possible. He went on to question how the 10% biodiversity net gain would be measured and was informed that the applicant would submit a Biodiversity Net Gain Assessment as part of the Landscaping and Ecological Management Plan which would be considered by specialist ecologists who would advise the Council as to its suitability. The Member asked if there was a standard framework to measure it and was advised it was a DEFRA metric so was a national standard. Another Member supported the comments which had been made regarding retention of the hedgerow and indicated that there were Great Crested Newts within 250 metres of the site. The Senior Planning Officer advised that the applicant had been issued with a Great Crested Newt District Licence by Naturespace which prescribed long term working practices and maintenance/management – he provided assurance there would be an extensive and well modelled method statement to protect Great Crested Newts.

- 7.24 A Member sought clarification as to the density of housing per hectare and was advised that the residential component of the development was 36 per hectare but for the site as a whole it was 16 per hectare. The Member noted that a library contribution had been requested as part of the Section 106 Agreement and he indicated that he had raised concern previously that it was not clear how that money was actually spent. In terms of the Section 104 Agreement from Severn Trent, he believed that was something which should be fleshed out at this stage if possible. He also asked why it was not possible to insist on developers providing solar panels and electric vehicle charging points as well as air source heat pumps given the high quality standard of the builds, particularly in terms of the affordable housing as this was excluded from government grants to retrofit – he felt the authority should be requesting these things as a minimum standard. With regard to the sustainability of the dwellings, the Senior Planning Officer confirmed that every dwelling, including affordable housing, would have an electric vehicle charging point and he believed the developer had circulated a briefing note to Members setting out its sustainability credentials. In terms of seeking energy efficiency in dwellings, it was important to bear in mind the development plan policy as any conditions imposed must be reasonable, necessary and justified. The developer was building homes in

accordance with building regulations to achieve sustainable developments.

- 7.25 A Member expressed his disappointment that only three paragraphs of the lengthy Committee report made reference to flooding, particularly given the questions raised by Tewkesbury Town Council. Whilst the report suggested the site was at low risk of flooding, the site would discharge into a watercourse which flowed into Tewkesbury and it was not clear if consideration had been given to the impact on the Tirl Brook or what measures would be taken to ensure the development did not affect residents downstream. It was important that surface water from the site did not arrive in the vicinity of the floodplain more quickly than the Sustainable Urban Drainage System (SuDS) could cope with. In response, the Senior Planning Officer advised that the Lead Local Flood Authority had been consulted on the application and had considered the Flood Risk Assessment submitted by the applicant. It was noted that the site was within Flood Zone 1 which was the lowest risk of flooding. This was an outline application to establish the principle of development and it was not possible to carry out a detailed survey until the levels were known; notwithstanding this, a condition was proposed which required submission of a detailed Surface Water Drainage Strategy which would include outflows into the Tirl Brook and management/maintenance of attenuation ponds.
- 7.26 A Member asked whether management of the community spaces within the site would be carried out by the developers' management company and was informed that was the most likely scenario but was still being finalised through the Section 106 Agreement – the landscaped areas around the trim trail would be maintained by a management company and the sports pavilion and playing pitches would be managed and run by Tewkesbury Town Colts Football Club. In terms of traffic, a Member noted that the main route was down Bluebell Road through the existing housing development and she asked whether consideration had been given to the additional traffic on that road given there would be more children on bicycles and walking etc. She made reference to the suggestion from Tewkesbury Town Council that movement of traffic generated by construction should be timed to avoid commuting hours to and from school/work. The representative from County Highways advised that all of the impact assessments which had been carried out suggested there was no need for traffic calming and he indicated that the existing situation with on street parking along Bluebell Road could act as traffic calming in its own right. Three traffic surveys had been undertaken by Streetwise to establish the base traffic with an automatic traffic counter put down between 18 May and 24 May which had counted 826 vehicles, 85% of which were travelling at a speed of 25mph. On 8 June a manual count had observed 156 vehicles in the AM peak and 180 vehicles in the PM peak. A queue survey had also been carried out which had observed a three vehicle queue in the AM peak and two in the PM peak. The likely impact of the development on the road had been assessed using standard peak modelling software and had raised no significant concerns. He clarified that the highways impact assessment considered the peak hours to be between 8:00am and 9:00am and 5:00pm and 6:00pm. A Member asked whether the new development could be serviced by a standard sized waste vehicle or if a smaller vehicle would be needed as on-street parking could limit the road width. In response, the Senior Planning Officer confirmed that he was not aware of any restrictions; however, all matters were reserved including the internal access and he would expect that to be tracked at the reserved matters stage. The Chair asked whether Rudgeway Lane was an adopted highway and if hedges on either side were within Gloucestershire County Council's ownership. The representative from County Highways indicated that he did not have that information to hand but could provide it following the meeting. The Chair assumed the hedgerows on both sides were to be retained and asked if there were plans to improve Rudgeway Lane in any way given that it would be a pedestrian access and cycleway. In response, the Senior Planning Officer explained that the access points to the main development were for cyclists and

pedestrians only; there would be no vehicular access via Rudgeway Lane. The applicant would work with the natural parameters and retain the hedgerow where possible.

7.27 It was proposed and seconded that authority be delegated to the Development Manager to permit the application, subject to investigating the viability of a Pegasus crossing in respect of the bridleway as part of the Section 106 Agreement, ensuring that a three metre constant access was maintained across bridleways whilst the development was built, consideration being given to any improvements which were required to Rudgeway Lane given that it would be a multi-use lane for horses and cycling, any additional/amended planning conditions and the completion of Section 106 Agreements to secure the heads of terms listed within the Committee report, subject to any amendments arising from ongoing discussions. The Senior Planning Officer indicated that these points could be discussed with the applicant and the application would be brought back to the Committee if there were any issues. A Member queried whether retention of the hedgerows would be picked up at a later stage and the Senior Planning Officer advised that a parameters plan would need to be approved at the reserved matters stage and Officers would do what they could at that point to retain as much of the hedgerow as possible.

7.28 Upon being put to the vote, it was

**RESOLVED** That authority be **DELEGATED** to the Development Management Manager to **PERMIT** the application, subject to investigating the viability of a Pegasus crossing in respect of the bridleway which would cross the only access route, ensuring that a 3 metre constant access across bridleways whilst the development was built, consideration being given to any improvements which were required to Rudgeway Lane given that it would be a multi-use land for horses and cycling, any additional/amended planning conditions and the completion of Section 106 Agreements to secure the heads of terms listed within the Committee report, subject to any amendments arising from ongoing discussions.

### **22/00083/FUL - Oak House, Malleson Road, Gotherington**

7.29 This application was for erection of a two storey side extension, a single storey rear extension and a side extension to the detached garage.

7.30 The Planning Assistant advised that this was a householder application for a detached dwelling located in the village of Gotherington and part of the site was in a locally designated area of important open space. A Committee determination was required as Gotherington Parish Council had objected to the application on the grounds that the proposal would remove the open aspect of the view south from Malleson Road towards Whites Farm and that the proposal would be disproportionate in this area. No objections had been received from the statutory consultees or following neighbour consultations. It was the Officer view that the proposal was in keeping with surrounding development and would not result in any undue harm to the occupants of the neighbouring dwellings, or to the locally important open space, as outlined in the Committee report. Therefore, it was recommended that the application be permitted.

7.31 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. A Member questioned what could be built under permitted development rights and whether it would be equivalent to what was being proposed in terms of size. In response, the Development Management Team Manager (East) advised that the permitted development rights had been removed when the two dwellings were originally granted planning permission on the basis that the site was within an area of important open space. The Planning Assistant explained that a two storey extension could not be erected under permitted development rights, although it was possible that a single storey rear extension could have been built under permitted development rights, if the property benefitted from them. Another Member asked whether the development contravened any policies in the Gotherington Neighbourhood Development Plan and was advised that Policy GNDP10 related to locally significant views but this was not regarded as one.

7.32 Upon being put to the vote, it was

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

### **23/00240/FUL - 9B Beckford Road, Alderton**

7.33 This application was for erection of a first floor rear extension and installation of a rear roof dormer.

7.34 The Planning Assistant advised that this was a householder application in respect of a detached dwelling located in the village of Alderton. A Committee determination was required as Alderton Parish Council had objected to the application on the grounds that the proposal would be of an inappropriate and poor design, out of character with the village vernacular, overbearing on the neighbouring dwellings and would result in insufficient parking. No objections had been received from the statutory consultees but there had been eight letters of representation following neighbour consultation, all objecting to the application. It was the Officer view that the proposal would not result in any undue harm to the streetscene or the occupants of the neighbouring dwellings, therefore, it was recommended that the application be permitted.

7.35 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident explained that this was one of many building plans that had been submitted for the site since 2019 and, after much consultation, the developer had agreed to a single storey at the rear to preserve the neighbour's amenity. With regard to overshadowing, the original plans did not show how close the property was to No. 9A Beckford Road, nor did it show the conservatory at No. 11 Beckford Road; although a site visit had been requested to assess the impact of the second and third storey extension on the conservatory, that was yet to take place. The Committee report stated that the proposal consisted of a two storey extension that would be constructed over the existing single storey rear area of the dwelling. The proposed extension would have a part catslide roof which would accommodate the box dormer extension. The second floor extension would be constructed from coursed stone to match the existing building and the box dormer would be clad in standing seam metal cladding. The design of the extension was utilitarian in appearance and, due to the limited space on the existing roof slope, would create an awkward relationship between the box dormer and the roof of the proposed second floor extension. Whilst this relationship was not ideal in design terms, the extension would be viewed from a limited number of public vantage

points, the majority of which being within private residential gardens and dwellings. The local resident indicated that the surrounding neighbours would have to look at it every day so it would affect them all. She pointed out that the Conservation Officer's report stated that the design would create a dominant and unsympathetic addition to the property and surrounding area. In conclusion, the local resident asked the Planning Committee to visit the site and assess the overbearing and overshadowing impact on the surrounding properties prior to making a decision.

7.36 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the application related to a recently built property within the main built-up area of Alderton and proposed relatively modest extensions to the house. It involved a small first floor extension above an existing single storey element and a dormer window in the roof to maximise use. As Members would be aware, planning applications were to be determined in accordance with the expectations and thresholds set out in local and national policies. Officers had identified what the key policies were i.e. the householder extension policies of the Tewkesbury Borough Plan, and, using their knowledge and experience of determining similar applications within the borough, they had set out clearly in the Committee report the threshold for what was acceptable in terms of design and the impact on neighbouring amenity. In that regard, the applicant's agent felt that Officers were correct in concluding that the proposed extension ultimately met the design and neighbouring amenity expectations of policy; accordingly it was recommended that planning permission be granted. In particular, Officers had identified that the proposed extensions would not breach the 45 degree rule which was often used to assess the impact on neighbouring outlook and amenity. Furthermore, at over 25 metres from the dormers and 22 metres from the new rear extension, the extensions exceeded the minimum back-to-back and window-to-window distances between properties. Officers also confirmed that the Council's Conservation Officer had no overarching objections to the scheme. In that regard, the Conservation Officer represented the main party tasked with assessing design quality within Tewkesbury Borough. Officers had rightly concluded that the proposal reasonably accorded with adopted Policies RES10, SD4 and SD14. The applicant's agent noted that some concerns had been expressed by the Parish Council and local residents and, whilst they were entitled to their views, they could not reasonably lead to the refusal of planning permission. Members would be aware that the concern expressed by local residents that extensions would set a precedent for other properties to extend, and the impact on land values, were not material planning considerations. Furthermore, policy was met with regard to parking standards, with County Highways' requirements adhered to in all respects. In conclusion, Officers were correctly supporting the application and he hoped Members would take their advice and permit the application.

7.37 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member questioned how the Alderton Neighbourhood Development Plan impacted the application and was informed that the proposal had been assessed against the plan and there was no conflict. Another Member asked why a site visit had not taken place if it had been requested and the Development Management Team Manager (East) explained there had been no site visit request via Members, the site visit request referenced by the local resident had been made by a member of the public. A Member asked for a comment on the size of the dormer roof and the Planning Assistant advised that the dormer was set down from the side of the dwelling itself and could be achieved under permitted development rights which allowed a dormer up to 50 cubic metres on a detached dwelling – the proposed dormer was 26 cubic metres so was considered to be an appropriate size. The Development Management Team Manager (East) explained that, whilst Members had a right to refuse the application, the property benefited from permitted development rights and, if this application was unsuccessful, a certificate of lawfulness application could be submitted. A Member



asked whether it was possible to defer the application for a Planning Committee Site Visit and the Development Management Team Manager (East) confirmed it was within Members' gift to do so if they felt they could not determine the application based on the photographs displayed at the meeting. It was proposed and seconded that the application be deferred for a Planning Committee Site Visit to assess the impact of the proposal on neighbouring amenity and the visual impact on the streetscene. A Member indicated that she supported a deferral on that basis and found it disappointing that, although it was stated that the Conservation Officer had no objections, an issue had been raised in relation to design and that should have been included in the Committee report. Alderton Parish Council had objected on design grounds and this seemed to be backed up by the Conservation Officer.

7.38 Upon being put to the vote, it was

**RESOLVED** That the application be **DEFERRED** for a Planning Committee Site Visit to assess the impact of the proposal on neighbouring amenity and the visual impact on the streetscene.

### **22/00740/FUL - Green Cottage, Snowhill**

7.39 This application was for alterations to the front of the property to provide a porch; erection of a veranda to the rear elevation and garden room in rear garden. The Planning Committee had visited the application site on Wednesday 24 May 2023.

7.40 The Planning Officer advised that the application site fell within the Snowhill Conservation Area and Cotswold Area of Outstanding Natural Beauty. A Committee decision was required as the Parish Council continued to object to the proposed garden room as they considered it would be oversized and, even with the reduction to the eaves height and ridge height, considered that the roof would be highly visible from many locations such as the village green and the Church. In order to address the concerns raised by the Parish Council and local residents, the ridge height of the garden room had been reduced to 3.4 metres with the eaves height being reduced to two metres. A timber mock-up had been erected on the site to fully assess the impact on the immediate neighbours and the character of the Conservation Area. The site had been thoroughly assessed and a site visit carried out by the Planning Officer and the Conservation Officer who raised no objections to the revised plans. It was considered there would be no adverse loss of light or loss of privacy to the immediate neighbours and the impact on the character and appearance of the area would be acceptable, therefore, the Officer recommendation was to permit the application.

7.41 The Chair invited the applicant to address the Committee. The applicant advised that the property had been empty for over 40 years and in a state of severe disrepair before he and his wife had bought it in 2019. They had sympathetically renovated using their own funds and a local family builder during 2020/21. He made reference to their involvement in the community which they were committed to contributing to and being part of. The purpose of the application was to create some much-needed space for their own daily use that was in keeping with village architecture. There was previously a dilapidated stone building in the back garden which had collapsed and that was in the location where they now hoped to have the garden room – he pointed out that old photographs had been displayed at the meeting. A shower room had been included as they were not able to have one in the cottage itself due to the low height and angle of the ceiling and a stove was included as there was no gas or oil at the property. With regard to the concerns about it being used as an Airbnb or separate dwelling, the applicant gave assurance that they were a private family and would not want strangers in the garden; they would prefer to see fewer tourists rather than more and had proactively suggested a clause to state that use of the garden room was ancillary to the cottage. He advised there was no direct or free access to the rear of the property but they did have right

of way via their neighbour's land. The applicant appreciated the process had been stressful for their immediate neighbours and they had involved them and members of Snowhill Parish Meeting at the pre-application stage. He recognised change could be unsettling and hoped that, if the application was permitted, everyone would see they had added something of beauty to the village. They had listened to the Conservation Officer, amended the plans accordingly and no objections were raised. The building was wholly in keeping with others in the village and mirrored the gable of the neighbouring property, albeit with fewer windows and half the size. He indicated that the Conservation Officer had also stated that the plot could accommodate a building of this size. They appreciated that Snowhill was special and they loved historical buildings, beautiful gardens and nature. Members would see from the Committee report that the proposal complied with all planning-related policy and the Officer recommendation was to permit the application – he hoped that Members would agree.

- 7.42 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 Conservation Officer raised no objection but recognised there had been several iterations of the original design and the Planning Officer had suggested on the Planning Committee Site Visit that it was a hipped roof which she understood the Conservation Officer felt was inappropriate so she asked for some clarification on this. In response, the Planning Officer explained that the Parish Council had asked for a flat roof but the Conservation Officer considered that would be totally out of keeping in this prominent location and would be far worse than a hipped roof. The Member asked if it was within Members' gift to restrict the height of the chimney or change its colour and the Development Management Team Manager (South) confirmed it was possible to change the colour but the height was controlled by building regulations to allow for dispersal of smoke. Another Member queried whether any energy efficiency measures had been considered as part of the application and the Development Management Team Leader (East) confirmed that nothing had been considered over and above what was required by building regulations. It was proposed that the application be permitted in accordance with the Officer recommendation and a Member indicated that she would be willing to second the proposal subject to changing the colour of the chimney to something in keeping with the surroundings. The proposer of the motion confirmed he was happy with that change. The Development Management Team Manager (East) advised that condition 4 required the finished flue colour proposed to be used be submitted to and approved in writing by the Local Planning Authority; it was noted that the seconder of the motion was unhappy with the matte black which was currently proposed. Another Member noted the concerns regarding the garden room being used as an Airbnb and sought assurance that a change of use application would be required in those circumstances. The Planning Officer confirmed that if the development was to be used as a holiday let in future, that would require planning permission for change of use. She confirmed that an ancillary use condition was proposed which the applicant was aware of and happy with.

- 7.43 Upon being put to the vote, it was

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

**22/00916/FUL - 2 Moorfield Road, Brockworth**

- 7.44 This application was for erection of a dwelling and new access drive.
- 7.45 The Development Management Team Manager (East) advised that the application sought full planning permission for the erection of a detached two storey, four bedroom dwelling on the corner of Moorfield Road and Ermin Street. The site currently formed part of the residential curtilage of No. 2 Moorfield Road, a detached property on a corner plot in a built-up residential area of Brockworth. The site was within the designated development boundary of Brockworth, as defined within the Tewkesbury Borough Plan, and the principle of developing the plot was deemed acceptable on that basis, subject to the application of all other relevant policies within the plan. The proposed new dwelling was designed with a hipped roof comprising grey roof tiles, the walls would be faced with render on a brick plinth to match the immediate area. Concerns had initially been raised by the Parish Council and Officers as to the scale of the building within the sub-divided plot resulting in the applicants revising the proposal to reduce the scale and massing. The building was now considered to be appropriately sized in relation to the plot and the surrounding dwellings in the area. Concerns had been raised by the Parish Council with regard to the access into the site which would be via an existing access for No. 2 Moorfield Road which would be widened to accommodate both dwellings. Additional information had been provided by the applicant to demonstrate that cars could safely manoeuvre within both sites and exit the site in a forward gear. The County Highways Officer had assessed the details and advised that the access was acceptable and safe, subject to planning conditions. The Committee report set out the material planning considerations which had been assessed in accordance with policies in the development plan and it was considered the proposal would not result in any undue harm, therefore, the application was recommended for permission, subject to conditions. The Development Management Team Manager (East) advised that condition 6 required the provision of sheltered, secure and accessible bicycle storage and the applicant had provided those details as part of the application. This condition could be removed or amended depending on Members' views, should they be minded to look favourably on the application. It was noted that a late request had been made for a Planning Committee Site Visit which was after the deadline and, as it had not been possible to visit the site, multiple photographs of the access had been taken to assist Members in their determination of the application.
- 7.46 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 asked whether the access would be retained in perpetuity and confirmation was provided that County Highways had recommended a condition to ensure it was maintained. Another Member raised concern about the distance of the access from Ermin Street and felt that the photographs did not show the usual situation with on-street parking on that road, which was a main thoroughfare from Brockworth to Shurdington Road and Stroud.. She had made the late request for the site visit and felt that it was necessary to defer the application to allow that to take place. The representative from County Highways explained that the plans initially submitted with the application had caused concern as there was a requirement for the access to be a width of 20 metres from the junction – the plans submitted showed this was 10 metres. The applicant had subsequently submitted revised plans to accord with the requirement and the access had been increased to 10 metres in width. County Highways was satisfied that, at the point of access, there was sufficient visibility to the junction and a distance in excess of 40 metres. A condition would be included to ensure pedestrian visibility splays of 2 metres by 2 metres, measured back from the back of the footway, would be provided on both

sides of the access. As such, County Highways was satisfied the access could be used safely and that there was sufficient visibility. A Member disputed the 40 metre distance and the representative from County Highways clarified that the distance to the junction itself was 20 metres and to the right of the access it was over 43 metre which met the requirements for a 30mph road.

7.47 It was proposed and seconded that the application be deferred for a Planning Committee Site Visit to assess the safety of the access. The seconder of the motion indicated that he was reluctant to second a Planning Committee Site Visit when there was a process in place for making requests prior to the meeting; however, on this occasion he felt it was necessary for Members to see the access and the potential impact given that it was onto a major thoroughfare. The Development Management Team Manager (East) clarified the location of the access and the distances to the junction and indicated that the visibility splay would be improved by the proposed access.

7.48 Upon being put to the vote, it was

**RESOLVED** That the application be **DEFERRED** for a Planning Committee Site Visit to assess the safety of the access.

### **TPO 419 - Ingleside, Dog Lane, Witcombe**

7.49 This report was in respect of the confirmation of Tree Preservation Order 419.

7.50 The Tree Officer advised that the purpose of the Tree Preservation Order was to protect a mature Wellingtonia Tree. The Council had received a request from a local resident for a Tree Preservation Order assessment to be carried out as the property had recently been sold and they were concerned that the tree may be felled as the intention of the new owner was unknown. A Tree Evaluation Method for Preservation Orders was carried out and the outcome concluded that the tree qualified for a Tree Preservation Order. It was therefore recommended that the Tree Preservation Order be confirmed without modification.

7.51 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to confirm the Tree Preservation Order without modification and he sought a motion from the floor. A Member drew attention to the photographs at Page No. 179 of the Committee report, which she assumed had been taken by the person objecting to the Tree Preservation Order, and showed ground movement and cracking to steps etc. She queried if the Tree Officer had been aware of any structural issues being created by the tree when they had visited the site. In response, the Tree Officer explained that she assessed the tree on its amenity value; if the objector felt there were structural issues they should submit a report with those findings. It was proposed and seconded that the Tree Preservation Order be confirmed without modification and, upon being put to the vote, it was

**RESOLVED** That the Tree Preservation Order be **CONFIRMED WITHOUT MODIFICATION.**

### **PL.8 CURRENT APPEALS AND APPEAL DECISIONS UPDATE**

8.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 188-189. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

8.2 Accordingly, it was

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

The meeting closed at 12:30 pm

## Appendix 1

**ADDITIONAL REPRESENTATIONS SHEET**

Date: 25 May 2023

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 day 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>23/00205/FUL - Land North Of, Sandy Pluck Lane, Bentham</b></p> <p><b>Members of the Planning Committee have all received a further representation of support from a local resident in response to the Committee report, which can be summarised as follows:</b></p> <ul style="list-style-type: none"> <li>- Disagree that Sandy Pluck Lane does not form part of the village of Bentham which has the character and identity of a dispersed village, and which residents/the Parish Council are best placed to determine.</li> <li>- The application has support from the local community, including the contemporary design which reflects the wishes of the local community.</li> <li>- The proposed design/ removal of the existing barn will improve views for walkers using the footpath in the field behind the site.</li> </ul>
5d	<p><b>22/00834/OUT - Land To The South-east Of Bluebell Road And East Of Rudgeway Lane, Wheatpieces, Tewkesbury</b></p> <p><b>Further to the issuing of the NatureSpace Great Crested Newt District Licence</b>, it is recommended that the following additional conditions and informatives are added in accordance with the provisions of the licence:</p> <p><b>Additional Conditions:</b></p> <ol style="list-style-type: none"> <li>1. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Land off Rudgeway Lane, Wheatpieces: Impact Plan for great crested newt District Licensing (Version 2)" dated 6th January 2023.</li> </ol> <p>Reason: To ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR112 (or a 'Further Licence').</p> <ol style="list-style-type: none"> <li>2. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.</li> </ol> <p>Reason: To adequately compensate for negative impacts to great crested newts.</p> <p><b>Additional Informatives</b></p> <ol style="list-style-type: none"> <li>1. It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.</li> <li>2. It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.</li> <li>3. It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the</li> </ol>

	development to proceed under the District Licence WML-OR112, or a 'Further Licence') are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and if offences against GCN are thereby committed then criminal investigation and prosecution by the police may follow.
<b>5f</b>	<b>23/00240/FUL - 9B Beckford Road, Alderton, Tewkesbury</b> <b>An additional email has been received from the Parish Council.</b> This email raises further objection reasons in relation to the bulk and massing of the proposal. Other reasons were raised but these are already covered in the Committee report. The additional comments have been considered and, notwithstanding this additional comment, the recommendation for the application remains as Permit.
<b>5g</b>	<b>22/00740/FUL - Green Cottage, Snowhill, Snowhill</b> An additional letter has been received from the Chair of Snowhill Parish Council. <b>The letter is attached in full.</b>

**Item 5g - 22/00740/FUL - Green Cottage, Snowhill****PLANNING APPLICATION 22/00740/FUL - GREEN COTTAGE SNOWSHILL****23 May 23**

Submitted by [REDACTED], Parish Chair Snowhill Parish Meeting.

*Due to personal circumstances as explained to Democratic Services, the Chair regrets that he is unable to attend in person.*

The Parish Meeting has objected to the original application and the amended application; there are 34 objection letters - a very high number for such a small village, having less than 130 adult full-time residents.

We have previously submitted two letters detailing our concerns. Our position can be summarised as follows.

The proposed "room" is 6.8m x 3.3m. There are many objections to the overall size of the Garden Room - its visual impact can be seen from various locations including the road, the Green, the Churchyard and the Village Hall. We consider a Garden Room does not require a shower, WC and wash basin room, plus a wood burning stove with its unsightly stack. The owners have stated they need an extra bedroom; this statement was made in front of the committee member for planning and myself and was also made to their neighbours.

The drawings were amended to incorporate some very minor changes - these do not satisfy the Parish Meeting or the neighbours/residents.

There is one letter of support. This was belatedly submitted on 24 Apr 23; it makes 2 specific comments:

- One is about the parking - this comment was no longer relevant since the application for parking had been withdrawn.
- There is also reference to the chimney and the precedence set by an existing chimney - this is also not considered relevant; the proposed chimney is in the centre of the village, whereas the existing chimney is on a house which is not centrally located and where only the top of the chimney is visible.

Our letters included what we would consider acceptable - a room limited to say 4x3m with no shower room or wood burner. Please look at the Parish Meeting letter 3 March 23 to see a photograph to illustrate an acceptable garden room (this shows a hip roof which would be visually less intrusive).

The proposed building is on a sloping site. A site visit has been requested - this would show its high visibility and that the building would overlook one neighbour and block the view of another neighbour.

We consider the proposed building in the centre of the village would be a permanent eyesore and would be inappropriate in this location. Please reject the current application.

Thank you.

[REDACTED]  
Parish Chair, Snowhill Parish Meeting