

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 18 July 2023 commencing at 9:30 am**

Present:

Chair

Councillor P E Smith

and Councillors:

H J Bowman (Substitute for M Dimond-Brown), M A Gore, S Hands, D J Harwood, M L Jordan,
G C Madle, J R Mason, G M Porter, R J G Smith, M J Williams (Substitute for R J E Vines) and
P N Workman

also present:

Councillors C E Mills and M G Sztymiak

PL.16 ANNOUNCEMENTS

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

PL.17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 17.1 Apologies for absence were received from Councillors E M Dimond-Brown and R J E Vines. Councillors H J Bowman and M J Williams would be substitutes for the meeting.

PL.18 DECLARATIONS OF INTEREST

- 18.1 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.

18.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
M A Gore	Agenda Item 5b – 22/01317/FUL – 3 Consell Green, Tewkesbury Road, Toddington.	Had been contacted by local residents in relation to the application and had been proactively involved in ensuring the Parish Council had the opportunity to be consulted on revised plans but had not commented or expressed an opinion.	Would speak and vote.
D J Harwood	Agenda Item 5e – 22/00995/FUL – Land at Sparrow Hawk Way, Brockworth. Agenda Item 5g – 22/00751/APP – Phase 7, Perrybrook, Brockworth.	Is a Borough Councillor for the area. Is a Member of Brockworth Parish Council but does not participate in planning matters. Had received various correspondence in relation to the applications but had not expressed an opinion.	Would speak and vote.
G C Madle	Agenda Item 5a – 22/00505/FUL – Appledore, Corndean Lane, Winchcombe. Agenda Item 5d – 23/00111/FUL – Wisteria Cottage, 67 Gloucester Street, Winchcombe.	Is a Borough Councillor for the area. Is a Member of Winchcombe Town Council but does not participate in planning matters.	Would speak and vote.
G C Madle	Agenda Item 5f – 22/01058/PIP – Parcel 5004, Opposite Lilac Cottage, Hawling.	Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.

J R Mason	Agenda Item 5a – 22/00505/FUL – Appledore, Corndean Lane, Winchcombe. Agenda Item 5d – 23/00111/FUL – Wisteria Cottage, 67 Gloucester Street, Winchcombe.	Is a Member of Winchcombe Town Council but does not participate in planning matters.	Would speak and vote.
P N Workman	Agenda Item 5c – 21/01409/FUL – The Coach House, Shuthonger, Tewkesbury.	Had received a number of communications from representatives of residents in the area but had not expressed an opinion.	Would speak and vote.

18.3 There were no further declarations made on this occasion.

PL.19 MINUTES

19.1 The Minutes of the meeting held on 20 June 2023, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.20 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

20.1 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.

22/00505/FUL - Appledore, Corndean Lane, Winchcombe

20.2 This application was for the reconfiguration and extension of the existing dwelling. The Planning Committee had visited the application site on Friday 14 July 2023.

20.3 The Planning Officer advised that the application related to Appledore, a large detached replacement dwelling located along Corndean Lane in Winchcombe. The site fell within an Area of Outstanding Natural Beauty and near to the Cotswold Way which ran along Corndean Lane to the east. Revised plans had been submitted in February reducing the overall size and bulk of the extensions, particularly on the north and south elevations, and omitting the proposed basement. It was noted there would be an overall increase in volume of 32% which was much less than the original scheme submitted. A Committee determination was required as the Town Council had objected to the revised plans due to concerns regarding the scale and design of the proposal and as it was considered that, once extended, the dwelling would stand out when viewed from the Cotswold Way. Whilst the proposal as revised would still substantially increase the size of the dwelling, it would result in improvements to the design and appearance of the building. In relation to the impact on the surrounding Area of Outstanding Natural Beauty and the Cotswold Way, the Landscape Officer considered that the revised proposal would have a minimal additional impact on the existing setting. The main public views of the

building would be from the Public Right of Way to the south and would mostly be distant and seen as part of a much wider landscape, glimpsed for only a short distance within the setting of the other dwellings. With regard to the impact on neighbouring dwellings a full assessment had been made and, given the size of the plot and the distance between the immediate dwellings, there would not be any harmful overlooking or loss of light. The Drainage Officer had confirmed he was happy with the proposed drainage condition and that it would suitably cover the drainage requirements. Overall, it was considered that the proposal as revised would not be unduly harmful to the appearance of the existing dwelling, nor the surrounding Area of Outstanding Natural Beauty, and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings, therefore, the Officer recommendation was to permit.

- 20.4 The Chair invited a local resident speaking in objection to the proposal to address the Committee. The local resident indicated that the Council's invitation to comment suggested two particular criteria: unsympathetic design affecting the appearance of the building and/or the character of the street; and environmental matters such as impact on landscape and character of an area. The Council declared a planning policy that aimed to prevent new development that was of unsympathetic design or which had a disruptive impact on the landscape and local character – local residents were asking only that the application be decided in accordance with these policy criteria. In terms of scale, the house already dwarfed its neighbours, and this proposal would enlarge its bulk even further, by about one-third, which would both exacerbate its incongruity with all its neighbours and increase its stark visual prominence. With regard to its design and place in the landscape, Appledore's modernist 'boxy' style made it a misfit among its neighbours, an anomaly made extra conspicuous by its great bulk. This proposal would soften the south side's verticals but would also increase the length, breath, height and bulk of its mass, making it look more like a block of flats or offices which would further disrupt both the character of the area and views from the Cotswold Way Area of Outstanding Natural Beauty. It was already an intrusive and alien feature and to substantially enlarge it would make it even more conspicuous. In terms of frontage to the lane, the local resident indicated that, like its neighbours, Appledore's north front was now reasonably well set back from the lane, but this proposal would bring the frontage forward and lengthen it by some 20% to around 90 feet long. These encroachments would make the lane feel far more overlooked and enclosed, imposing a suburban feel to what now felt rural. Appledore already violated the set limit in terms of overall height and to permit a further increase would encourage the disregard already demonstrated which should be resisted. On that basis, he felt that planning permission should be refused.
- 20.5 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member noted there were trees screening the view from the hill and she asked if these were part of the application site or in another field and whether there would be provisions for screening if the trees were removed at any point. In response, the Planning Officer advised that she believed the majority of the trees providing screening were in a separate field and not part of the existing application. She confirmed that no substantial trees were being removed from the garden so the proposed landscaping would be additional to the existing. A Member noted that the Cotswold Way started to descend from this point which meant that Appledore came into greater view and, whilst it was a distance away, it would become more prominent to anyone walking along the Cotswold Way. The Planning Officer agreed that the building would get closer as walkers descended the hill; however, it was not an isolated dwelling and would be read in conjunction with the existing neighbouring dwellings. She reiterated that the Landscape Officer had been consulted on the application and concluded that, whilst there would be minimal additional impact, it would not be harmful enough to warrant refusal. The Development Management Manager advised that the Landscape

Officer's comments were reflected at Page No. 30, Paragraph 8.3 of the Committee report which stated there would be a minor or negligible additional impact on the existing setting and confirmed that the main public views of the building would be from the Public Rights of Way to the south and would mostly be distant as part of a wider landscape panorama, glimpsed only for a short distance and screened by intervening vegetation. A Member queried whether the pool house was still part of the proposal and, if so, where it would be and the Planning Officer confirmed that the pool house and outdoor swimming pool were included and pointed out their location on the photograph displayed at the meeting.

20.6 It was proposed and seconded that the application be refused due to its bulk and size which would have an overbearing impact on the setting of the Area of Outstanding Natural Beauty and the Cotswold Way which conflicted with Policies SD6 and SD7 of the Joint Core Strategy and 1.1., 5.1 and 5.5 of the Winchcombe and Sudeley Neighbourhood Development Plan. The proposer of the motion indicated that it was one of the nicest views of the Area of Outstanding Natural Beauty and would be spoilt by the proposal, particularly in autumn and winter when the foliage had gone. A Member sympathised with the local residents and the proposer and seconder of the motion but indicated that, if the application was to be refused, it was necessary to have sound planning reasons which he did not believe had been provided. Another Member questioned if it was possible to strengthen proposed condition 4 to require further screening to protect the view, particularly as this seemed to be reliant on vegetation which was not within the application site. The Development Management Team Manager (East) advised that, in terms of the landscape impact, the Council's Landscape Officer had assessed the proposal and found that the additional harm would be minor. If the application was permitted, the proposed landscaping condition would require details for the whole site to be submitted so additional screening could be considered at that point; however, it was important to consider what was reasonable and whether it could be kept in perpetuity. Members needed to assess the proposal on its own merits without relying on additional landscaping to screen the development. A Member indicated that although the Planning Committee had visited the application site, Members had not had the benefit of the view before them today; the pool house would extend west away from the existing screening and did not cover the main part of the properties so would impact on the view from the hill. As such, he wondered whether the screening would be sufficient to mitigate the harm that would be done by increasing the bulk of the property. The proposer of the motion indicated that Members had already heard that the building was larger than any other house within that setting and this proposal would mean it was increased by a further 30%, as such, there must be an overbearing impact, particularly in terms of the surrounding Area of Outstanding Natural Beauty. In response to the comments, the Development Management Manager confirmed that, as set out in the Committee report, landscaping conditions were proposed which would provide an enhancement in terms of the existing soft landscaping features and the Landscape Officer had commented on providing mitigation. In terms of the overall scale, it was clear there would be additional volume but that must be assessed in its context and, in terms of impact, there was a clear reduction from the proposal originally submitted and the Landscape Officer had indicated it would result in minimal harm. Whilst there was reference to increased size and scale, the percentage increase was not a determinative factor set out in policy and each application must be considered on its own merits.

20.7 Upon being put to the vote, the motion to refuse the application fell. It was subsequently proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion appreciated the concerns regarding the proposal but it had been assessed by the Landscape Officer, who was a technical expert, who had found that the impact would be minimal. She was disappointed no response had been received from the

Cotswolds Area of Outstanding Natural Beauty Board but, in her view, she did not think there were enough reasons to refuse the application based on the evidence before them. Clarification was provided that, whilst the Cotswolds Area of Outstanding Natural Beauty Board did comment on planning applications, this proposal was outside of its remit as a consultee. Upon being taken to the vote, it was

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

22/01317/FUL - 3 Consell Green, Tewkesbury Road, Toddington

20.8 This application was for construction of two dwellings. The Planning Committee had visited the application site on Friday 14 July 2023.

20.9 The Planning Officer advised that a Committee determination was required as the application had been called-in by Councillor Gore. With regard to the Additional Representations Sheet, attached at Appendix 1, he indicated that four additional letters of objection had been received from members of the public and the Parish Council. The objections related to the change of Plot 1 from a flat roof bungalow to a two storey dwelling along with other points that had already been raised by objectors. The Planning Officer had spoken to three of the objectors to clarify that the dwelling at Plot 1 would be 1.5 storey not two storey. Four of the six original objection letters raised concern with the flat roof bungalow at Plot 1 as originally submitted, as such, a revised scheme had been requested for a pitched roof; however, when the amended plans had been received they had shown a two storey dwelling with a pitched roof. This was not acceptable on the basis that it would be out of keeping with the area and would have an overbearing impact, therefore, further revised plans had been submitted for a 1.5 storey dwelling which was now provided for Plot 1. Whilst there was no requirement for the Council to re-consult on the revised plans, the four nearest neighbours and the Parish Council had commented on the amended plans. The Planning Officer went on to advise that the application site was located within the settlement boundary of New Town, Toddington within the Special Landscape Area but not within the Area of Outstanding Natural Beauty. Planning permission was sought for the erection of two new dwellings with associated garages and the existing garage and greenhouse would be demolished to allow for access to the new dwellings. Plot 1 would consist of a 1.5 storey detached dwelling with rooms in the roof space alongside two garages for use by the new dwelling and the occupants of No. 3 Consell Green; Plot 2 would consist of a two storey detached dwelling with a detached single garage. Both properties would have front and rear gardens and would be accessed via a gravel surfaced private drive. As the application was located within the settlement boundary of Toddington, the principle of residential development at the site was considered to be acceptable subject to other policy considerations. The plot size was larger than those to the east but Officers considered that the width and depth would allow two dwellings to be accommodated without causing overdevelopment. The dwellings would be in keeping with the design and appearance of the new properties in Consell Green Lane. The proposal was contained within an existing residential plot and would not encroach into the countryside and, following consultation with the Landscape Officer, there was a 1.2m high timber post and rail fence with native hedging to the southern, eastern and western boundaries which would be in keeping with the existing boundary treatment. In terms of amenity, the rear elevation of Plot 1 faced Consell Green Lane and the only window at first floor level contained one rooflight serving the bathroom so there were no issues with overlooking or loss of privacy to the east; there were no side windows at first floor level. At the rear, a separation distance of 21m was provided between the rear dormers and Plot 2 of Consell Green Lane. Plot 2 had no side windows facing the garden at first floor level and the front elevation contained three rooflights which significantly reduced any impact of overlooking to neighbouring gardens. Officers

felt the plans and the impact on neighbouring amenity were acceptable and there were no objections from statutory consultees – except the Parish Council – on the grounds of highways, drainage, ecology, environmental health and landscaping, therefore the Officer recommendation was to permit the application.

- 20.10 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that she disagreed with Page No. 63, Paragraph 8.24 of the Committee report as she considered there would be unacceptable adverse impacts in terms of loss of light and overbearing effects upon neighbouring properties and the proposal should not go ahead on that basis. She was representing residents from the houses along the strip either side of this plot, and many others who lived in Toddington and explained that, when her family had come to the area they had not planned to stay but, once they had lived there, they had realised how beautiful the countryside was and what a wonderful place it was to live. Toddington had seen some residential development in recent years and they had raised minor objections in relation to those; however, in her view, none of them – even the four new houses built at No. 1 Consell Green - had directly affected the garden or homes of the existing properties, only the owner of the plot of land. If this development was allowed, it will set a precedent for everybody in Toddington to build and make money from the plots in their gardens. Toddington was known for its lovely long plots of garden, usually overlooking the wonderful countryside and hills and would quickly turn into a very cramped, overcrowded, and gloomy place to live. Their hedge was usually cut to five feet to ensure it got all of the afternoon sun; a two bedroom house at 20 feet high, and the 1.5 storey still at a towering 18-20 feet high, would not be very far away from their house and garden. Whilst the gardens were beautifully long, they were not very wide, some under 25 feet in width in places. The new houses would be around 40 feet away from the edge of their garden, closer for the two neighbouring houses, and with the two houses so close together they would loom over them in the garden for most of the full length, taking most of the light from the garden, especially at Mayfield and No. 1. They had worked hard to own their house and garden and, with the mortgage rises coming to their family in February, it would be a hard time to sit and watch the family home and garden they loved become so overshadowed. They loved the village of Toddington and did not feel that building in people's back gardens was good for the wildlife or the feel of the village - less garden space meant less available habitat for hedgehogs and other wildlife that thrived in their gardens or bats over the pond which would not be around with more light from the houses. The local resident drew attention to Page No. 65, Paragraph 8.37 of the Committee report, which stated that the Highway Authority had no justifiable grounds to object based upon the analysis of the information submitted; however, the speed survey results were incorrect and the average speed was not 36mph. The results were not only taken at the end of the COVID pandemic, but during the quietest parts of the day between 1040 hours and 1200 hours and 1400 hours and 1510 hours. Her husband had performed an in depth study of the recordings by the moveable speed sign and, based upon that data, the calculations in report 2214TN01A were incorrect and needed to be disregarded. She urged Members not to set a precedent for building in the gardens of Toddington as that would affect any existing houses and be detrimental to the village of Toddington and the surrounding wildlife, not to mention the existing residents and families. It was also very dangerous and could increase the chance of a loss of life on this 40mph busy road with a deadly bend.
- 20.11 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. In response to a query as to whether any additional feedback had been received from the Parish Council following the Planning Committee site visit, the Planning Officer confirmed that the Parish Council had been contacted but no new issues had been discussed that had not already been raised in previous objections. A Member asked if the County Highways representative had visited the application site and he advised he had not; on that

basis, another Member questioned what the County Highways judgement was based on. The County Highways representative explained that, whilst it would be preferable to visit every site, that was not possible due to the amount of applications County Highways was required to comment upon. This application had been assessed via a desktop exercise and the applicant had submitted transport notes accompanying the application. In view of that evidence, he did not consider there would be a severe impact arising from the development. The Member felt that a key concern was safety when accessing the site given the speed of traffic along the road, which was the main route between Stow-on-the-Wold and Tewkesbury, and he was of the view that a check should be carried out given the amount of accidents which occurred. The County Highways representative advised that a speed survey had been undertaken by the applicant but, given the concerns regarding the road, he had sought data from the ATS speed sign west of the site for September 2022 which had shown that the 85th percentile majority aligned with the findings of the survey with an average speed of 40.4mph. On that basis, he was satisfied the evidence provided was robust and the site was safe in terms of visibility.

- 20.12 It was proposed and seconded that the application be refused on the grounds of highway safety as it conflicted with Policy INS1 of the Joint Core Strategy and Policy RES5 of the Tewkesbury Borough Plan. The proposer of the motion indicated that she had grown up in the area and knew the site well and, whilst the County Highways representative had not visited the site, the Planning Committee had and Members had noted vehicles travelling at speed down the road. She raised concern with the plan for a bin collection on the left hand side next to a big bush in the neighbouring garden which would be outside of any ownership in terms of maintenance. As it stood, she appreciated there was no severe impact in relation to vehicles entering the highway as the existing resident had the option to take the lower access route out of the driveway but she believed there would be a highway safety issue for residents entering/egressing the new plots. The Legal Adviser advised caution as the policy test for justifying reasons for refusal on highway grounds was that the impact would be severe. The County Highways representative was very experienced and had advised Members that the impact in this case would not be severe. She suggested that Members might wish to consider other issues associated with the application and whether they felt any of the other impacts were harmful and would therefore support the motion to refuse the application. The proposer of the motion explained there was a problem with lorries travelling through Toddington to and from the quarries at the top of Stanway and Stanton – these vehicles travelled at speed and had longer stopping distances which meant that the proposed access would not be safe for residents. She considered there were other reasons for refusing the application such as overdevelopment of the site and the impact on amenity of neighbouring properties. In terms of highway matters, the Development Management Manager explained that the County Highways representative had referenced data which was received at the end of 2022, which was relatively recent, and a condition was recommended in terms of the visibility splays. He echoed the comments made by the Legal Adviser in terms of the relevant test regarding highway safety but noted the concerns raised by Members today in terms of the site and the nature of the traffic. He suggested it may be beneficial for Officers to seek additional information, working with County Highways, to give Members comfort regarding those matters. A Member welcomed this way forward and proposed that the application be deferred in order to obtain additional information regarding highway safety. The proposer and seconder of the motion to refuse the application indicated they would be happy to withdraw the refusal motion subject to County Highways attending a site visit with local Ward Councillors. She indicated that matters such as the bin storage needed to be addressed. Another Member asked that accident records and speed measurements also be provided in the information brought back to Committee and the proposer of the motion to defer the application indicated that he was happy for all of this to be

included. This was duly seconded and, upon being put to the vote, it was

RESOLVED That the application be **DEFERRED** in order to obtain additional information regarding highway safety, including accident records and speed measurements, with consideration also being given to the location of the bin storage, and for the County Highways representative to attend a site visit with local Ward Councillors.

21/01409/FUL - The Coach House, Shuthonger, Tewkesbury

- 20.13 This application was for change of use of land to glamping and erection of four timber glamping pods with associated parking, pathways and groundwork; erection of a reception cabin and communal sauna building; and resurfacing of existing site access. The Planning Committee had visited the application site on Friday 14 July 2023.
- 20.14 The Planning Officer advised that the application sought planning permission for change of use of land to glamping and the erection of four timber glamping pods. The application required a Committee determination due to an objection from the Parish Council. The Planning Officer drew attention to the Additional Representation Sheet, attached at Appendix 1, which set out that an updated site location map had been provided as the map at Page No. 75 of the Committee report had been included in error. The application site was located adjacent to the rural settlement of Shuthonger which was two miles north of Tewkesbury. The site was located to the rear of the properties which fronted onto the A38 and Shuthonger House, a Grade II listed building, was located to the east of the site. Since submission of the original scheme, amended plans had been provided to show relocation of the pods to address amenity concerns; increased planting and landscaping; and, inclusion of a water treatment plant to service the pods. Access to the site would be off the A38 through the archway and, alongside the pods, the proposal included a permeable parking/turning area, recycling/waste, a reception hut and a communal sauna. One parking bay per pod was proposed with an existing entrance track/road to be improved. Each guest pod would have an area of private decking and a hot tub. The pods would be constructed from timber and would have a maximum height of 2.55m; the proposed reception hut would have a total height of 2.5m and the sauna would have a roof height of 2.3m. In relation to the principle of development, the proposal was in accordance with Policy TOR1 and Policy TOR3 of the Tewkesbury Borough Plan in that it was adjacent to a rural settlement, had potential for economic and tourism related benefits to the wider community and would be capable of accommodating additional traffic. In terms of landscape, the proposal would provide significant new landscaping features when compared to the existing site and the Conservation Officer had no concerns in relation to the impact on Shuthonger House. In respect of residential amenity, the pods had been repositioned further away following discussions with the Environmental Health Officer; Pod 4 was the closest pod to any residential property and now had a separation distance of approximately 25m to Haulfryn; Pod 4 would have a separation distance of 60m to Shuthonger House; and Pod 1 would have a separation distance of 50m to Shuthonger Manor. A Noise Management Plan had been submitted and the details within the plan would be secured via a condition. A lighting plan had also been provided which showed lights at 40cm high, installed to shine downwards with a sensor to ensure they were only on when needed. Following submission of the amended plans, Officer opinion was that the proposal was acceptable. All surface and foul water on the site would be controlled via a water treatment plant, with no connection to public sewers, and the Drainage Officer agreed with the proposal in principle, subject to further details which would be secured by condition. There had been no objections - except from the Parish Council - in relation to archaeology, conservation, heritage, highways, drainage, ecology, environmental health or landscaping. As such, the Officer

recommendation was to permit the application.

- 20.15 The Chair invited the representative from Twyning Parish Council to address the Committee. The Parish Council representative indicated that, with regard to Policy TOR2 of the Tewkesbury Borough Plan, the site was not within the existing settlement boundary and did not respect the character of the area. He did not intend to repeat further the policy concerns that the Parish Council had already identified in its previous submission but, should Members be minded to refuse the application, he wished to draw attention to a number of matters. The Planning Officer and consultees had made a case as to why the application should be permitted but had failed to take into account the human aspect of the impact this would have on those living alongside the site. The proposal would result in four pods, four hot tubs, an office, water treatment works, a car park and refuse collection area, all close to a listed building and a building of historical significance, at the bottom of gardens. As Members would have seen on the Planning Committee site visit, access via the limited archway was unsuitable for the volume of traffic that would result from the application. The Parish Council questioned how the construction and operation of this venture could have no, or limited, impact on local residents given its quiet rural location and that it would be a holiday venue where people would be looking to have a good time. The Noise Management Plan should carry little weight as controlling noise from guests would be difficult, if not impossible, to achieve. Residents were entitled to their rural amenity and it was important they could maintain a sense of wellbeing with planning policy dictating this should not be adversely affected. People should be allowed to enjoy their gardens without interruptions, noise or light pollution and he asked why several families' way of life should be disrupted by holidaying families in an area that was totally unsuitable for this type of development. He now understood that the water treatment plant would deal with all water products from the site and looked forward to hearing how that would actually be managed and how the water would drain. The Parish Council felt this was a self-serving application which, if permitted, would override the concerns of neighbours and was totally inappropriate for this location.
- 20.16 The Chair invited a local resident speaking against the application to address the Committee. The local resident expressed the view that the application must be refused on the basis that it involved a substantial loss of residential amenity to the surrounding properties and was therefore contrary to Policy TOR2 of the Tewkesbury Borough Plan in relation to self-catering accommodation which required that "the amenity of adjoining residents is not adversely affected". Commercial access to the site would greatly detract from the amenity that residents currently enjoyed – amenity had been recognised by the Council when it had permitted a previous owner of The Coach House to build a workshop; that development was permitted "only in conjunction with...the residential enjoyment of the adjoining dwelling house" and the "proximity to adjoining residential properties" had been cited as a reason. Loss of residential amenity would arise from noise from regular car movements across the Manor forecourt, through the archway and along the drive, and there would be loss of privacy with glampers seeing residents' gardens. The sides of the arch and bedrooms above were his freehold and audible disturbance in his house would increase significantly with glampers frequently coming and going. In his view, regular rumbling of cars beneath his bedrooms would adversely affect his residential amenity. Furthermore, there was a significant risk of damage to glampers' vehicles because of the narrowness and low height of the archway. The Gloucestershire Manual for Streets stated under 'Private Shared Drives' that access in the context of the public using them must accord with the design characteristics of a street – the minimum clearance above a public road was 5m yet the arch had a height less than half that and had been designed with modest width. The restrictions of the archway therefore made regular access by the public unsafe. Finally, the applicant had an alternative, more direct access from the road to his site by the corner of his house, yet he proposed to use the access that would

cause his neighbours more disturbance; in his view, the person seeking to benefit from the development should be the one to bear any detriment created by the access.

- 20.17 The Chair invited the applicant to address the Committee. The applicant advised that he had lived at The Coach House with his family since 2007 and they aimed to create high end luxury accommodation providing a tranquil and peaceful retreat, aimed predominantly at the couples market and he stressed that no mass market, hen/stag parties or group bookings would be allowed. They had taken professional advice throughout the planning process and had utilised the services of planning consultants, working in conjunction with the Planning department, responding promptly to matters raised and revising plans accordingly. They were mindful that neighbours wished to minimise any noise and had subsequently proposed a Noise Management Plan. The applicant pointed out that a key advantage of living on site, approximately 100m away, was that they could ensure the plan was effectively implemented, monitored and maintained and they would be better able to quickly address any matters arising. In preparing the plans, various styles and numbers of units had been considered including glamping pods, shepherds huts and yurts and they had opted for a smaller number of high quality hand-crafted cabins rather than a larger number of more basic mass produced units which they felt would be more in keeping with the area and the target clientele, thus enhancing the amenity of the location. In addition, they proposed to use ground screws where possible, thereby avoiding the need for concrete foundations with the further benefit that they could be easily removed and were less damaging to the environment. With regard to access, there were three driveway entrances to The Coach House, of which, two provided access for residents of Shuthonger Manor and proposed site access from the A38; the third was not in his ownership. The applicant understood that County Highways raised no objection to the proposals. The driveway both to the front of Shuthonger Manor, with two access points, and through the archway, formed part of The Coach House property which was under his ownership. Whilst the residents of Shuthonger Manor and their visitors were free to come and go as they pleased, the Noise Management Plan prohibited vehicle movements of site guests between 2300 hours and 0700 hours. Any damage to the archway would be a civil matter. Landscaping would further enhance the development and overall amenity of the site with planting of trees, shrubs and hedges giving greater privacy to neighbours and providing increased habitats for wildlife. The applicant clarified that no existing trees or shrubs would be removed. In summary, the development would create a peaceful and tranquil retreat; provide sustainable tourism which respected the character of the countryside; offer a unique glamping experience for which demand was growing; provide potential employment – they anticipated employing two full-time equivalents plus ancillary positions for things such as grounds maintenance; add to the amenity of the location; and contribute to the local economy.
- 20.18 The Chair invited a local Ward Councillor to address the Committee. The local Ward Councillor explained he wished to speak against the application on the grounds that it would cause loss of amenity to neighbouring properties due to traffic access and noise. The access to the site was via a narrow underpass with the living room of a dwelling directly above – the owner of the property already suffered from vibrations and noise when vehicles passed through. At present, the access was limited only to his neighbours but that would change considerably when traffic using the four pods was introduced. The local Ward Councillor found it laughable that the traffic management plan stated that holiday makers would only be allowed to use their cars in an emergency after 2300 hours and before 0700 hours and he questioned whether this meant they would be locked out or locked in – either way it could not be enforced and would cause traffic disturbance to local residents. The Noise Management Plan was also unsatisfactory in stating that those staying at the site should not make noise between those hours and he pointed out that people were on holiday so would inevitably let their hair down which would result in noise

escalating. In addition, the use of reception, provision of a commercial sauna and water treatment as well as individual hot tubs would lead to noise and loss of amenity to residents. The local Ward Councillor felt the inclusion of traffic and noise management plans demonstrated that the application would cause problems but their unworkable nature meant that the impact of noise and traffic would fail to be mitigated. In his view, trying to restrict holidaymakers' actions between certain hours was a joke and residents would not find the consequences funny. He hoped the Committee would see through the flimsy plans and reject the application.

20.19 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member had noted on the site visit there were some existing glamping pods over the fence from the proposed site and she asked if there had been any noise issues in relation to those. In terms of parking, she questioned how it was planned to restrict the four spaces to one per pod. In response, the Planning Officer clarified there were five parking spaces with the idea being there would be two guests per pod who were likely to have one car between them. In terms of the existing glamping pods, he advised these had been investigated by the Planning Enforcement team earlier this year and the matter had been closed on the basis they were within the owners' residential curtilage for use by his family only and there was no public access. It was proposed and seconded that the application be refused as it would have an adverse impact on neighbouring amenity which conflicted with Policies TOR2 and EMP5 of the Tewkesbury Borough Plan, Policies SD4 and SD14 of the Joint Core Strategy and Policy GD6 of the Twynning Neighbourhood Development Plan. The proposer of the motion indicated that Members had seen the access and the archway that would be used and would therefore recognise the serious impact the development would have on residents. He was particularly concerned about how tight the access was, especially for drivers who were not using it on a regular basis. He noted the package of mitigation measures proposed by the applicant but reiterated that people using the pods would be on holiday and may want to go to Cheltenham or Tewkesbury for a meal or a night out so it was unrealistic to expect them to return before 2300 hours, or to stop overnight use of the hot tubs. He asked Members to put themselves in the place of residents living above and to the side of the archway who would have people coming through the middle of their house and he reminded them of the Council's vision to make Tewkesbury Borough "a place where a good quality of life is open to all"; he argued that, if this application was permitted, it would spoil the quality of life of existing residents. The Development Management Team Manager (East) clarified that the relevant policy in terms of amenity issues was Policy TOR3 of the Tewkesbury Borough Plan and the proposer of the motion indicated he was happy to amend his proposal to reflect that.

20.20 A Member sought clarification as to the distance of the proposed development from existing properties and whether there was a specified minimum distance. In response, the Development Management Manager drew attention to Page No. 85, Paragraph 8.36 of the Committee report, which advised that the layout as originally submitted had been considered unacceptable by the Environmental Health Officer due to potential noise disturbance to neighbouring properties to the south of the site and amended plans had subsequently been submitted which moved the pods further from the nearest properties with the closest now at approximately 25m up to 60m, as had been stated by the Planning Officer in his presentation. There were no hard and fast minimum distances, it was question of looking at the site and its layout. The hot tubs were at the rear of the pods, away from residential curtilages on the whole and he provided assurance that the combination of distances from properties and the configuration of the site had been taken into account by the Environmental Health Officer when reviewing the proposal. The Planning Officer advised there would be additional landscaping around each pod and to the boundary.

20.21 In response to a query as to why there was only one electric vehicle charging point, the Planning Officer explained that was what had been offered as part of the application; this had been reviewed by County Highways and was considered acceptable. In terms of the access, a Member pointed out that on the site visit Members had walked behind the properties and it had appeared there was a different access from that entrance; she asked if that had been explored in terms of this proposal. The Planning Officer advised that the applicant had confirmed that was a shared access and he did not have sole ownership. Another Member queried whether the existing garages which were outside of the red line were in the ownership of the applicant and the Planning Officer indicated that he did not believe they were. On that basis, the Member felt that must also be a shared access as that would be the only way the garages could be reached. The Legal Adviser indicated that, from a legal point of view, the access with the red line was within the freehold ownership of the applicant – whilst it may be shared, the applicant had control over who used it. The access to the top with the green line was a shared access but the applicant only had a right to use it.

20.22 Upon being put to the vote, it was

RESOLVED That the application be **REFUSED** as it would have an adverse impact on neighbouring amenity which conflicted with Policies TOR3 and EMP5 of the Tewkesbury Borough Plan, Policies SD4 and SD14 of the Joint Core Strategy and Policy GD6 of the Twynning Neighbourhood Development Plan.

23/00111/FUL - Wisteria Cottage, 67 Gloucester Street, Winchcombe

20.23 This application was for erection of a single storey rear extension.

20.24 The Planning Officer advised that this item related to a single storey rear extension to a mid-terrace property known as Wisteria Cottage. The property was a Grade II listed building and located in the Winchcombe Conservation Area, within the setting of numerous other listed buildings, and in the Cotswolds Area of Outstanding Natural Beauty. The extension was an infill to the side of the existing single storey extension and would be level with the rear of the existing single storey extension. The single storey extension would not project any further into the garden than the existing extension and would have a 5.2m projection to the rear to match the existing; however, the extension would increase by approximately 1m to the side to infill the space between the boundary and the existing extension. The rear wall of the existing extension would also be rebuilt to the same height of 2.8m. A condition was recommended to ensure the proposed brick was acceptable. A timber window and French doors were also proposed to match the host property. The Officer recommendation was to permit the application, subject to the conditions in the Committee report.

20.25 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being put to the vote, it was

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

22/00995/FUL - Land at Sparrow Hawk Way, Brockworth

- 20.26 This application was for erection of two detached dwellings with associated parking and amenity. The Planning Committee had visited the application site on Friday 14 July 2023.
- 20.27 The Planning Officer advised that the application sought planning permission for the erection of two detached bungalows. The site originally formed part of the residential curtilage of Mill Croft Cottage, a large, detached property on the north-eastern outskirts of Brockworth. The site contained a number of trees and was surrounded on three sides by new residential development with a large care home to the rear of the site. It was important to note that the site had a covenant attached to ensure that any structures were single storey. The bungalows would have a pitched, tiled roof and would be constructed from red brick. Clarification was provided that the site had been visited by the Council's Ecologist on 18 January 2023 and a survey had been carried out in April and May 2023. The Officer recommendation was to permit the application, subject to the conditions set out in the Committee report.
- 20.28 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that the principle of residential development on the site had already been confirmed in the 2018 planning permission. The design of the scheme was informed by, and responded positively to, its setting as required under policies in the Joint Core Strategy and the Tewkesbury Borough Plan – set back distances, heights, building lines, roof pitches and materials had all been derived from context. The layout had also been informed by the passage of the sun in order to benefit from solar gains in the winter with shading to avoid summer overheating. The houses would have large well-proportioned south-facing gardens and exceeded minimum space standards. They would have high levels of insulation, air source heat pumps and areas of green roofs and so would provide very high quality living accommodation. The site had been inspected by a qualified ecologist who had confirmed there were no buildings or trees present on the site which could support a bat roost. Some objections mention the presence of bats and, as per the ecological assessment, that was to be expected on a site of this nature and measures were proposed which would benefit them by providing new roosting opportunities. The existing trees on site were out of scale with the setting and, in many cases, had a limited lifespan, or had outgrown, their position. One objection stated they were causing a huge nuisance, damaging paths and blocking sunlight. The proposals would almost double the amount of green verge along the street frontage and would provide a large number of more appropriate trees and plants to this area, facing the public realm, as well as to the rear, and the applicant was more than happy for details to be agreed under condition. The proposed new parking crossovers had safe visibility distances and a swept path analysis had confirmed that access was possible even with cars parked along the other side of the road. There was no pavement over which cars would need to pass so there was no potential for cars meeting pedestrians either. The new crossovers would enlarge the width of the public highway and provide additional space for public vehicular movements along Sparrow Hawk Way. The site was in a sustainable transport location with many facilities within easy safe walking distance and space was set aside for secure cycle parking so the scheme aligned with policies aiming to encourage sustainable modes of transport and reduce reliance on travel by car. The applicant's agent advised that most of his work was on sensitive sites in very busy residential areas of central London and he had undertaken works to his own home not far from the site on a very narrow single track lane so he was used to working mindfully in close proximity to neighbours. The works were relatively minor in nature but the applicant would be more than happy to agree a Construction Traffic Management Plan under condition which may include restrictions on the timings of deliveries and the type of vehicles used. In summary, the proposals would provide very high quality accommodation

and design, and had been informed from the outset by input from ecologists, arboriculturists and transport consultants. They would improve and expand the public facing green areas and the quantum and quality of planting within them. Technical Officers all concluded there were no reasonable grounds for refusal under local and national planning policy so the applicant's agent respectfully asked that the Committee considered this along with the Officer recommendation and permitted what was intended and expected to be an exemplary scheme.

- 20.29 The Chair invited a local Ward Councillor for the area to address the Committee. The local Ward Councillor advised that the driveways for the two properties were directly onto Sparrow Hawk Way - one directly opposite the driveway to No. 14 and the other opposite the entrance to the car park. Sparrow Hawk Way was the narrowest part of the development and an extra four cars on that part of the development would make access for emergency service vehicles, refuse collection and residents' access to their properties even worse than it was already. These houses would encourage people to park on that side of the road making it impossible for people to park, or gain access to Sparrow Hawk Way. The impact of the construction traffic and the contractors' vehicles that would be needed to clear the site of trees would be significant – many children walked through Sparrow Hawk Way to get to and from school and the amount of construction traffic and disruption would make it very unsafe for them. The intended development was not in the best interests of public health or public safety and would be detrimental to both – it did not serve the interest or needs of the Brockworth community and was unsustainable which should be at the forefront of everyone's mind given that the Council had declared a climate emergency. Tewkesbury Borough Council had sent a letter to residents of Sparrow Hawk Way to inform them of the planning application but she was aware that not all had received it - including one of the houses directly opposite the proposed development - and it had arrived two weeks after it was dated. It might be more acceptable if the access to the two houses was a shared driveway with the existing driveway at Mill Croft Cottage and the trees could be kept on the side backing onto Sparrow Hawk Way; the local Ward Councillor felt that should be made a condition of the development. In terms of the bat survey, she understood a report had been received last night so residents had not had time to read and respond to it, therefore, she felt a deferral would be appropriate.
- 20.30 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member asked how many of the neighbouring properties had received letters notifying them of the application as the whole estate would be impacted. In response, the Planning Officer explained that, when the application was validated, all neighbours sharing a boundary to the site were consulted; the consultation period was 21 days but the Council consulted for 28 days to allow for delays with the post so she was unsure why the neighbours had not received the letter. In response to a query, the Planning Officer advised that Officers did not follow-up with residents to check they had received the letter. A Member noted that a number of objections had been received regarding land impact and loss of ecology and green spaces. This was part of larger development in the area and she asked if the green space had been taken into account. The Development Management Manager advised that he had not checked the details of the previous application but this was residential garden so the likelihood was that it did not form part of the plan for the wider scheme. Another Member indicated there were two parking spaces per property and he asked why there was no additional allowance for visitors bearing in mind the narrowness of the road and the congestion. The County Highways representative explained that visitor parking spaces were not required for this scale of development. There were instances where on street parking may occur but, in terms of the development itself, he was satisfied that two spaces met with requirements. In response to a query regarding electric vehicle charging points, the County Highways representative was unsure if they had been included in the application but they were required under building

regulations in any case. A Member asked whether the County Highways representative had visited the application site as she was concerned that emergency vehicles would be unable to get through and felt that the additional access onto an already narrow road should have been looked at on the ground. The County Highways representative indicated that he had not dealt with this case himself but his understanding was that a site visit had not been carried out; however, County Highways was aware of the parking constraints and how they were affecting the community.

- 20.31 A Member sought clarification regarding the situation with the bat survey as there seemed to be conflicting information from the Planning Officer and local Ward Councillor. In response, the Development Management Team Manager (East) indicated that he understood that the applicant had completed all relevant survey requirements and the Council had consulted the Ecology Consultant and, whilst there may be foraging bats coming through, there was no roosting provision on the site. Residents had raised concern about seeing bats on site and Officers had requested additional information to establish whether that was the case but the applicant had further confirmed that the site had been checked and there were no bats. The Council's Ecologist had confirmed there were no roosts on the site and the ecology proposal for the site was acceptable.
- 20.32 A Member questioned whether access off the driveway had been considered rather than off Sparrow Hawk Way and the Development Management Team Manager (East) indicated that he did not believe that had been requested but the advice from County Highways was that the access proposed in the application was acceptable. A Member indicated that she was concerned about displacement of the traffic; as had been seen on the Planning Committee site visit, the area was overwhelmed with traffic, Mill Lane – the main road off Shurdington Road – already experienced problems and the access proposed in this application would only make things worse. The County Highways representative explained that the off-street parking provided accorded with guidance and it would be unreasonable for a development of this size to provide mitigation for the wider issues. County Highways was satisfied there would be no displacement onto the adjacent carriageway as a result of this development.
- 20.33 A Member proposed that the application be deferred pending further information regarding the bats and the Development Management Team Manager (East) advised that Officers considered that matter to have been assessed and checked with the Council's Ecologist. The Member understood that the bat report had only been received the previous night and that it was unreasonable to expect residents to accept that the findings were correct without having chance to assess it. The Development Management Team Manager (East) explained that his understanding was that the ecological assessment had been carried out on the ground and, whilst there may be foraging bats, that was not a reason to refuse the application as there were no roosting bats. Clarification had been sought from the Council's Ecologist that they were happy with that approach and no further information had come forward from the neighbours to contradict that. The Development Management Team Manager reiterated the comments made in the Committee report as there had been various rounds of consultation with 16 further comments submitted after further re-consultation, as set out at Page No. 119 of the Committee report and the Additional Representations Sheet, attached at Appendix 1, which confirmed that issues around bats had been raised during the consultation feedback and had been investigated by the Planning Officer and the Council's Ecologist which had been taken into account as part of the report today. The Member indicated that she continued to have concerns about the access and the safety of the road – the County Highways representative had stated that County Highways was aware of the dangers of the road and the lack of access for emergency vehicles. Another Member asked what difference this application would make given that the road already existed and the Development Management Manager reiterated that, as

referenced earlier in the meeting, the policy test was whether the impact would be severe. The proposal before Members dealt with its own parking requirements and, as had already been stated, it was not for this development to try to resolve existing issues on the highway network. There was not considered to be a severe impact on the wider network from this proposal which was acceptable and reasonable in highway terms.

- 20.34 A Member questioned why the previous planning permission for a single dwelling had not been developed and the Planning Officer explained that outline planning permission had been granted in 2018 but she did not know why a reserved matters application had not been submitted. Another Member felt this was a difficult decision to make and he recognised that local residents did not want houses in this location which was currently a green space in a very urban area; however, the Tree Officer did not consider the trees were worthy of protection and, whilst he did not want to support the proposal, he was struggling to come up with any planning reasons to refuse it. An application for a dwelling had already been permitted so there was a precedent – he was sure most of the Members on the Planning Committee site visit had walked into the garden and felt it would be tragic to build in that location but, notwithstanding that, it was an urban environment and there were no planning reasons to refuse it. The Legal Adviser clarified that the site was a residential garden and not protected green space, the trees were not protected and there was nothing stopping the existing owner from removing them as part of garden maintenance or landscaping.
- 20.35 A Member sought confirmation as to whether it was possible to relook at the access to make it less intrusive for residents. In response, the Development Management Manager advised that there was a proposal before Members in terms of design and the access which was proposed was similar to other developments on the estate. This had been assessed to be safe and whilst he understood that development of the site raised a lot of difficult issues including loss of trees etc. it was an urban environment and a relatively sustainable location, and the Committee report had sought to balance the competing interests in order to come up with a clear and balanced recommendation. A Member indicated that the density of the area had been striking to him and he felt the proposal would be overbearing in that context so questioned whether the application could be refused on that basis. The Development Management Manager pointed out that it was the existing trees which were casting shadow and creating an overbearing impact. The proposal had been assessed in terms of the impact of removing the trees and replacing them with a single storey dwelling and there were comments in the report regarding a suitable landscape scheme to provide appropriate replacements in keeping with the existing urban area. Another Member indicated that the principle of development had already been established when planning permission had been granted in 2018 and she noted the Parish Council had raised no objection to that application. She did not believe there were any bungalows in the area currently and there was a real need for that type of accommodation across the borough. The statutory consultees were satisfied and she could not find any planning reasons for refusing the application and questioned if there was any appetite for it to be deferred. A Member proposed that the application be deferred to explore alternative arrangements for access and parking and to allow County Highways to undertake a site visit to make an assessment on the ground. The Development Management Manager explained that the issues referenced had already been assessed and the County Highways representative had confirmed that, whilst County Highways was aware of wider issues in the area, it was unreasonable for those to be addressed by this development; furthermore, a transport assessment had been undertaken which included parking, as such, he advised against a deferral on that issue. There was no seconder for the proposal to defer the application. It was subsequently proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion indicated that, whilst it was an

unpleasant proposal to make, he could see no planning reason to refuse or defer the application.

20.36 Upon being put to the vote, it was

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

22/01058/PIP - Parcel 5004, Opposite Lilac Cottage, Hawling

20.37 This was a permission in principle application for the construction of two dwellings.

20.38 The Development Management Team Manager (East) advised that this application was the first stage of the process and sought solely to establish whether the site was suitable in principle for the erection of up to two dwellings. The application site was an undeveloped parcel of land located on the northern side of Hawling directly adjacent to the east of No. 37 Hawling, opposite Lilac Cottage. The site was 0.15ha in area and located within the Cotswold Area of Outstanding Natural Beauty. The government's guidance set out that the scope of the first stage of permission in principle was limited to the location, land use and amount of development. The site layout, design, access, landscaping, drainage and any other relevant technical matters would be considered at the 'technical details' stage if the permission in principle stage was successful. The application site was a large plot located centrally within the village on the northern side of the lane and formed part of a larger parcel of agricultural land that bled out to the edge of the village to the east. The application site was positioned alongside an existing pair of modest traditional semi-detached dwellings and sited opposite dwellings on the southern side of the road. In terms of location, Officers considered that the form of the settlement of Hawling was characterised by a loose pattern of development interspersed by open agricultural fields bounded by traditional stone boundary walls, forming open vistas to the surrounding countryside. The agricultural land, of which the application site formed part, did not have the character of an under-developed 'infill' plot within the village but was an important green gap that formed part of the intrinsic character of the settlement. It was therefore considered that the siting of two dwellings in this location would not complement the form and character of the settlement, despite being located adjacent to existing dwellings within the village. Housing-led development was an accepted land use for the permission in principle application process and the proposed amount of two dwellings could be capable of being accommodated on the site; however, the proposal conflicted with policies set out in the Joint Core Strategy and the Tewkesbury Borough Plan in respect of location which was one of the three fundamental strands of the permission in principle process. The benefits of delivering two dwellings would be limited and would not significantly and demonstrably outweigh the harms to the character and appearance of the area, therefore, the Officer recommendation was to refuse the application.

20.39 The Chair indicated that there were no public speakers for this item. 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 refused in accordance with the Officer recommendation and, upon being put to the vote, it was

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

22/00751/APP - Phase 7, Perrybrook, Brockworth

20.40 This was an approval of reserved matters application (appearance, landscape, layout and scale) for Phase 7 comprising development of new homes, landscape, open space and associated works.

20.41 The Development Management Team Manager (East) explained that this was a reserved matters application seeking approval for approximately 272 dwellings as well as securing public open space and infrastructure pursuant to the outline application for up to 1,500 dwellings on the wider site. The principle of residential development at the site had been established through the grant of outline planning permission in 2016. The key principles guiding the reserved matters applications had been approved by the planning authority through the outline consent which included approval of a Site Wide Concept Masterplan Document. The current application related to Phase 7 of the outline application which originally sought to deliver approximately 290 dwellings, B1 (now Class E – office and light industrial) and B8 (storage and distribution) employment uses and surface water attenuation. The application before Members related solely to residential and surface water attenuation elements of this phase with the employment use to be brought forward as a separate reserved matters application at a later date. The key issues to be considered in this application were access, appearance, landscaping, layout and scale and compliance with the approved documents including the Site Wide Concept Masterplan Document. A number of matters the subject of other outline conditions were also considered within the current application including affordable housing, housing mix and surface water and foul drainage. The scheme sought to deliver 272 dwellings including one bedroom maisonettes, one and two bedroom bungalows and two, three and four bedroom houses. A mix of affordable tenured and outright sale homes would be provided with an average density of 44 units per hectare. In addition to the Section 106 affordable housing provision, the applicant intended to deliver a further “over-provision” of affordable housing on the site, referred to as an additionality. This additionality would sit outside of the Section 106 Agreement and would provide a range of affordable housing tenures as well as open market dwellings. As set out in the Committee report, Officers had carefully considered the application and were of the view that the reserved matters were in accordance with the Site Wide Concept Masterplan Document and the Design and Access Statement aspirations and were of an appropriate design. County Highways had confirmed the access, internal road layout and car parking provision were acceptable and in accordance with the Site Wide Concept Masterplan Document. Officers were satisfied that the mix and clustering of affordable housing was in accordance with the requirements of the Section 106 Agreement attached to the outline permission, including being tenure blind and of high quality. In terms of flood risk and drainage, the outline permission included a drainage strategy for the site and the reserved matters must include detailed drainage details for each phase of development to accord with that strategy. Several conditions on the outline permission also required the development to accord with approved flood level parameters. A detailed drainage strategy and finished floor level information had been submitted with the application – the Lead Local Flood Authority had confirmed that the drainage strategy was suitable and the Environment Agency had confirmed that all finished floor levels accorded with the approved drainage strategy. The Parish Council had raised concern regarding the noise impact of the M5 motorway and A417 and a noise assessment had been undertaken and assessed by the Council’s Environmental Health team which had confirmed that the layout reflected the noise assessment and that they were satisfied with the findings. Taking all of this into consideration, Officers were of the view that the proposed development would be high quality and appropriate in terms of access, layout, scale, appearance and landscaping and would accord with the Site Wide Concept Masterplan Document; however, the overprovision of affordable housing would require an amendment to the existing Section 106 Agreement by way of a Deed of Variation, therefore, the Officer recommendation was for a delegated approval, subject to a Deed of Variation.

- 20.42 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that he did not intend to say much as the majority had been covered in the Committee report and he thanked Officers for their hard work during the negotiations that had taken place over the last 12 months to reach the recommendation before Members. He explained that the primary objective was to deliver affordable housing, in this particular case, policy-compliant affordable housing with an additionality of 125 affordable units which would be part-funded by Homes England and would be delivered via a Deed of Variation. In terms of other elements of the scheme, each dwelling would be provided with an electric vehicle charging point and it would be a gas-free development with all heating provided by air source and solar. A sitewide masterplan had been approved as part of the outline application which would ensure a high quality layout and design and the proposals before Members today were consistent with that and other phases of development of Perrybrook and reflective of the vernacular of the wider area. The proposals included a series of cycleways and pedestrian links to nearby services and could be appropriately assimilated into the surrounding landscape with native tree planting and general provision of green infrastructure across the site, including street tree planting within green verges, where appropriate. A noise assessment had been undertaken and deemed to be acceptable by the Environmental Health Officer; drainage had similarly been assessed and was considered appropriate with the whole site lying outside of Flood Zone 2. On that basis, he hoped Members would be able to support the Officer recommendation for a delegated approval, subject to a Deed of Variation.
- 20.43 The Chair indicated that the Officer recommendation was that authority be delegated to the Development Management Manager to approve the application, subject to an agreed Deed of Variation, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Management Manager to approve the application, subject to an agreed Deed of Variation, in accordance with the Officer recommendation. A Member expressed the view there was a connectivity issue as the site was not well linked to neighbouring services meaning people would have to travel by car and she asked if the cycling provision would be improved. In response, the Development Management Team Manager (East) explained that the layout had been revised from that originally put forward with an access running down and along to the bottom of the site linking to Tesco. The new access ran into Phase 6 and there would be a footpath access there as well. More links had been added for cyclists and pedestrians to connect with Brockworth further down. A Member asked whether the cycleways would be shared with pedestrians or if they would be painted lines in the road and was advised they would be shared pavements.
- 20.44 Another Member drew attention to Page No. 162, Paragraph 8.30 of the Committee report in relation to the Locally Equipped Area of Play and indicated that the Parish Council had highlighted the quality of provision of play areas for children. The report stated that the applicant had agreed to work on further details and the Member felt this sounded inconclusive. She noted that further details could be secured by an appropriately worded condition and asked if this could be strengthened to tie the applicant to that. The Development Management Team Manager (East) explained that the Locally Equipped Area of Play area was set out in the sitewide masterplan and Officers had been satisfied at that stage; however, following conversations with the Landscape Officer and the Asset Management Team, the details submitted regarding the play equipment were considered to be unacceptable and the applicant had agreed to condition 8, set out at Page No. 171 of the Committee report, which required full details to be submitted prior to occupation. A Member noted that only nine of the affordable houses would be social rent and he asked if it was possible to increase that to achieve a better mix given the need for those type of properties in the borough. The Head of Service: Housing advised that the nine social rented affordable homes would be larger

properties which were not often provided; he pointed out that this was not the final scheme and Officers would work to increase the amount, however, that was not always possible with an additionality particularly when the original Section 106 Agreement had been signed off almost 10 years ago. The Member asked whether residents would be required to pay a maintenance fee and, if so, what percentage that would be, as he had received reports that residents paid these fees but nothing was being done. The Head of Service: Housing indicated that he did not know the details for this scheme and would need to look into this after the meeting but he would expect the Section 106 Agreement to ensure that all service charges could be covered by housing benefit or Universal Credit.

20.45 It was

RESOLVED That authority be **DELEGATED** to the Development Management Manager to **APPROVE** the application, subject to an agreed Deed of Variation.

PL.21 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

21.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Page No. 213. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

21.2 A Member queried whether the appeal decision in relation to Land East of St Margaret's Drive, Alderton would be challenged and the Development Management Manager advised that the decision was being reviewed, as was the case with all appeal decisions. The Council had defended its decision robustly and, whereas it had been successful on other occasions, unfortunately in this instance the outcome was not favourable.

21.3 It was

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

The meeting closed at 12:20 pm

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 18 July 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 Monday before the meeting.

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

Agenda Item No	
5a	<p>22/00505/FUL - Appledore, Corndean Lane, Winchcombe</p> <p>A further letter of representation has been received from a local resident saying the following:</p> <p>"The following plans (as attached) are designed to illustrate the amount of enlargement proposed by this application. Each page shows one part of Appledore, both as existing (above) and as proposed (below). The 'Existing' and 'Proposed' comprised in each pair are shown at exactly the same scale, so as to offer a reliable visual impression of how much enlargement is being proposed, the relevant parts to compare being edged red. The applicant tells us that Appledore's bulk (volume) would be increased by 31.6%, that is by almost one-third. This would be a substantial enlargement to a house which is already far bigger than any of its neighbours, and which would consequently look very like a block of flats or offices. This would seem distinctly disruptive to the landscape and the character of the area."</p> <p>Another letter of objection from the same resident saying the following:</p> <p>"The Council's invitation for our comment suggests these particular criteria for such comment :-</p> <ol style="list-style-type: none"> 1. "Unsympathetic design affecting the appearance of the building and/or the character of the street". 2. "Environmental matters such as impact on landscape and the character of an area". <p>The Council thus declares a planning policy that aims to prevent new development that is either</p> <ol style="list-style-type: none"> (1) of "unsympathetic design", or (2) having impacts disruptive to landscape and local character. <p>We are asking only that this application be decided in accordance with these policy criteria.</p> <p>This proposal is for Appledore's substantial enlargement, and I now highlight four aspects:-</p> <ol style="list-style-type: none"> 1. Its Scale: The house already dwarfs all its neighbours. This proposal would enlarge its bulk even further, by about one-third: this would both exacerbate its incongruity with all its neighbours, and increase its stark visual prominence. 2. Its Design & Its Place in the Landscape: Appledore's modernist 'boxy' style makes it a misfit among its neighbours, an anomaly made extra-conspicuous by its great bulk. This proposal would indeed admirably soften the south side's


	<p>'Brutalist' verticals. But it would also increase the length, breadth, height and bulk of its modernist rectilinear mass, making it look more like a block of flats or offices. And this would yet further disrupt both the character of our area and views from the Cotswold Way AONB. Here it is already an intrusive and alien feature. To now substantially enlarge it must make it even more conspicuous.</p> <p>3. Frontage to Our Lane: Like its neighbours, Appledore's north front is now reasonably well set back from our lane. But this proposal would (a)bring this frontage forward, and (b)lengthen it by some 20%, to about 90ft. long. These encroachments would make our lane feel far more overlooked and enclosed, imposing a suburban feel on what now feels rural.</p> <p>4. Overall Height: Appledore already violates the limit set by its existing consent. To permit this proposed further height-increase would surely encourage the blatant disregard already demonstrated. Should not this be firmly resisted?</p> <p>On all these basic planning criteria, surely, consent ought to be refused."</p> <p>Drainage Update:</p> <p>The Drainage Officer was re-consulted and is happy that the drainage condition (Condition 6) would suitably satisfy the drainage requirements.</p>
5b	<p>22/01317/FUL</p> <p>3 Consell Green, Tewkesbury Road, Toddington</p> <p>Additional Consultations</p> <p>Since writing the Committee report, an additional 4 letters of objection have been received by members of the public. The objections relate to the change of Plot 1 from a flat roof bungalow to a two storey dwelling along with other points that have already been raised by objectors. The Case Officer spoke to three of the objectors on the phone to clarify that the dwelling at Plot 1 would be 1.5 storey.</p> <p>One neighbour has also provided Speed Survey Results which have been forwarded to the County Highways Officer who will be able to provide an update at Planning Committee.</p> <p>Toddington Parish Council provided an objection comment relating to highway safety, impact on character and neighbouring amenity.</p> <p>Items arising from Member Site Visit:</p> <p>Existing Hedge on Eastern Boundary - The existing hedge runs from the back of the garage to halfway down the garden. The hedge is overgrown at the moment and the applicant intends to retain it but cut it back closer to the boundary. A new hedge is shown from the end of the existing one to the end of the garden. Full details on boundary treatment will be agreed via condition.</p>
5c	<p>21/01409/FUL - The Coach House, Shuthonger, Tewkesbury</p> <p>Site Location Map</p> <p>An updated Site Location Map has been uploaded. The previous report showed a different site which was an admin error.</p> <p>Para 5.2 to read:</p> <p>Overdevelopment of the plot.</p>

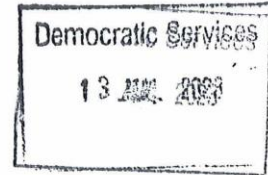
5d	<p>23/00111/FUL - Wisteria Cottage, 67 Gloucester Street, Winchcombe</p> <p>The applicant would have liked to have attended Committee but they are on holiday; however, they would like to let the Committee know that they are happy to use whatever materials Members see fit.</p> <p>There was some confusion regarding the re-building of the rear wall of the single storey extension. It is now confirmed that the rear wall shall be re-built to the same height as the existing wall which is 2.8m. In the report it explains the rear wall shall be re-built and will increase from 2.7 to 3m. This is incorrect. The rear wall is currently 2.8m and the proposed rear wall is also 2.8m.</p>
5e	<p>22/00995/FUL - Land At, Sparrow Hawk Way, Brockworth</p> <p>Since the time of writing the report a further six objections have been received. The comments go over the same issues as previously identified.</p> <p>One supporting comment has been received that has not been listed in the Committee report. This explains that the design is interesting and respectful to the character of the area, and there would be no impacts on neighbours.</p> <p>Councillors have received an email from a neighbour as follows:</p> <p>I live close on Sparrow Hawk Way very close to the proposed development. I have concerns especially with traffic, parking and access during the proposed construction. The feelings are high amongst the residents close to this area and we have formed a group to try and address the concerns and request that more time be given for the group to meet and raise accumulative response or responses. It is requested that an additional at least 4 to 6 weeks is granted to achieve this.</p> <p>My Individual concerns which will be enhanced with more time to investigate further.:</p> <ul style="list-style-type: none"> - Several households didn't have sight of the original letter sent out informing them of the planning request - Access and parking in Sparrow Hawk way is Already very difficult in addition where access is proposed and especially during the period of construction will be concerning to All, including pedestrian traffic especially school children that walk through this area in numbers because of the 2 large schools next door and pathways are limited. - The many trees in the proposed development area give the only green space on the estate and although been left behind damaged fencing obviously waiting for development it is environmentally damaging and turning the area into a concrete jungle and the character of the area will be diluted. - Over 25 new developments have been allowed in Brockworth over the last 3 years including 49 houses at the orchard around the corner from this proposal. This should be sufficient to address any housing requirements without this one. - We have firm confirmation of Bats residing/nesting in the mature trees which are due to be felled to make way for these properties. As this area has now been deemed Environmentally Critical surely this should be investigated further. <p>We would be grateful if more time (4 weeks) as we are up against time critical deadlines we really need an extension to respond in an informed and accurate way.</p>

	<p>Update from the Council's Ecologist</p> <p>The ecological report has confirmed that there are no buildings or trees on the site to offer suitable roosting habitats for bats. Therefore, clarification would be required from the member of the public as to the bat species and location/description of the roost they have informed the Local Planning Authority about. Assuming their response appears valid, an ecologist would need to undertake a professional presence/absence survey to confirm if bats are roosting</p>
5f	<p>22/01058/PIP - Parcel 5004 Opposite Lilac Cottage, Hawling</p> <p>Officer Update</p> <p>As previously advised to the Committee, the site location plan was omitted from the Committee report and is therefore attached below. The Committee report also makes reference to the Planning Committee date (Page No. 138) as 25 May 2023, this is incorrect and should read 18 July 2023.</p> <p>Additional Representations</p> <p>One additional letter of representation has been received since the completion of the Committee report. The representation is in the form of an objection relating to the validation and public notification process, the objector raises issue with the site notice procedure.</p> <p>Officer comment - The application was advertised via site notice on 30.11.2022.</p>
5g	<p>22/00751/APP - Phase 7 Perrybrook, Brockworth</p> <p>Conditions changes</p> <p>There is an error in proposed condition 3 at section 11 of the Committee Report. The drawing reference was entered with the wrong revision number, this should state:</p> <p>Prior to occupation of each individual building hereby approved, the access, parking and turning facilities of that individual building shall first be provided as shown on drawing 21431_5000 REV N.</p> <p>Reason: To ensure conformity with submitted details and ensure safe and secure access arrangements for occupiers.</p> <p>Report amendment</p> <p>Section 8.44 of the Committee Report should state:</p> <p>Policy SD12 of the JCS sets out a minimum requirement of 35% affordable housing within the Strategic Allocation sites. It follows that where possible, affordable housing should be provided on site and be seamlessly integrated and distributed throughout the development. Affordable housing must also have regard to the requirements of Policy SD11 concerning type, mix, size and tenure. The design of affordable housing should also meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.</p>

Item 5a 22/00505/FUL - Appledore, Corndean Lane, Winchcombe




Democratic Services,
Tewkesbury Borough Council Offices,
Gloucester Road,
Tewkesbury. GL20 5TT.



Date: 13th July, 2023.



**Additional Information Sheets:
Re: Item 5a at Upcoming Planning Committee on 18th July 2023.**

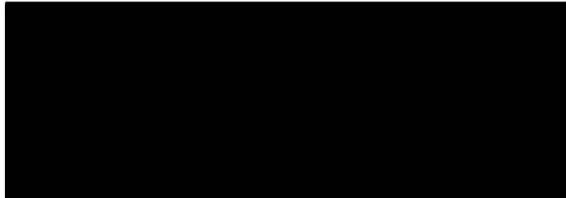
Many thanks indeed for your telephone advice, and your 11th July email.

I would be most grateful if you would v kindly provide the enclosed 'Additional Information' to all members of the forthcoming Planning Committee.

I shall email you the text of my 3-minute presentation well before 5pm on Monday.

Thanks again for your guidance.

Yours sincerely,



Additional Information Sheets for TBC Planning Committee Meeting 18th July 2023.

Re: Agenda Item 5a, Application no. 22/00505/FUL (Appledore, Corndean La., GL54 5NL.)

The plans herewith are designed to illustrate the amount of enlargement proposed by this application.

Each page shows one part of Appledore, both as existing (above) and as proposed (below).

The 'Existing' and 'Proposed' comprised in each pair are shown **at exactly the same scale**, so as to offer a reliable visual impression of how much enlargement is being proposed, the relevant parts to compare being edged red.

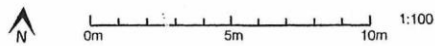
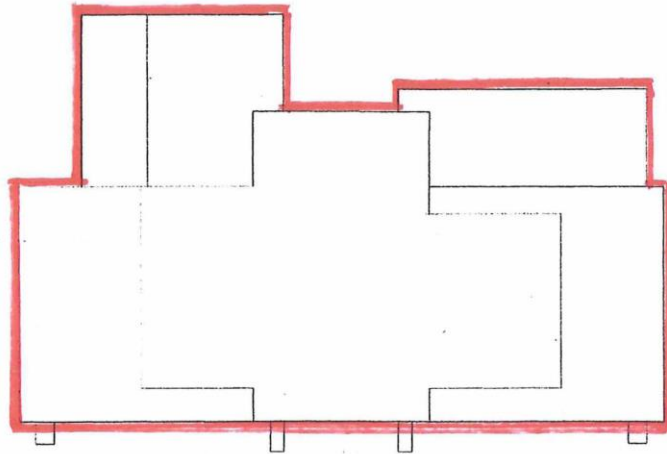
The applicant tells us that Appledore's bulk (volume) would be increased by 31.6%, that is by **almost one-third**. This would be a substantial enlargement to a house which is already far bigger than any of its neighbours, and which would consequently look very like a block of flats or offices. This would seem distinctly disruptive to landscape and the character of the area.



1.9 EXISTING ROOF PLAN
PART 1: EXISTING CONTEXT
SCALE 1:100 AT A3

APPLEDORE

Roof Plan as Existing



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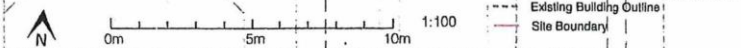
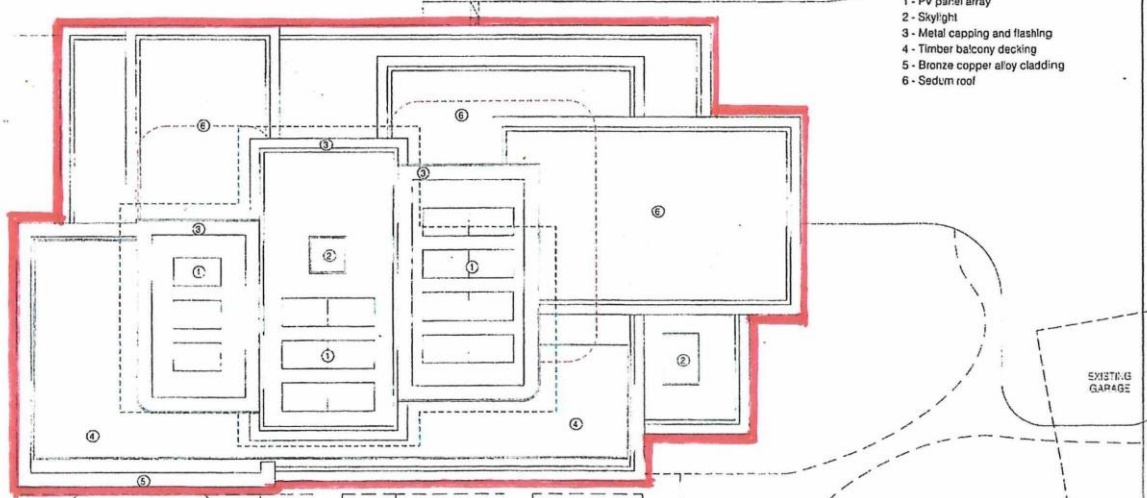
3.6.1 PROPOSED ROOF PLAN REV.A
PART 3: BUILDING PROPOSAL
SCALE 1:100 AT A3

APPLEDORE

Roof Plan as Newly Proposed

MATERIALS KEY

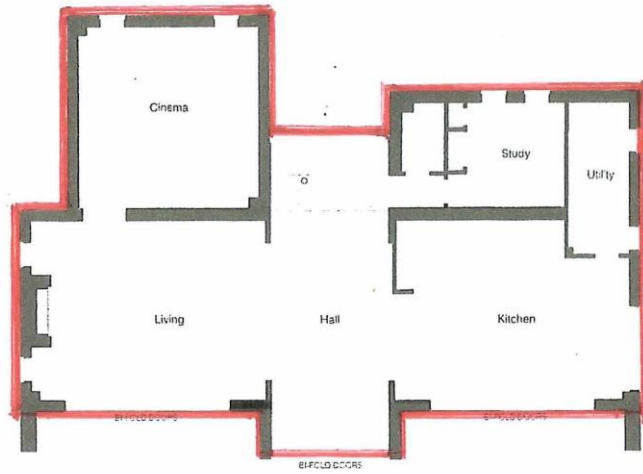
- 1 - PV panel array
- 2 - Skylight
- 3 - Metal capping and flashing
- 4 - Timber balcony decking
- 5 - Bronze copper alloy cladding
- 6 - Sedum roof



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1.6 EXISTING GROUND FLOOR PLAN
PART 1: EXISTING CONTEXT
SCALE 1:100 AT A3

APPLEDORE
Ground Floor as Existing



0m 5m 10m 1:100

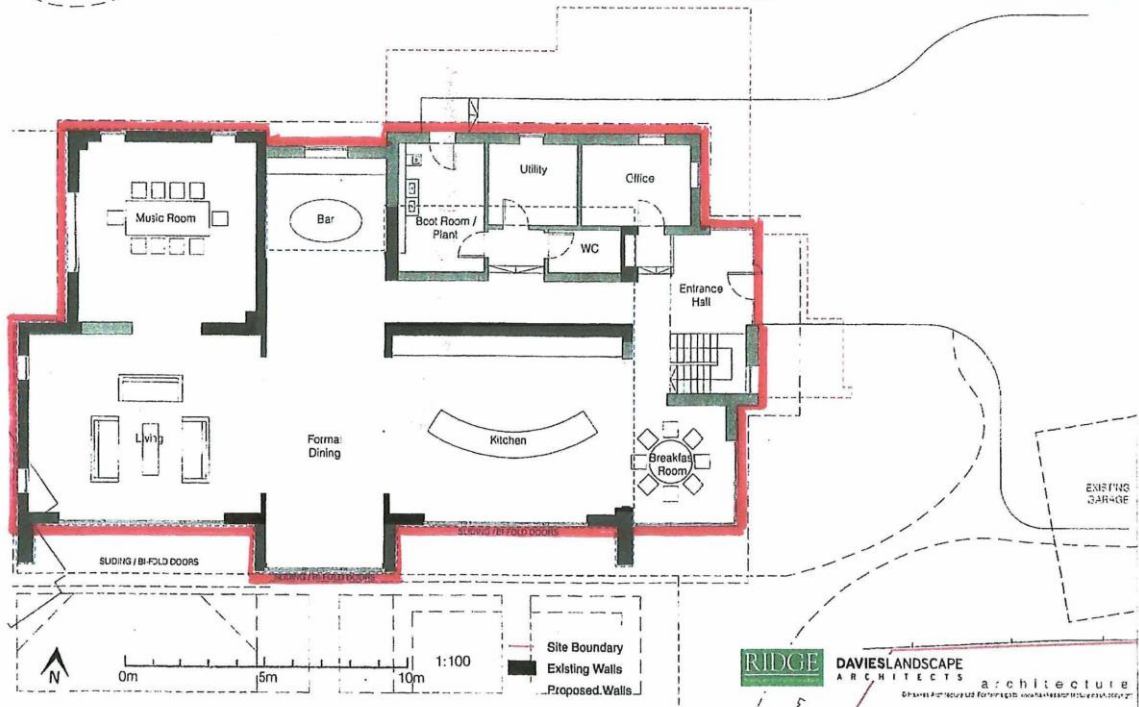
Existing Walls

RIDGE DAVIESLANDSCAPE ARCHITECTS

3.3-1 PROPOSED GROUND FLOOR PLAN_REVA
PART 3: BUILDING PROPOSAL
SCALE 1:100 AT A3

APPLEDORE

Ground Floor as Newly Proposed



0m 5m 10m 1:100

Site Boundary
Existing Walls
Proposed Walls

RIDGE DAVIESLANDSCAPE ARCHITECTS architecture

1.7 EXISTING FIRST FLOOR PLAN
PART 1: EXISTING CONTEXT
SCALE 1:100 AT A3

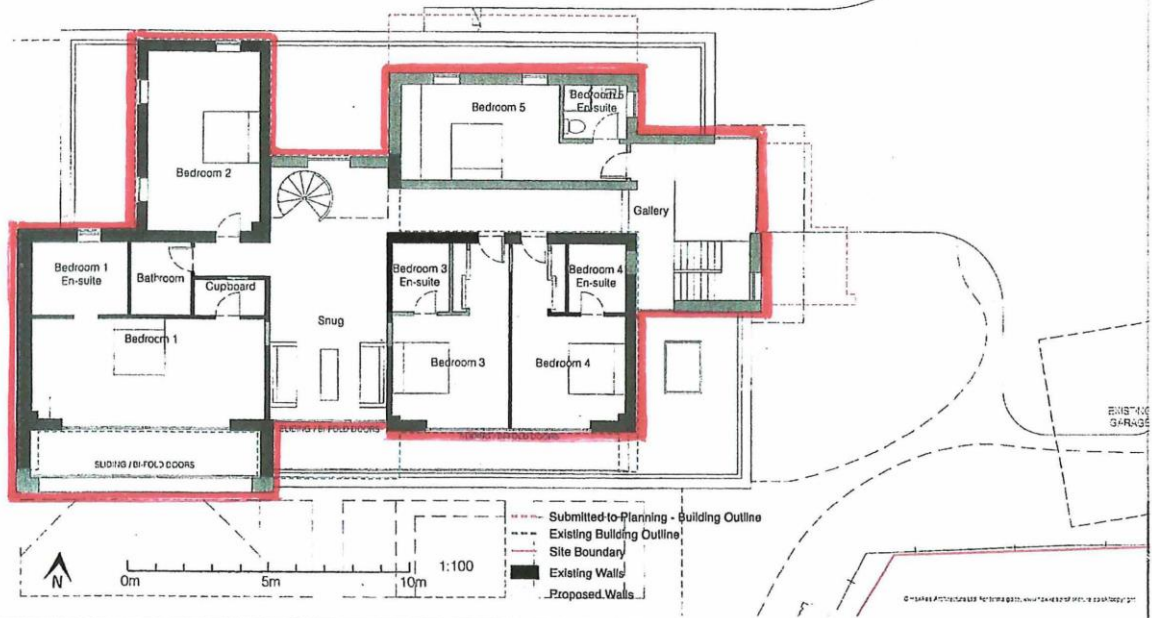
APPLEDORE
First Floor as Existing



3.4.1 PROPOSED FIRST-FLOOR PLAN_REV.A
PART 3: BUILDING PROPOSAL
SCALE 1:100 AT A3

APPLEDORE

First Floor as Newly Proposed



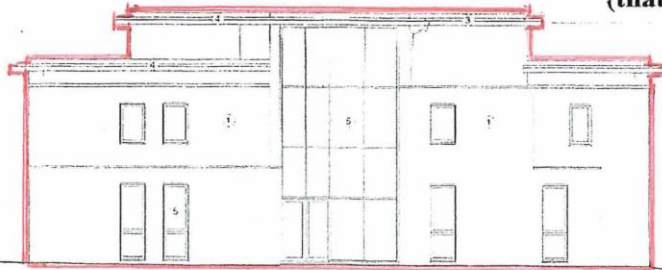
1.10 EXISTING ELEVATIONS (1 OF 2)
 PART 1: EXISTING CONTEXT
 SCALE 1:100 AT A3

APPLEDORE

**North Elevation as Existing
 (that overlooking road)**

MATERIALS KEY

- 1 - Coarse stone walling
 (from Grange Hill Quarry Naunton)
- 2 - Stained timber boarding
- 3 - Weatherproof roofing membranes
 (Sarnafil)
- 4 - Metal capping and flashing
- 5 - Dark grey powder coated
 aluminium frame (Double glazed)
- 6 - Clear glass balustrading



North Elevation of Existing Dye lining

Datum 105.67

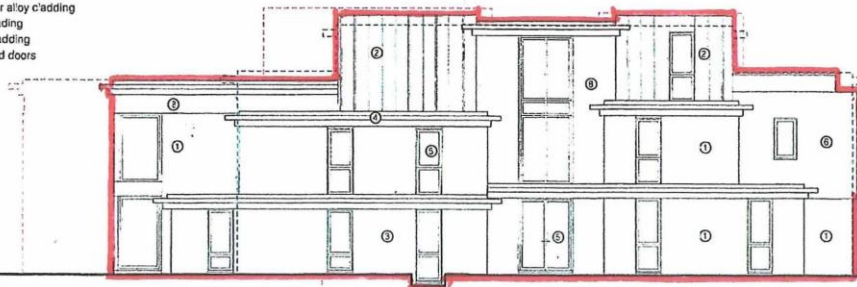
3.10.1 PROPOSED ELEVATIONS - NORTH_REV.A
 PART 3: BUILDING PROPOSAL
 SCALE 1:100 AT A3

APPLEDORE

North Elevation as Newly Proposed

MATERIALS KEY

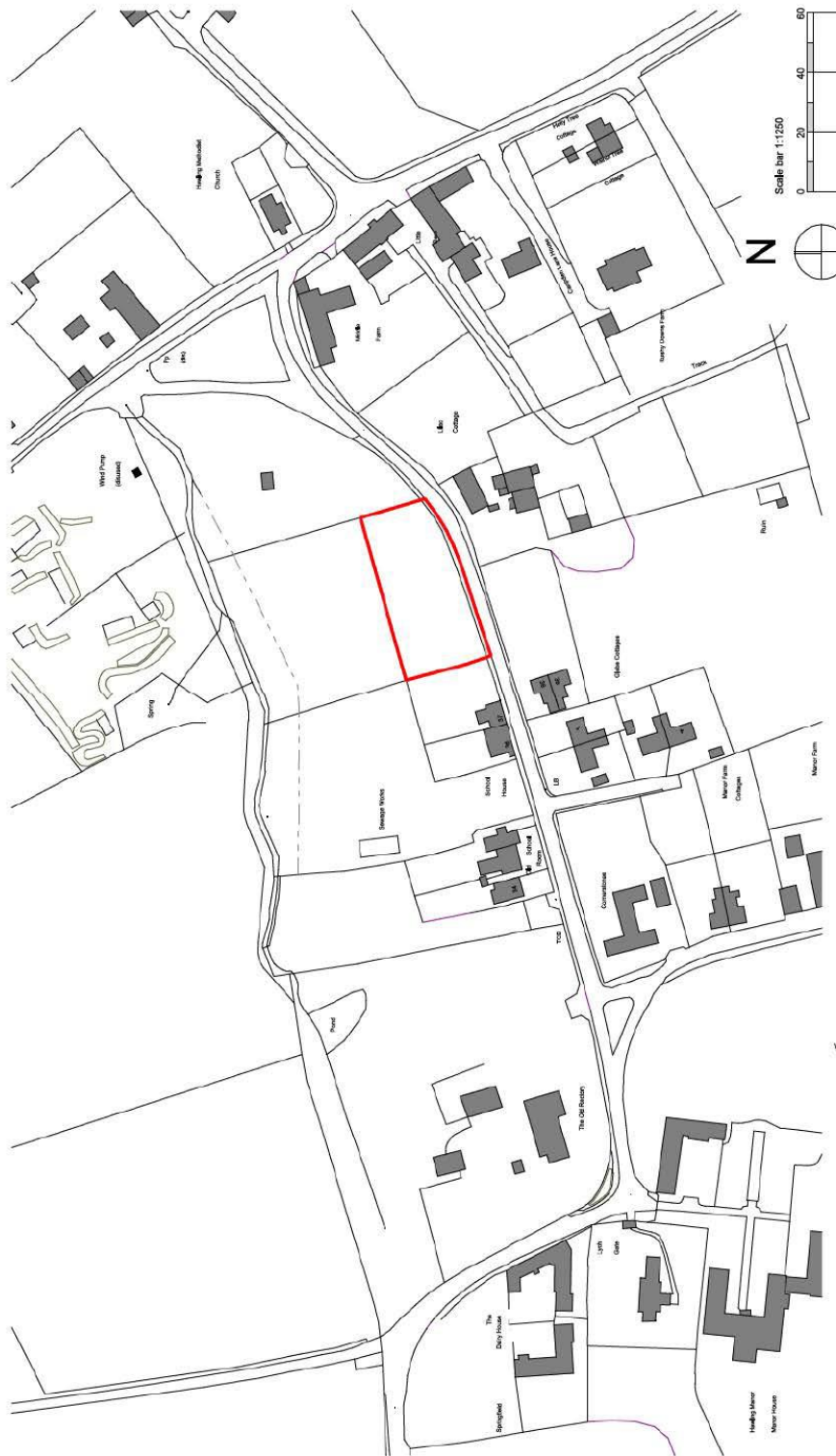
- 1 - Coarse stone walling
 (from Grange Hill Quarry Naunton)
- 2 - Chestnut vertical timber cladding
- 3 - Thermally treated timber
- 4 - Metal capping and flashing
- 5 - Dark grey powder coated
 aluminium frame (Double glazed)
- 6 - Bronze copper alloy c'adding
- 7 - Glass balustrading
- 8 - Grey metal c'adding
- 9 - Sliding / Bi-fold doors



--- Existing Building Outline
 --- Submitted to Planning - Building Outline

0m 5m 10m 1:100

Item 5f 22/01058/PIP - Parcel 5004 Opposite Lilac Cottage, Hawling



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Project: New Residential Development
 Hawling Suburb
 Hawling

Scale: 1 : 1250 @ A3
Date: August 2022
Drawn by: LJ
Checked: tc
Job number: 22.00.016
Drawn by: LJ
Checked: tc
Job number: 22.00.016

Scale bar 1:1250
 0 20 40 60

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 reported to localised administrator

RIBA
 Chartered Practice

Project Status:
 Preliminary
 Feasibility
 Planning
 Building Regulations
 Tender
 Construction Issue
 As Built

combes : event architects