

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 21 November 2023 commencing at
9:30 am**

Present:

Vice Chair in the Chair

Councillor S Hands

and Councillors:

M A Gore, S Hands, D J Harwood, M L Jordan, G C Madle, J R Mason, G M Porter,
R J G Smith, R J E Vines, P N Workman and I Yates

also present:

Councillors N D Adcock and D W Gray

PL.41 ANNOUNCEMENTS

- 41.1 In the absence of the Chair, the Vice-Chair took the chair for the meeting.
- 41.2 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 41.3 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

PL.42 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 42.1 Apologies for absence were received from Councillors E M Dimond-Brown and P E Smith (Chair). Councillor H J Bowman would be a substitute for the meeting.

PL.43 DECLARATIONS OF INTEREST

- 43.1 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.

43.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
M L Jordan	Item 5h – 22/00667/FUL – Land to the South of Cheltenham Road East, Churchdown	Is a Borough Councillor for the area. Is a Member of Churchdown Parish Council but does not participate in planning matters. Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.
G C Madle	Item 5b – 22/00998/FUL – Land Behind 62 to 74 Willow Bank Road, Alderton	Is a Borough Councillor for the area. Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.
R J G Smith	Item 5h – 22/00667/FUL – Land to the South of Cheltenham Road East, Churchdown	Is a Member of Churchdown Parish Council but does not participate in planning matters. Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.
G I Yates	Item 5h – 22/00667/FUL – Land to the South of Cheltenham Road East, Churchdown	Is a Member of Churchdown Parish Council but does not participate in planning matters. Had received correspondence in relation to the application but had not expressed an opinion.	Would speak and vote.

43.3 There were no further declarations made on this occasion.

PL.44 MINUTES

44.1 The Minutes of the meeting held on 17 October 2023, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.45 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

45.1 The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

23/00641/FUL - Land East of Kayte Lane, Southam

45.2 This application was for change of use of land to use as a gypsy/traveller site comprising 11 pitches. 11 static mobile homes for residential purposes shall be stationed alongside seven ancillary touring caravans, provision of internal roadways, parking areas and fencing (part retrospective).

45.3 The Senior Planning Officer advised that the site was a parcel of formerly undeveloped agricultural land within the rural area of Southam. The site was within the Green Belt and beyond any recognised settlement boundary so was within the open countryside for the purposes of planning policy. The site was bound to the east by the Gloucestershire and Warwickshire Railway and to the west by Kayte Lane. The development comprised the change of use of agricultural land to a gypsy and traveller site with a total of 11 pitches, each with a static caravan, seven of which with additional touring caravans. The development also included the provision of internal roadways, parking areas and fencing. Works were ongoing at the site so planning permission was sought partially in retrospect. As set out within the Committee report, the development was by definition inappropriate development within the Green Belt and should not be approved except in very special circumstances. Policy set out that substantial weight must be given to any harm to the Green Belt and that very special circumstances will not exist unless the harm to the Green Belt, by reason of inappropriateness, as well as any additional harm, was clearly outweighed by other considerations. The report outlined that the 'other additional harms' were: intentional unauthorised development, harm to the character of the countryside, failure to provide safe and suitable access, potential adverse impacts to neighbouring amenity through noise and disturbance; and lack of information pertaining to biodiversity, drainage and trees. These harms, together with the overarching harm to the Green Belt, must be weighed against the benefits in relation to the unmet need for gypsy and traveller pitches and the personal circumstances of the occupiers. Although Officers accepted there was an unmet need which, together with the personal circumstances of the occupiers, weighed in favour of the development, Members were advised that this did not outweigh the overall harm. As such, very special circumstances which would outweigh the harm to the Green Belt did not exist meaning that the development should not be approved. Therefore, the Officer recommendation was to refuse the application. She clarified that, although there was an injunction on the land, this was a separate matter which should not be taken into consideration as part of the application or reasons for refusal.

45.4 The Chair invited a representative from Southam Parish Council to address the Committee. The Parish Council representative indicated that Southam Parish Council had objected to this application, as had the neighbouring Parish Councils of Bishop's Cleeve and Woodmancote whose parishioners were also impacted. The

level of interest and concern in this application has been extraordinary and whilst the Parish Council understood the need for new traveller sites in Tewkesbury Borough, this application was wrong on many levels and clearly conflicted with the National Planning Policy Framework, Joint Core Strategy, Tewkesbury Borough Plan and Planning Policy for Traveller Sites. The site lay within designated Green Belt which maintained a degree of separation between Bishop's Cleeve and Cheltenham. Its development substantially affected the character and appearance of the area, spoiling the open aspect of the views towards the Cotswold escarpment which was an Area of Outstanding Natural Beauty. The area was not allocated for development in either the Joint Core Strategy or the Tewkesbury Borough Plan and the National Planning Policy Framework stated that inappropriate development was harmful to the Green Belt and should not be approved, except in very special circumstances, and that personal circumstances and unmet need were unlikely to clearly outweigh harm to the Green Belt, or any other harm, so as to establish those very special circumstances. Traveller sites, whether temporary or permanent, were inappropriate development within the Green Belt and no very special circumstances had been put forward by the applicant or identified in the Committee report. Planning Policy for Traveller Sites stated that policies should avoid placing undue pressure on local infrastructure and services - the scale of this development placed an unacceptable burden on the highway structure in Kayte Lane, and on other services in the immediate locality which were already under pressure - and that, when assessing the suitability of sites, the scale of such sites should not dominate the nearest settled community. The amenity of the neighbouring properties was adversely impacted by the size and nature of the development, its high fencing, associated noise, light and traffic pollution and increase in population. Road safety was also a significant concern and the applicant has created unauthorised access to the site which opened onto a blind bend on an unlit lane where the speed limit was 40 mph. The lane was narrow and already supported more traffic than was originally intended. Visibility splays were not acceptable and County Highways had recommended refusal. There were no pedestrian footpaths for a substantial distance, making walking or cycling to nearest local amenities unsafe; the nearest bus stop was 700m away and services were infrequent. It was inevitable that the occupants would be reliant on vehicles, hence the site was unsustainable. A Public Right of Way running along the northern boundary had been fenced off, the path obstructed and the kissing gate onto Kayte Lane damaged. CCTV adjacent to the Public Right of Way made this unwelcome. The development spoilt the open, rural aspect of the area, which previously enjoyed uninterrupted views towards the Area of Outstanding Natural Beauty, and this represented a loss of amenity and vast reduction in the number of local residents using the Public Right of Way network. The site was subject of a High Court Injunction prohibiting the land from being occupied or developed without the benefit of planning permission and planning policy should count heavily against any retrospective planning application. The Parish Council was concerned that the applicant would continue to build and occupy the site, regardless of the planning process, and anything other than refusal would set a dreadful precedent. Finally, the Parish Council representative indicated that the impact on the health and wellbeing of neighbours and loss of privacy could not, and should not, be underestimated.

- 45.5 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that she was speaking on behalf of a group of local residents, some of whom lived immediately opposite the application site, who wished to support the Officer recommendation for refusal. The local resident wanted to impress upon Members the strength of local feeling about the applicants' deceitful disregard for planning and legal processes that all members of a community, as citizens of equal standing, were required to abide by in law. This was evident through the occupation of the land by the applicants in full knowledge of the High Court Injunction Order; the carrying out of deliberate unlawful works involving the ripping out of mature hedgerows and trees which formed valuable

wildlife habitats and corridors; the importation of many tonnes of hardcore for the laying of extensive hardstanding and roadways; and the erection of a highly visible and overtly urban boundary fence of excessive height. This once rural field which made a positive contribution to the character of the area was now enclosed and urbanised which jarred with its rural surroundings. Further intentional dishonesty was evident through the submission of this planning application that bore little resemblance to what had taken place on the ground – all of these observations had been made by the Planning Officer in the Committee report. Putting aside the deceitful intention of the applicant, which was a material planning consideration in this case, it was Members' job to determine this application on its planning merits. The adverse impacts and benefit from the provision of travellers' pitches had been comprehensively set out in the Committee report which was wholly supported by local residents. In addition to matters set out in the Committee report, she wished to draw attention to the fact that the site lay within the foreground of the Cotswold Area of Outstanding Natural Beauty and immediately adjacent to a locally designated Special Landscape Area; as such, she asked that Members strengthen proposed refusal reason 3 with the inclusion of Policy SD7 of the Joint Core Strategy and Policies LAN1 and LAN2 of the Tewkesbury Borough Plan - Policy SD7 stated that development close to, but outside of, the Area of Outstanding Natural Beauty boundary had the potential to have a detrimental impact on its setting through, for example, its impact upon key views, or its impact upon landscape character in and around the Area of Outstanding Natural Beauty boundary and that proposals likely to affect the setting of the Area of Outstanding Natural Beauty must fully consider any potential impacts. This site was highly visible from Cleeve Hill - one of the most popular and valued walking areas in the county. In addition, local residents asked that an additional reason for refusal be included in respect of the altered experience of the footpath user; this experience has been completely altered from one of open pastoral surroundings to an experience that was enclosed, narrowed, and urbanised.

- 45.6 The Chair invited a local Ward Member for the area to address the Committee. The local Ward Member indicated that access was on a bend and road usage was increasing in Bishop's Cleeve and Woodmancote as the area was affected by cuts to the local bus service. He agreed with the comments which had been made regarding the Area of Outstanding Natural Beauty – the site was highly visible within the Area of Outstanding Natural Beauty and was a popular walking spot within the county so he would support the strengthening of refusal reason 3. He noted the comments from the Public Right of Way Officer and indicated that he had received correspondence from residents who felt intimidated and so were not using the formerly well-used footpath. As Flood Warden for Woodmancote, he knew this area well and, whilst he appreciated it was not in Flood Zone 1, flood risk to this land was not the main concern, rather it was the increased risk to neighbouring areas. There were also questions concerning riparian rights and responsibilities. He failed to see how increasing impermeable surface area without mitigation could keep the area working as it did naturally in terms of infiltration. A resident had been keeping watch on traffic movements onto the site and had witnessed hardcore and other materials being taken on site, furthermore, he had concerns about the proposals to deal with foul water, which needed real investigation, as well as loss of trees and hedgerows. Planning Policy for Traveller Sites mentioned the need for environmental enhancements and that sites should not be enclosed as that would foster mistrust and division.
- 45.7 The Chair indicated that the Officer recommendation was to refuse the application and sought a motion from the floor. A Member noted the request from the public speaker regarding the inclusion of reference to Policy SD7 of the Joint Core Strategy in refusal reason 3 and asked whether the Landscape Officer had considered the application. The Senior Planning Officer explained that Policy SD7 related to the setting of the Area of Outstanding Natural Beauty - the test was

whether the development would conserve the intrinsic beauty of the Area of Outstanding Natural Beauty and Officers believed there was no technical conflict with that policy. With regard to the concerns in relation to the experience of the Public Right of Way, she had asked the Public Right of Way Officer to walk the footpath which they had done – she and the County Highways representative had also done the same – and whilst it was acknowledged that it was a transformed experience, this was not considered to substantiate a reason for refusal on the basis that the Public Right of Way was still available to users and was unobstructed.

- 45.8 It was proposed and seconded that the application be refused in accordance with the Officer recommendation, subject to an amendment to include Policy SD7 of the Joint Core Strategy within refusal reason 3. The Development Management Manager advised that there were seven robust refusal reasons proposed within the Committee report and Members should focus on the quality of reasons as opposed to quantity. He accepted the point about the impact on the Area of Outstanding Natural Beauty but that had been assessed by relevant Officers and it was felt that the proposed refusal reasons took account of the policy position. On that basis, the proposer and seconder of the motion confirmed they were happy to remove reference to Policy SD7 and revert to the Officer recommendation. Upon being taken to the vote, it was

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

Councillors D J Harwood and G M Porter arrived part way through this item and therefore did not take part in the debate or vote.

22/00998/FUL - Land Behind 52 to 74 Willow Bank Road, Alderton

- 45.9 This application was for the erection of 48 dwellings with associated infrastructure and amenities along with demolition of an existing dwelling on land to the west of Willow Bank Road, Alderton. The Planning Committee had visited the application site on Friday 17 November 2023.
- 45.10 The Senior Planning Officer advised that the application was submitted in full and proposed the erection of 48 dwellings, including 40% affordable housing provision. Vehicular access to the development would be achieved via a new vehicular access off Willow Bank Road and a secondary pedestrian access to the site was proposed via the existing vehicular track located between No. 56 and No. 54 Willow Bank Road. The dwellings would be located throughout the site, with the majority of the existing vegetation belt running north/south within the northern part of the site being retained. A Locally Equipped Area of Play (LEAP) and an orchard were also proposed as part of the application. Existing hedgerows bounding the site to the south, west and north were to be retained and a Sustainable Drainage System (SuDS) attenuation pond was proposed in the south west corner. The site itself extended to 2.62 hectares and was currently used for grazing horses. The site was located within the Special Landscape Area as defined within the Tewkesbury Borough Plan and was located outside of, but immediately adjacent to, the residential development boundary of Alderton as defined in the Tewkesbury Borough Plan and Alderton Neighbourhood Development Plan. In respect of the principle of development, the application lay outside of the defined settlement boundary of Alderton and in conflict with the spatial strategy of the development plan and Policies SP2 and SD10 of the Joint Core Strategy, Policy RES3 of the Tewkesbury Borough Plan and Policy H1 of the Alderton Neighbourhood Development Plan. This was the starting point for the determination of the application; however, the Council was in a situation where it could not demonstrate a five year supply of deliverable housing sites, therefore, in accordance with Paragraph 11d and footnote 8 of the National Planning Policy Framework, these

policies were treated as out-of-date and should not be afforded full weight in the decision-making process. Due to the absence of a five year supply of deliverable sites, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole. In the circumstances of this application, the appeal site was immediately adjacent to the settlement boundary of Alderton which was defined as a Service Village in the Joint Core Strategy. Taking account of the proximity of the site to the settlement boundary, and the quantum of dwellings proposed, Officers did not consider that the harms arising from the conflict with the spatial strategy amounted to an adverse impact that would significantly and demonstrably outweigh the benefits of the development. Officers also acknowledged there had been significant residential development in Alderton in recent years - should this planning permission be granted it would be an additional 193 dwellings so far in the plan period, amounting to a 69% increase in size of Alderton Village. Officers recognised in the Committee report there would be a moderate harmful impact on the social wellbeing and cohesion within Alderton arising from this proposed development; however, in recent years this matter had been dealt with at appeals and the Inspectors had frequently commented that it did not amount to significant harm. Notwithstanding this, Officers had negotiated a comprehensive package of planning obligations to enhance existing community infrastructure to accommodate the increased population which was considered would assist in mitigating the impact of the development with regard to community cohesion and social wellbeing. In terms of landscape impact harms, mitigation measures had been secured via the Section 106 obligations which included a contribution to allotments and playing pitches. The application site was relatively well screened by existing hedgerows and trees and Officers considered that the landscape harms were a matter which weighed moderately against the proposals in the planning balance. Overall, Officers concluded this was a case where the tilted balance was engaged through the provisions of the National Planning Policy Framework. The delivery of 48 market and affordable houses would provide a significant social benefit and there would also be associated economic benefits from the proposal. Officers considered that the harms arising from the proposed development would not significantly and demonstrably outweigh the benefits in the overall planning balance. It was noted that residents had objected based on the impact on Willow Bank Road and the Senior Planning Officer advised there was a separation distance of 2.5 metres between the rear elevations and the existing dwellings and hedgerow was proposed to be planted along the boundary to mitigate the impact.

- 45.11 The Chair invited a representative from Alderton Parish Council to address the Committee. The Parish Council representative indicated that the Parish Council understood that Tewkesbury Borough Council was unable to demonstrate a five year housing land supply and that there was a new Interim Housing Position Statement which sought to provide guidance on which types of locations and housing schemes would be acceptable; however, for a number of reasons, the Parish Council did not consider that this scheme/location was appropriate. This site had previously been refused planning permission after a similar tilted balance argument fell in favour of refusal due to the site location being an almost separate self-contained and introverted development with very little connection and integration to Alderton; this lack of integration remained and, as the identified harm to social wellbeing and community cohesion had attracted moderate weight – the village had since had a further two estates, another 75 units, allowed at appeal - the Parish Council considered the cumulative impact of such rapid expansion over the last seven years now attracted significant weight. The Interim Housing Position Statement sought to guide development to appropriate and sustainable locations and, whilst the village was identified as a Service Village, it had few and declining facilities. There were no secondary or further education facilities, no employment opportunities, no medical facilities, no meaningful retail or leisure facilities and all

facilities must be accessed by car which did not address carbon reduction or climate change objectives. The design and layout reflected a homogenous suburban estate which paid little regard to the interrelationship between urban form and countryside which currently consisted of bungalows abutting the countryside. This scheme was two storey which would cause significant visual intrusion into the open countryside. The mix of dwellings did not reflect local needs for smaller units; there was an abnormally high proportion of four or more bedroom executive style houses which did not respect the Council's housing needs assessment. The Parish Council understood that such schemes needed to be assessed on a case by case basis but with landscape harm, significant social harm due to cumulative impact, a backland introverted site with limited connection to the village, an inappropriate housing mix, failure to achieve meaningful Biodiversity Net Gain and failure to comply with the Council's spatial strategy for allocating housing close to existing sustainable centres of Tewkesbury, Cheltenham and Gloucester, the tilted balance argument should once again fall in favour of refusal.

- 45.12 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that he had been aware that planning permission had been refused when purchasing his property in 2019. The main reasons for refusal were car headlights to the front of 37 Willow Bank Road - that issue had now moved further down to 59 Willow Bank Road – and on the basis that it was a backland scheme, classed as a separate self-contained introverted development, with little connection and integration with Alderton, causing harm to social cohesion. From what he could see there had been no change aside from the proposed thoroughfare between 54 Willow Bank Road and 56 Willow Bank Road. He felt it was totally unacceptable for people to be able to walk back and forth, day and night, past his side ground floor bedroom windows causing disturbance and loss of privacy. He did not believe this was the right place to build yet more homes in Alderton and he could honestly say he had never in his wildest dreams visualised a four bedroom two storey house with the gable end only three metres from his west facing rear fence - it could not have been in a worse position for his property which had the shortest garden at under 20m and would cast an enormous shadow in the evening covering the majority of it. He was aware that the size of this property and the distance from his dwelling was within acceptable regulations but he asked for a compromise by reducing this single property to a two bedroom bungalow which would reduce the impact greatly. He recognised that housing was needed across the country and that it was common practice for social, affordable and private homes to be built on the same development but he felt there was a difference in choosing to buy a private property on these sites, where you accepted that neighbouring properties would be rented and part-owned, and having that decision made for you. Whilst he felt this was the wrong place to put another estate of houses, if the Committee was minded to permit the application he urged them to consider revisiting this plot to see if the developer could reduce the size of that particular property in order to have less of an impact. He welcomed any compromise that would improve this life changing decision Members were about to make on his behalf.
- 45.13 The Chair invited the applicant's agent to address the Committee. The applicant's agent firstly thanked Officers for their professionalism in dealing with this application. Being a Planning Officer was no easy job but they had been robust in ensuring the application before Members was as good as it could be which was reflected by there being no Officer or statutory consultee objections. Whilst Officers were strongly supportive, they understood that Alderton Parish Council and many local residents did not want more housing in the village, in this location in particular. This created a difficult situation but it was absolutely not their intention to be in conflict with the borough's communities; although there was clearly a need for more homes across the borough - not least affordable homes - that was not how all existing residents saw it. The applicant's agent felt that the best thing developers

could do was to minimise the impact on residents and ensure tangible and funded benefits actually reached the existing community and that was what they had tried to do. In previous applications in Alderton, they had been told the community did not feel like they had benefitted from the development process. As such, they had sought guidance from Officers who, in conjunction with the Parish Council, had drafted a list of things in the village that required funding. A contribution of £150,000 had been agreed via the Section 106 Agreement to directly fund a wide range of things the community valued, including money towards school bus services; sports facilities, including the village playing field; improvements to the village hall; compostable toilets at the allotments; and recycling bins. It was hoped that as many people as possible would benefit and that investment in community facilities would support social cohesion. In addition, a local lettings condition had been suggested so existing residents were considered first for the affordable homes. It was recognised that the location of the site within the settlement would impact those who lived closest and, in order to minimise that, the number of homes had been reduced from 56 to 48; the homes had been positioned to maximise the distance between new and existing properties; additional landscaping would strengthen the existing mature hedges; the access was located to minimise disruption to neighbouring properties and was positioned to avoid headlight glare into any homes opposite the site. The applicant's agent reiterated that they accepted the development would affect those who lived nearest but hoped Members would see they had tried to minimise the impact on existing residents whilst ensuring real benefits for this community. He indicated that the applicant was fully committed to delivering a zero carbon scheme of high-quality, low energy homes, with priority given to local people for the 19 much-needed affordable homes.

- 45.14 The Chair invited a local Ward Member for the area to address the Committee. The local Ward Member indicated that the principle reason for objecting to this application was around unsustainability and the specific location which was unacceptable for many reasons including landscape grounds. Alderton as a village had already had far too much development; it was a Service Village based on a single shop which opened far too infrequently. Whilst he recognised that applications for housing must be considered when they came forward, he took issue at the comment there was strong support for this scheme. At the heart of it was impact on the community and the village was being swamped bit by bit with the level of recently added new housing without the necessary infrastructure to support it - the main sewage line out of the village was suspended across the field due to inadequate infrastructure. This was an unsafe and inappropriate location for new housing and planning permission should be refused to give relief to the residents of Alderton.
- 45.15 The Chair indicated that the Officer recommendation was to delegate authority to the Development Management Manager to permit the application, subject to any additional or amended conditions and completion of a Section 106 Agreement, and sought a motion from the floor. A Member queried how many houses had been envisaged for Alderton when it had been included as a Service Village in the Joint Core Strategy and whether reliance on the private motor car was still an important factor when considering sustainability. In response, the Senior Planning Officer advised that none of the individual Service Villages in the Joint Core Strategy had been given a specific requirement for housing in the plan process but there was a general requirement for 850 dwellings across all Service Villages. From memory, the housing background papers which formed part of the Joint Core Strategy evidence base mentioned 56 houses for Alderton; however, 850 was now out of date due to the lack of a five year housing land supply and local housing need so the figure had increased from 56. It was certainly the case that the amount of development in Alderton was well beyond the evidence base initially identified in the Joint Core Strategy and the Council had highlighted this at a number of appeals and inquiries yet the figure of 56 was an indicative requirement, not quoted in planning

policy, and this needed to be considered in terms of how it played into the benefits and harms, i.e. what was the difference between 56 houses and 100 houses in terms of harm, and that was what Officers considered in the planning balance. With regard to sustainability, Service Villages had been allocated in the Joint Core Strategy on the basis of a minimum number of services in terms of shops, public houses and schools with some having more than others. Inevitably new residents of Alderton would be reliant on the private car to some extent but that in itself was not a reason to refuse the application. The Member indicated that he had been under the impression that numbers had been allocated to individual Service Villages and expressed the view that reliance on the private car may as well be removed as a factor when considering sustainability of housing developments. The Senior Planning Officer advised that Policy SP2 stated that, in Service Villages, lower levels of development would be allocated by the Tewkesbury Borough Plan and Neighbourhood Development Plans proportional to their size and function and reflecting their proximity and accessibility to Cheltenham and Gloucester, taking into account environmental, economic and social impacts. The allocations were informed by the housing background papers which had looked at the characteristics of Alderton and considered that somewhere in the order of 50 or 60 houses was appropriate. Policy SD2 was out of date due to the lack of a five year housing land supply and could not be given full weight in the plan-making process so the figure of 850 houses was no longer up to date and it was necessary to look at the planning merits of the case and tangible harm arising from an increased population. Reliance on the private car was a material consideration but this needed to be considered in the context of Tewkesbury Borough as a whole and the options in terms of sustainability, for instance, Alderton did have a bus service. The Development Management Manager advised that a lot of learning had gone on over the last 12 months in terms of the housing land supply position and specific appeal decisions in other villages as well as Alderton, as referenced within the Committee report - Page No. 65, Paragraph 8.20 of the Committee report set out that two planning permissions had been allowed at appeal despite Officers and Members being of the view that the cumulative growth in Alderton in such a short space of time would have a negative impact on social wellbeing and cohesion. Whilst Officers shared Members' concerns, the Committee report gave a thorough and up-to-date picture of the balance which had to be made between the benefits, harms and neutral aspects of the application; it was not a straightforward assessment based on housing numbers but was also about the impact and mitigations - the applicant had responded positively to some of these legitimate and reasonable concerns.

- 45.16 A Member noted the Parish Council had raised concern regarding the increased risk of off-site flooding and inadequate capacity in the gulley system off Willow Bank Road but the Lead Local Flood Authority had raised no objection to the application and he sought a comment on that. The Senior Planning Officer advised that the Lead Local Flood Authority had raised concern with the original application and a revised drainage strategy had been submitted in response to those comments. The revised strategy attenuated into a SuDS pond in the southwest corner of the site, run-off was at greenfield rate into the field to the south and Officers were satisfied with this revised scheme. Another Member noted comments made by the applicant's agent regarding working with the local community to mitigate impact but the comments made by the local resident today had resonated with her and she questioned whether this could be addressed as part of the delegation to Officers, should Members be minded to permit the application. In response, the Senior Planning Officer confirmed he had visited the resident's property and looked closely at the plans both before and after visiting. As set out in the Additional Representations Sheet, attached at Appendix 1, Officers had liaised with the applicant and agreed for the side facing bedroom window to be removed from Plot 13. In addition, discussions with the applicant suggested there may be scope to reduce the scale of that property and, if Members were minded to grant delegated

permission, that could be explored with the applicant; however, it should be borne in mind there would be some changes to the proximity of the affordable housing to accommodate that. The Development Management Manager advised that Officers looked at rear to rear distances which were expected to be 22 metres or more; where it was rear to gable that distance was expected to be reduced. A higher threshold would be achieved over and above what would ordinarily be asked for in terms of the rear to gable relationship but it was within the gift of the Committee to look at that if there was a strong desire to do so. The Member appreciated that the separation distances went beyond the usual expectations but she felt there was a human element to consider as well and if it was possible to address these concerns to satisfy the majority of people it would make for a better community.

- 45.17 A Member asked whether the Council had been able to demonstrate a five year housing land supply when the original application was refused and the appeal dismissed. She noted that 134 public objections had been received, which equated to roughly one fifth of the adult population of Alderton, and she questioned when that was classed as significant, rather than moderate, harm to a community. In addition, she sought clarification as to how the figures in the Section 106 obligations in relation to delivering school transport had been determined and how the developer would be held accountable for delivery. In response, the Senior Planning Officer advised that the Council did not have a five year housing land supply at the time the appeal scheme was dismissed but the overriding reason for the dismissal was the vehicular access arrangements; cars would have travelled through what was now the pedestrian access with residential dwellings on either side and headlights shining into the dwelling to the east. Other harms including social cohesion and landscape harm were seen to have a minor impact. The current arrangements were materially different to the dismissed appeal in terms of vehicular access. Whilst Officers fully understood the concerns of the community, the number of objections was not a determinative factor in itself, it was about what was raised in the objections which, in this case, was symptomatic of concerns regarding social cohesion and social impacts which Officers had worked with the applicant to try to mitigate. The County Highways representative explained that, over the course of the application process, the County Council's Education and Transport teams had been informed of the level of development and, whilst he did not know the detail of this particular case, the figure within the Section 106 was calculated using a specific formula. The Legal Adviser explained that the Section 106 Agreement was a legal obligation between the landowner/developer and Gloucestershire County Council which, as a public body, had to act reasonably and in the public interest. The Section 106 Agreement would specify exactly how the money would be spent within a certain timeframe and would usually include a clause to cover it not being spent within that time – the County Council was under a contractual obligation to use the money for the specified purposes.
- 45.18 A Member noted that the applicant's agent had stated that the homes would be zero carbon but she could not see any solar panels on the plans and asked how that would be achieved. In response, the Senior Planning Officer explained that the applicant had advised that the scheme would be zero carbon but that was a matter for the developer; Tewkesbury Borough Council did not have a planning policy to insist on the developer delivering such a scheme. Some units did have solar panels but this was a matter outside of the planning process. The County Highways representative advised that building regulations required all new build dwellings to have charging facilities for electric vehicles. A Member noted that condition 15, set out at Page No. 87 of the Committee report, required a residential welcome pack promoting sustainable forms of access to the development to be provided to each resident at the point of first occupation of the dwelling and she asked how this would be enforced. The County Highways representative advised that the contribution would be secured via the Section 106 Agreement and that condition 15 was a standard condition. A Member asked whether County Highways had looked solely

at the access out of the site or if the junction with the B4077 had also been considered as that was where the majority of residents left the village and the development would generate increased traffic onto that junction which was an accident hotspot, particularly the junction between Gretton Road and the Hobnails Inn where there had been a fatal accident along that stretch of fast road. The County Highways representative advised that the transport assessment forecast very few traffic movements as a result of the development with 29 and 27 two-way vehicle movements in the AM and PM peak hours respectively. Willow Bank Road had a traffic flow of less than 200 so there were no issues from a capacity point of view. The highways report showed there had been two personal injury accidents in the vicinity of the site within the last five years, on or near the junction between Willow Bank Road and the B4077, which were classified as serious but there was no pattern of highway safety deficiencies which indicated there was a problem with the road network.

- 45.19 In response to a request for a summary of the benefits of the scheme, the Senior Planning Officer advised that these were outlined at Page No. 81, Paragraphs 9.6-9.8 of the Committee report and included the delivery of market and affordable housing which had been given significant weight in the Officer report – some may have given greater weight to the affordable housing which had significant social benefits. There would also be economic benefits during and post construction through the creation of new jobs and supporting existing local services. Whilst the harm to social cohesion was recognised, there were also benefits of expanding the population of Alderton which currently had an older demographic and there would be benefits through the Section 106 Agreement contributions which were directly and reasonably related to the development itself and would bring wider community benefits in terms of enhanced facilities. The harms, as set out at Page No. 82, Paragraphs 9.9-9.12 of the Committee report, included harmful conflict with the planning process, social cohesion, landscape impact and some harm to residential amenity; however, this had to be considered in the context of the tilted balance and whether those harms significantly and demonstrably outweighed the benefits and Officers did not consider the harms to be unacceptable in this instance. A Member drew attention to Page No. 79, Paragraph 8.115 of the Committee report which set out that Gloucestershire County Council had sought transport contributions towards the secondary age establishments with spare capacity rather than increasing capacity at the closest school; however, a lot of parents would not be able to afford to use a bus service and she asked if it was possible to subsidise the cost via the Section 106 Agreement. In response, the County Highways representative understood that would be the case.
- 45.20 A Member indicated that he could not support this development; an application for housing on this site had already been dismissed at appeal at a time when the Council did not have a five year housing land supply and he felt this should be refused on the same grounds. The site would not be well screened, residents would be dependent on the private car as there was no reliable bus service and the offer in the shop was limited and opening hours were sporadic. The Development Management Manager advised that access was the main reason for the previous appeal dismissal and, as previously advised, this had been revised in the current application to address those concerns. Negotiations had taken place with the developer to mitigate the concerns in respect of social cohesion as set out in the Committee report. He reiterated there had been a lot of learning over the last 12 months in terms of how appeal decisions were approached on these types of schemes and the Officer recommendation was based on an assessment of a broad range of issues. Very clear reasons would be needed if Members were minded to refuse the application and he was not sure those had been put forward as yet. The Legal Adviser explained that Officers were suggesting that this scheme addressed the issues regarding the previous appeal decision and reliance on those points to justify a refusal in this instance could be grounds for unreasonable behaviour in the

event of an appeal. It was proposed and seconded that the application be refused on the basis that it was outside of the Alderton settlement boundary in an unsuitable location due to the lack of services and reliance on the private motor car, landscape impact, harmful cumulative impact of development including on the social cohesion, wellbeing and vitality of Alderton and the design and layout of the scheme regarding the amenity impact on No. 54 and No. 56 Willow Bank Road. The seconder of the motion indicated that the Inspector's appeal statement contained anecdotal comments about use of the shop and there was no evidence that people moving into the area would sustain the services; there was already pressure on medical facilities in Winchcombe and she did not feel Alderton could sustain this level of development.

- 45.21 A Member expressed the view that there must come a point where Alderton had too much development and continuing to allow applications for housing would destroy the community cohesion in the village. When she had first become a Borough Councillor eight years ago, Alderton had around 200 houses which had since increased by 69%. The only bus service which could be relied upon was the one which went to Winchcombe School and a contribution was being sought from Gloucestershire County Council towards diverting the existing bus service in the area to provide a transport solution for secondary school students. Elderly people could not shop locally due to the small range of goods stocked but there was no contribution towards a bus service to and from Winchcombe meaning people would have to rely on their cars to get around. She believed that enough was enough and it was not sustainable to allow further development in that area. The Inspector's appeal decision in 2015 indicated that substantial expansion was causing harm to social wellbeing and community cohesion and the vitality of Alderton itself which was contrary to Paragraphs 17 and 55 of the National Planning Policy Framework. Whilst there had been some amendments to the vehicular access to the site to reduce the burden on No. 54 and No. 56 Willow Bank Road, there was still a route between the two houses and impact at the bottom of the garden. As had been seen on the site visit, the majority of properties on Willow Bank Road were bungalows which would potentially be looking onto two storey homes. In her opinion, and that of the Campaign for the Protection of Rural England (CPRE) and the Parish Council, enough was enough and the application should be refused on the grounds given by the Inspector in 2015 i.e. unacceptable harm to social cohesion and the living conditions of the occupants of No. 54 and No. 56 Willow Bank Road. Furthermore, County Highways had not checked the junction onto the main road where there were recorded accidents. She was happy to support a refusal and considered that further development should not be allowed without the infrastructure or community facilities needed for this amount of homes.
- 45.22 Another Member indicated that he would like to support the motion to refuse the application in principle; however, on this occasion he did not feel able to. There had been significant residential development in Alderton with a number of planning applications having been allowed on appeal despite the case being made that there had been enough development in the village and he was concerned that, if this application was refused, it would go to appeal and the Inspector may consider the Council had behaved unreasonably. Another Member shared this view and indicated that no planning application, especially one of this size, was without its harms but, on balance, she felt it should be permitted. The reasons for the previous appeal being dismissed had been addressed and the impact on social cohesion had been mitigated as far as it could be. She pointed out that more people worked from home and were able to shop online which had not been taken into account when considering reliance on cars. A Member indicated that, once again, he found himself frustrated with the planning system. The 2015 appeal Inspector considered that a 36-37% increase in the size of the village was substantial and there was no suggestion that the 69% increase now faced was not substantial; the Inspector had also recognised the unacceptable harm to occupants of Willow Bank Road yet he

was in agreement with the previous speaker that an appeal would not go in the Council's favour. Impact on social cohesion had been rebutted in recent planning appeals so it appeared this no longer held the weight it once did and he would not wish for the Council to incur massive costs for no gain, therefore, he could not support the proposal to refuse the application. The Development Management Manager recognised the serious concerns the Committee had with the proposal but these had been explored in planning terms in the assessment and the balance was set out in the report. The social cohesion and health and wellbeing points had been well debated and there was some comfort in the Section 106 contributions being provided for a range of facilities including artificial grass pitches, indoor bowls, sports halls, swimming pools, community centre, playing pitches and allotments. Legitimate concerns had been raised regarding the impact on residential amenity for occupants of No. 54 Willow Bank Road and that could be addressed under delegated authority, should Members be minded to permit the application in accordance with the Officer recommendation.

- 45.23 A Member indicated that ideally the application would be refused on the basis there were significant harms and he also wanted to know when enough was enough; even the Inspector at some point must agree that time would come. The application was before Members due to the tilted balance being engaged so there was an assumption it would be permitted and he understood that the risk of appeal and costs being awarded against the Council weighed heavily. He personally felt there had been enough development in Alderton, which was losing its identity, and that villages ought to be protected. The Development Management Manager clarified that the Officer recommendation was not an assumption on the basis that the tilted balance was in play; the application had been carefully assessed on the difficult planning issues, taking into account the policy implications and the balance that must be struck in terms of learning from recent appeal decisions throughout the borough. Officers had taken a view on the relative impact of this scheme, for instance, the moderate impact of the harm to social cohesion – there may be other considerations on other sites which may be more significant and weigh more heavily in the planning balance.
- 45.24 Upon being put to the vote, the motion to refuse the application was lost. It was subsequently proposed and seconded that authority be delegated to the Development Management Manager to permit the application subject to any additional or amended conditions and completion of a Section 106 Agreement and further discussions with the developer to mitigate the impact on residential amenity of No. 54 Willow Bank Road. A Member asked if it was possible to strengthen the proposal by removing the end property from the design on the basis that it was too imposing on No. 54 Willow Bank Road. She drew attention to condition 12, set out at Page No, 86 of the Committee report, which required visibility splays to be permanently kept free of all obstructions and she asked whether double yellow lines would be used to stop parking and if that was enforceable. With regard to condition 14 she sought clarification as to what was meant by an uncontrolled pedestrian crossing on Willow Bank Road. In response, the County Highways representative advised that the uncontrolled crossing would be a dropped kerb with tactile paving. As correctly stated, visibility splays would be required to be kept clear of physical obstructions and whilst it was possible to consider double yellow lines if parking was blocking the splays, that was not something which was proposed at this stage. The Member raised concern that it would be unenforceable and asked how it was intended it would be monitored. The Legal Adviser indicated that if complaints were received the Planning Enforcement team would investigate and take appropriate steps otherwise it would be a breach of the planning conditions. The County Highways representative advised that traffic regulations could be enforced but this would be periodic which was no different to any other access with a condition for a visibility splay. In terms of the end property, the Development Management Manager advised that the separation distances were acceptable in planning terms

and it would not be reasonable to take away a property through the delegation as that would also impact on the housing mix on site; however, it was possible to look at the scale of the property.

45.25 Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Management Manager to **PERMIT** the application in accordance with the Officer recommendation, subject to any additional or amended conditions and completion of a Section 106 Agreement and further discussions with the developer to mitigate the impact on residential amenity of No. 54 Willow Bank Road.

23/00086/APP - Land Off Aggs Lane, Gotherington

45.26 This was a reserved matters application pursuant to application ref: 19/01071/OUT (outline planning application with means of access from Ashmead Drive (all other matters reserved for subsequent approval) for the erection of up to 50 dwellings (Class C3); earthworks; drainage works; structural landscaping; formal and informal open space; car parking; site remediation and all other ancillary and enabling works) for 50 dwellings including appearance, landscape, scale and layout. The Planning Committee had visited the application site on Friday 17 November 2023.

45.27 The Senior Planning Officer advised that the application sought approval of reserved matters following an upheld appeal determined in 2021. The development would deliver 50 dwellings, comprising 40% affordable homes and 30 market homes, the make-up of which was set out in the Committee report. Vehicular access into the site was to be provided from Ashmead Drive as per the outline planning consent, albeit slightly realigned by a non-material amendment approved in January 2023. The proposal also incorporated public open space inclusive of a Multi-Use Games Area (MUGA) and play area in the form of a Locally Equipped Area of Play (LEAP) to the north of the site, Sustainable Drainage System (SuDS) balancing ponds and landscaping throughout the site. There were no listed buildings located within the site. The Conservation Officer raised no objection to the proposal noting that, in the signed statement of common ground for the outline application planning appeal, the Council accepted the following position regarding built heritage: "The appeal site has no impact upon the setting of The Holt, The Malt Shovel, Whites Farm, The Homestead nor the Shady Nook all of which are designated by Historic England as Grade II Listed buildings." Following considerable consultation activity, first by the developer with the local community before the application was submitted, and during the life of the application, including the Parish Council and the Community and Place Development Officer, the scheme had been significantly revised to make the internal footpaths more user friendly by reason of revising sharp changes of direction, making the LEAP more informal by having changes of level and seating and adding in play equipment. The MUGA has been changed to include a green coloured surface, not totally enclosed by fencing and unlit. The original proposal incorporated post and rail fence to boundaries which was now proposed to be metal estate fencing to reduce maintenance issues and improve visual appearance. To improve the visual appearance of the site, changes had been negotiated with developers to remove wooden appearance cladding from all house types and use reconstituted stone, introduce brick built garages to give greater variety to the visual appearance of the estate, amend the fenestration of an affordable one bed maisonette unit, and revise the design of a five bed detached unit to remove the dormer windows to ensure that the attached garage block was visually a subservient building and the visual amenity of the site as a whole was consistent. Considerable public concern has been raised to this proposal, the overwhelming issue being the MUGA with many residents objecting to its provision on the scheme; however, the MUGA was a requirement of the appeal

Inspector and was supported by Community Officers. The Additional Representations Sheet, attached at Appendix 1, set out responses to a number of questions raised by Members following the site visit. The Officer recommendation was for delegated approval subject to amended/additional conditions to reflect the revised plans.

- 45.28 The Chair invited the applicant to address the Committee. The applicant advised that a collaborative approach had been taken to this application having engaged with the local community on multiple occasions and worked closely with Officers to ensure the scheme was both high-quality and consistent with the outline consent. They had commissioned a local housing need report, which identified a specific need for bungalows in Gotherington; 13 bungalows had since been included and strategically sited. At local request, existing public footpaths had largely been retained in situ, informing the site's layout and land use distribution, with an additional eastern boundary footpath now included. The Lead Local Flood Authority had confirmed that the proposal accorded with the agreed outline drainage strategy, including a large SuDS pond to the south, upon the lowest part of the site, as supported by a comprehensive ground investigation. As identified in the Committee report, the outline planning permission required a MUGA, LEAP and Multi-Use Community Area to the north of the site. Officers had confirmed that to not provide any of these spaces, or to locate them elsewhere, would conflict unacceptably with the outline permission, given the extent to which the location and form of these spaces informed the principle of development being established; however, further to a specific public consultation event on this matter and discussion with several Officers, improvements had been made and deemed agreeable as reported. The MUGA and LEAP had been separated, allowing the MUGA to move southwards, with the Environmental Health Officer confirming that to move it any further would be to move it closer, not further away, from existing and future residents. The metal cage around the MUGA has been removed to address noise concerns and improve the visibility of the MUGA through natural surveillance. Additionally, whilst flood lights would assist the MUGA's useability during the autumn/winter, they were not proposed at local request. The LEAP design had been updated to include more informal play experiences, such as long grasses, mounds and boulders, rather than just physical equipment, at the Landscape Officer's request. Additionally, more informal landscape design features comprised the multi-use community space, including a new wildlife pond, viewing platform and casual seating. The home designs had been amended to better reflect the architectural character of the area, with enhanced arboricultural mitigation measures incorporated further to specific Officer requests. All homes would be fitted with air source heat pumps and electric vehicle charging units and there would Biodiversity Net Gain in excess of 10%. The applicant hoped he had demonstrated that they had worked pro-actively with key stakeholders to appropriately balance preferred design solutions with the requirements of the outline planning consent, such that the proposal was high-quality and capable of achieving Members' support today.
- 45.29 The Chair indicated that the Officer recommendation was to delegate authority to the Development Management Manager to approve the application, subject to amended/additional conditions to reflect the revised plans, and sought a motion from the floor. A Member indicated that an email from residents suggested that new plans dated 20 November 2023 had been uploaded to the planning portal and she asked if there had been any significant changes to those which were dated 7 August. On the site visit, Members had been told there was an electricity substation to the west of the site beyond the MUGA and the vehicular access to maintain that was from the footpath across the whole site so she questioned if bollards could be installed to prevent use by authorised vehicles. She sought clarification as to the treatment for each of the Public Rights of Way, if it was possible to offer the affordable housing to local people first, whether the dark wood had all been removed from the drawings on Page No. 130 of the Committee report and who the

Designing Out Crime Officer was as referenced at Page No. 109, Paragraph 4.15 of the Committee report. In response, the Senior Planning Officer advised that the drawings on the website dated 20 November 2023 would be the approved drawings, should Members be minded to approve the application in accordance with the Officer recommendation, and provided a footpath to the MUGA from the LEAP, amended internal footpaths and changed the materials used. In terms of the substation, as set out on the Additional Representations Sheet, it was proposed there would be a lockable gate on the entrance and the footpath surfaces would be bound gravel which was a reasonable non-slip surface appropriate to a semi-rural area. He saw no reason why nomination rights for local people in relation to the affordable housing could not be incorporated into the Section 106 Agreement for a limited time, should Members so wish. He confirmed that all dark wood had been removed and the Designing Out Crime Officer was part of an advisory body which the Council could consult on proposals as an employee of Gloucestershire Constabulary; they had been asked to look at this application due to the issues raised by the community mainly in connection with the placement of the MUGA and antisocial activities associated with them in other places.

45.30 A Member asked whether young people had been involved in the consultation with developers as the main users of the MUGA and LEAP. In response, the Senior Planning Officer advised that it would not be normal in terms of a development of this size to specifically seek to consult all areas of the community in terms of all age groups, Special Educational Needs, disabilities etc.; however, the Inspector had considered the MUGA to be appropriate for the site, it had been located so that it was accessible to both this and other developments and consideration had been given as to what would be suitable for this type of community. The Development Management Team Manager (Northwest) advised that play facilities had been designed having looked at the existing standards for play and the need the development would create. The Landscape Officer had a lot of experience with play areas and incorporating them into a landscape setting in a wider development and, following consultation, the playground had been increased within the scheme with additional informal play incorporated into the LEAP area as well as additional equipment, some of which was suitable for less able-bodied members of the community. The consultation may not have picked up everyone but the planning process would ensure the vision served the development and community as best it could. The Member did not disagree it would benefit the community but she was concerned there was no cage on the MUGA which hindered usability in terms of what could be played there and the fact there was no lighting also had an impact in that respect. The Senior Planning Officer advised the development had been discussed with the Community Development Officers who were aware of what communities were saying - not everyone would agree or disagree but it was important to consider all sectors of the community and that was what had happened.

45.31 A Member expressed the view that the LEAP provision was to be commended, particularly as it included features such as an accessible roundabout which were far easier to include at the outset than retrospectively. This highlighted the level of thought which had been put into the development. She was surprised to hear that nomination rights could be included at this point and the Development Management Team Manager (Northwest) advised that the Council's standard Section 106 Agreement for affordable housing included a clause which meant that units were allocated using a cascade mechanism starting with local people followed by those with a connection to the area before moving to those from adjoining areas and then further afield. Another Member shared the concerns raised regarding the consultation with young people as she felt there would have been a different response in terms of the need for lighting and caged sides had they been included.

The lights on the MUGA in Brockworth went off at 2100 hours and she felt that it was far better to be able to see a group playing football etc. than it being dark when antisocial behaviour was more likely to occur.

45.32 In response to a query as to who was responsible for maintenance, the Development Management Team Manager (Northwest) advised that the public open space was generally the responsibility of the management company. The Member asked whether it would ultimately be passed to the local authority and who would ensure the responsibility was transferred correctly. In response, the Legal Adviser explained that this would be set out in the Section 106 Agreement which usually had an obligation for it to be transferred to a management company which residents contributed towards and became shareholders of so they would have a say in how it moved forward. The Section 106 Agreement could require a certain set-up in perpetuity for the lifetime of the development.

45.33 It was proposed and seconded that authority be delegated to the Development Management Manager to approve the application in accordance with the Officer recommendation, subject to the inclusion of nomination rights for local people in the Section 106 Agreement and the restriction of vehicular access to the substation for members of the public. The proposer of the motion considered that Officers had done a lot of work regarding the design on what was a controversial site for Gotherington. She had an issue with the lack of bungalows in the area and felt it was important that nomination rights were given to local residents. She continued to have concerns regarding use of the road to the substation given that it was a route to the MUGA, LEAP and other public footpaths; she felt that bollards were necessary so the public could not access it. In terms of the MUGA, a Member indicated there were concerns regarding noise and the chance of balls hitting people's houses which may result from there being no lighting; there was a successful MUGA in Winchcombe which was lit to enable young people to use it in the evening and he felt that needed to be addressed here. The proposer of the motion explained that Gotherington had no street lighting whatsoever which was a different scenario to Brockworth and Winchcombe – the existing playing field had no external lighting and she would not wish this to be imposed on residents. The MUGA was a considerable distance away from any property so she felt it was unlikely that a ball would hit any properties.

45.34 Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Management Manager to **APPROVE** the application, subject to amended/additional conditions to reflect the revised plans, the inclusion of nomination rights for local people in the Section 106 Agreement and the restriction of vehicular access to the substation for members of the public.

22/01083/FUL - Walnut Tree Farm, Norton

45.35 This application was for erection of seven dwellings, including four market and three affordable discounted market sale dwellings and associated vehicular access.

45.36 The Senior Planning Officer advised that an updated response had been received from Norton Parish Council which was too late for inclusion within the Additional Representations Sheet, attached at Appendix 1; however, the response did not raise any new considerations from the original response as set out in the Committee report. He advised that the current application was a revised scheme to the one allowed at appeal in 2020 and had been submitted to avoid an easement for a high pressure gas main located to the south of the site which had necessitated revision to the site layout replacing a linear form of residential development fronting onto the access road with a more 'agricultural style' and courtyard layout. A relatively

informal, non-linear form of development was encouraged within the he Down Hatherley, Norton and Twigworth Neighbourhood Development Plan. To the immediate north of the site was a recently completed development of five dwellings at Walnut Gardens, arranged in a courtyard, which was permitted in 2019. To the south of the site was a single storey dwelling with caravan park behind known as Norton Lodge and the site was surrounded by open countryside to the west. The site was not subject to any formal or informal landscape designation and lay within Flood Zone 1. The design of the proposed dwellings was similar in character and form to the three dwellings to the north. The Parish Council made the point it was unlike that development due to the three storey element but he clarified the development to the north had residential development in the roof similar to these properties. Members would see from the Committee report the local residents' concerns regarding the proposal. Whilst the appeal was upheld, the present application departed from a linear form to more interesting informal groupings. The previous Section 106 Agreement was a unilateral undertaking only applicable to the approved appeal scheme and the applicant had put forward a new draft for approval, hence the recommendation for delegated permission. Since the publication of the Committee report, County Highways had advised that it was no longer seeking a contribution for a bus shelter, as such the recommendation had been amended to remove that element, as set out in the Additional Representations Sheet.

45.37 The Chair indicated that there were no public speakers for this item. The Officer recommendation was that authority be delegated to the Development Management Manager to permit the application subject to the conditions set out in the Committee report and completion of a unilateral undertaking to secure affordable housing, and sought a motion from the floor.

45.38 It was proposed and seconded that authority be delegated to the Development Management Manager to permit the application in accordance with the Officer recommendation and, upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Management Manager to **PERMIT** the application, subject to the conditions set out in the Committee report and completion of a unilateral undertaking to secure affordable housing, in accordance with the Officer recommendation.

23/00293/OUT - Land at Church Lane, Church Lane, The Leigh

45.39 This was an outline application for the erection of two four-bedroom dwellings including details of access with all other matters reserved (appearance, scale, layout and landscaping as reserved matters).

45.40 The Planning Officer advised that the application required Committee determination due to an objection from the Parish Council that the development did not constitute infilling. Access would be off the A38 via Church Lane. It was noted that The Leigh was not a Service Village and therefore Policy RES2 was not applicable. The Leigh did not have a defined settlement boundary and was considered to be a dispersed rural settlement and Policy RES4 required residential development to be within and adjacent to the built up area of the rural settlement. The application site was separated from the main built up area of The Leigh by numerous fields which provided a clear and distinct break in built form. The site was visually separate and Officers considered the proposal to be contrary to Policy RES4 on that basis. Notwithstanding this, as the Council could not demonstrate a five year housing land supply, the application must be determined in accordance with Paragraph 11 of the National Planning Policy Framework, i.e. planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of National

Planning Policy Framework as a whole. In relation to design, it was considered that two 1.5 storey dwellings would be acceptable in this location. By way of landscaping, the site was bound by an existing hedge to the front which would be retained. The Landscape Officer and Tree Officer had made comments regarding the additional landscaping which would be addressed in the subsequent reserved matters scheme. In terms of highways, each dwelling would be accessed via existing field gates. The dwellings were located circa 200m from bus stops on the A38 which provided direct access to facilities and services including schools, places of employment and convenience stores. The County Highways Officer had reviewed the scheme and considered that residents of the new dwellings could use the existing grass verges to access the bus stops and raised no objections in relation to highway safety or sustainability. As set out in the Committee report, there were no conflicts or clear reasons to refuse the application aside from the conflict with Policy RES4. Given the Council's five year housing land supply position, the development would contribute towards the supply of housing to help meet the housing need which attracted significant weight in favour of granting permission. The scale of development and its relationship with the rural settlement was considered to be acceptable and, although modest in scale, in economic and social terms a number of benefits would flow from this development if permitted, including during the construction process and through spending on local services and facilities from future residents. The site was considered to be in a sustainable location given its proximity to the nearby bus services along the A38 and, in environmental terms, redevelopment of the site would allow the opportunity for new planting and biodiversity which would be a significant benefit. Taking account of all the material considerations and the weight to be attributed to each one, it was considered that the identified harms would not significantly and demonstrably outweigh the benefits in the overall planning balance and was therefore recommended that the application be permitted subject to conditions.

- 45.41 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that the proposal included two modestly sized dwellings along Church Lane of a traditional rural design, 1.5 storey in height, set back from the road, with associated landscape and ecological enhancements, and utilised existing access points onto the lane. The application site related well to existing residential development along the northern side of Church Lane which also provided access to the village church and Leigh Court, which historically was the court of the village and was always central to the community. The site lay adjacent to the former school/ village hall and the village allotments with a bus stop located 200m away on the corner of Church Lane and the A38 providing regular services to Cheltenham, Gloucester and Tewkesbury allowing future residents safe access to a wide range of services and employment opportunities without reliance on a car. This outline stage had fully addressed ecology, landscape, drainage and highway matters with no technical objections being raised. They had worked closely and constructively with Officers to arrive at a proposal which was now supported and recommended for permission. Despite this support, along with that lodged by members of the public, it was acknowledged there had also been some local objections which, through discussion with Officers, they had sought to address. Privacy matters and the relationship with properties along Deenes Road would be fully addressed by a future reserved matters application with careful consideration to design details. In respect of traffic concerns, the proposal was small scale, located close to the junction with the A38, with good access to public transport, and would have minimal impact, as recognised by County Highway Authority which raised no objection. Furthermore, in response to housing supply matters and that of infill development, the Council's current housing land deficit evidenced the need for additional housing within the borough. In conclusion, this proposal was small scale, in a sustainable location, related well to the adjoining built form, was appropriate to the function and accessibility of The Leigh and would be sensitively designed, deliver biodiversity enhancements, be technically deliverable and, importantly,

would help in addressing the housing shortfall in the borough. On that basis she hoped Members would feel able to support the Officer recommendation.

45.42 The Chair indicated that the Officer recommendation was to permit the application and sought a motion from the floor. A Member questioned whether there would be access to the field behind where Christmas trees were currently being grown; she appreciated this was an outline application but wanted to ensure there would be sufficient space for those accessing the field as well as people on their driveways. In response, the Planning Officer advised that existing access to the development had been adjusted with the red line amended so there was safe access to the Christmas trees. The hedge had been cut back to allow visibility so cars could pass safely without impeding the access; a visibility plan had been submitted and reviewed by County Highways with no objections raised.

45.43 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.

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

45.44 This application was for the construction of two dwellings. The application had been deferred at the Planning Committee meeting on 19 September 2023 to allow Officers to assess further information in relation to highways, including clarification of land ownership to ensure the required visibility splays could be maintained in perpetuity and for accident records and speed measurements to be obtained. The Planning Committee had visited the application site on Friday 14 July 2023 and a site visit had been carried out by the County Highways Officer, Planning Officer and local Ward Member on 8 August 2023.

45.45 The Planning Officer advised that, following the site visit by the County Highways Officer, an amended plan had been provided which showed visibility splays of 2.4m x 90m and 2.4m x 120m could be achieved within the red line boundary. The County Highway Officer had reviewed the speed surveys produced by the applicant and taken his own speed readings of free flow traffic whilst on site. The County Highways Officer had concluded that the proposal for two dwellings with an access of 90m stopping sight distance would be acceptable and recommended a number of conditions including submission of a Construction Management Plan. Members were reminded that the application site was located within the settlement boundary of New Town, Toddington, therefore, the principle of residential development at this site was considered to be acceptable. No objections had been received from statutory consultees in relation to, highways, drainage, ecology, environmental health and landscaping and it was recommended that the application be permitted subject to conditions.

45.46 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that she objected on the grounds of loss of privacy and loss of light to her home and her submissions at previous Planning Committee meetings still stood. The development of two houses would devastate existing houses, affecting all those along the strip and opposite, and she asked for the request for bungalows to be addressed instead. With regard to the County Highways document dated 2 November 2023, the document stated that County Highways had no objection subject to certain conditions being achieved. She believed any conditions related to safety must be achieved before planning permission could even be considered. The Council had a duty of care to ensure that all safety requirements had been considered and adhered to; this would be the third time that the highway safety of this application had been questioned and the only way to ensure that the development would be safe was for the conditions to be

implemented prior to permission being granted or to refuse the proposal. It had been stated that a visibility splay of 2.4m by 90m had been submitted and confirmed achievable; however, this was untrue as Google Maps showed the line of sight of 90m cut through hedges and trees - a more accurate line of sight was 43m which would miss all real world obstructions. Google Maps streetview, from the westbound side, showed a clear line of sight at only 28m, not 90m. Her next point referred to the stopping site distance theoretical calculation. The County Highways report stated that a County Highways Officer had taken a small sample of speed readings and the 85th percentile was 44mph; if that was taken to be correct, the stopping sight distance for Heavy Goods Vehicles (HGVs) was calculated at 94m with a two second reaction time and cars calculated at 76m with a 1.5 second reaction time. The table taken from the applicant's original document showed that a reaction time of two seconds should be taken for all vehicles, therefore, the 94m should apply to both HGVs and cars. In a 10 day period, approximately 900 vehicles travelled over 50mph; it was unknown how many of those were lorries but, in any case, the data showed that the road saw speeds of an unusually high nature, and was not accurately reflected using the 85th percentile method where too many lower speeds removed an equal amount of very high speeds. The report also stated that no vegetation exceeding 600mm in height above the adjoining highway would be allowed to grow within the visibility splays and she questioned how that would be upheld and who was liable if an accident occurred on this 40mph road.

- 45.47 The Chair indicated that the Officer recommendation was to permit the application and sought a motion from the floor. A Member sought confirmation that County Highways was happy with the application and had no concerns. In response, the County Highways representative advised that, following the Committee meeting in July, he had visited the site with the applicant; the submitted plans showed a line of sight 2.4m back from the middle of the new access location and he had personally walked along the road and taken measurements which confirmed this was accurate. As such, he was satisfied that the scheme would have adequate visibility splays. The access, as amended, allowed plenty of visibility for approaching vehicles with visibility measured to the nearside of the kerb assuming some motorcyclists or cyclists may be travelling at 40mph on the inside kerb – if it was a car, the driver would be further out in the lane therefore having increased visibility. Drivers emerging from the access could see oncoming vehicles at 2.4m and any drivers on the main road would be able to see their bonnet which further reduced risk of a collision. Nevertheless, 90m visibility could be achieved and, having assessed the speed himself with a speed gun, he was satisfied it was acceptable.
- 45.48 A Member raised concern that the report stated that, ideally, the speed limit would be reduced to 35mph in the locality and she asked whether it was possible to include this as a condition. The Development Management Team Manager (Northwest) indicated that Officers considered that highway safety issues had been addressed and it would be unreasonable to impose another condition; however, there were mechanisms outside of planning to reduce speed limits and that could be picked up outside of the meeting. Another Member indicated that she had asked if a 30mph speed limit could be made a condition and had been advised it would need to go through a Traffic Regulation Order process; as a Ward Councillor for the area she had been working with the Parish Council to set up a community speed watch group in relation to the speed of the road – Toddington was crying out for a 30mph limit and she welcomed any comments from County Highways which would support that.
- 45.49 It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion indicated that she had previously expressed major concerns regarding speeding on the road and the location of the access point and she had not been willing to accept County Highways original response; it had clearly not been safe and a lot of work had subsequently been done to relocate the access into the site. Officers had given

assurance it was possible to maintain the require visibility splays which they were confident were achievable therefore she was able to make a proposal in line with the Officer recommendation. Upon being put to the vote, it was

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

23/00731/FUL - Cross House, Church Street, Tewkesbury

- 45.50 This application was for change of use of the first and second floor of Cross House from Class E to Class C3.
- 45.51 The Planning Assistant advised that this was a full planning application for Cross House, Church Street, a Grade II* Listed Building dating from the sixteenth century located in the centre of Tewkesbury. The proposal was to change the use of the first and second floors of the building from Class E to Class C3. A Committee determination was required as the applicant was a close relative of a Tewkesbury Borough Council employee. There have been no objections from the statutory consultees and no representations received following neighbour consultation. It was the Officer view that the proposal would be in accordance with the relevant policies as outlined in the Committee report and it was therefore recommendation that the application be permitted.
- 45.52 The Chair indicated that there were no public speakers for this item. The Officer recommendation was to permit the application and she 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.

22/00667/FUL - Land to the South of Cheltenham Road East, Churchdown

- 45.53 This application was for construction of 145 residential dwellings with associated infrastructure.
- 45.54 The Development Management Team Manager (South) advised that the application site was between Cheltenham Road East, which formed the northern boundary of the site, and the A40 Golden Valley dual carriageway which formed the southern boundary, and comprised approximately eight hectares of land. The northeastern boundary of the site adjoined existing residential development which currently formed the edge of the built-up area of Churchdown. To the west of the site was the Gloucester North Community Fire Station. The current application sought full planning permission for a development comprising 145 dwellings, of which 35% would be affordable. The site extended to approximately 8.1 hectares, of which approximately 3.9 hectares would be public open space. The site would be accessed via a new junction from Cheltenham Road East towards the northeastern part of the site and would be offset from the junction with the Bellway site to the north. The proposal would provide pedestrian and cycle connections to existing development at Yew Tree Way and Oakhurst Close to the east along with routes throughout the site and public open space. It was considered that the proposal would provide an appropriate mix of housing and would be of an acceptable design and layout which would be in keeping with the varied character of Churchdown. The proposal would also have an acceptable impact upon the highway network, biodiversity, flood risk and amenity for existing and future residents. As an update to the affordable housing, the applicant had now agreed an affordable housing mix of 60% social rent and 40% shared ownership, as advised by the Council's Housing Enabling Officer, and was reflective of the evidence-based need in the area. The proposal would deliver a significant amount of on-site public open space along with

contributions towards highways education and off-site sports; these contributions had been agreed with respective consultees and were acceptable. National Highways was still considering details in respect of the bund adjacent to the A40 and noise attenuation. It was considered that those matters could be resolved in an appropriate manner which would allow the holding notice to be withdrawn. The recommendation remained delegated permit as set out in the Committee report.

45.55 The Chair invited the applicant to address the Committee. The applicant advised that their planning application for 145 homes on this allocated site had been submitted in July 2022 and, since that time, they had been working closely with Council Officers, consultees and stakeholders to refine the scheme, resulting in a positive recommendation from the Planning Officer. The design approach had carefully considered local area characteristics, the Churchdown and Innsworth Neighbourhood Development Plan and the Character Area Good Practice Assessment Guide. This had resulted in a scheme that would integrate well with the surrounding area and would be of high quality, providing good private and public amenity space. The designs had been tested against Building for a Healthy Life which was recognised within the National Planning Policy Framework as the benchmark for high quality design. Almost 50% of the site had been set aside as public open space, the largest area being located on the western part, providing a meandering play area, footpaths, meadow areas and woodland planting, along with the provision of an attenuation basin. The site frontage and eastern part of the site had generous landscape buffers, providing connecting footpaths, allotments and swales, and good separation to existing neighbours. A noise bund and acoustic fence was proposed along the boundary with the A40 ensuring high levels of private amenity for new and existing residents. These enhancements provided great ecology and wildlife benefits equating to a 34% Biodiversity Net Gain for habitats and 15% for hedgerows which was considerably more than emerging standards of 10%. Additional impact assessments and traffic modelling had been undertaken by National Highways which supported the application. All homes on the site would be zero carbon, achieved by providing air source heat pumps for heating and hot water and renewable energy derived from solar panels. This, and the high levels of fabric efficiency, meant the dwellings obtained an Energy Performance Certificate (EPC) rating at the top of A which was equal to an energy efficiency rating of 100+ and well in excess of the requirements in the building regulations, putting their homes in the top 2% energy performance of those built nationally. They were a climate considerate developer and the business had achieved carbon neutral status for a second year. This development would provide substantial Community Infrastructure Levy (CIL) contributions which would directly benefit the local community with 25% specifically set aside for the Parish Council. Contributions would be provided towards the local highways network, including the delivery of a new toucan crossing, local education provision, libraries, playing pitch provision and a local community centre. Plans showed the delivery of 145 homes would make a significant contribution to the Council's housing supply with 51 homes delivered as affordable housing and seven being self or custom build. It was intended to commence development on the site immediately, with completed homes expected this time next year.

45.56 The Chair indicated that the Officer recommendation was to delegate authority to the Development Management Manager to permit the application, subject to any additional/amended conditions and completion of a Section 106 Agreement, and sought a motion from the floor. A Member noted that the proposal would provide pedestrian and cycle connections to existing development at Yew Tree Way and Oakhurst Close to the east, along with routes throughout the site and public open space, and raised concern there was no natural access through Oakhurst Close and her feedback suggested opening up the play area to make it accessible to the new development. With regard to Page No. 223, Paragraph 8.26 of the Committee report, she noted that County Highways had advised that a Section 106 contribution

towards the signalisation of the B4063 Cheltenham Road East arm of the Elmbridge Court roundabout was required and she asked for further detail in relation to that. The County Highways representative advised that this was required to improve queuing, particularly at the AM peak. National Highways was still considering the implications and the wider contribution could be used for any other access improvements in the local area or beyond; there was nothing specific in mind for that contribution in terms of an alternative to signalisation of the roundabout at this stage. With regard to Page No. 223, Paragraph 8.27 of the Committee report, the Member noted that National Highways had a holding recommendation that the application was not permitted until there had been further consideration of the site drainage and possible impacts upon the National Highways drainage asset at the A40 and she asked whether there was any update in relation to that. The Development Management Team Manager (South) advised this was still in the hands of National Highways but there was no reason to believe that the details submitted by the applicant would be unacceptable; however, the planning permission could not be released until National Highways was satisfied with that infrastructure. In terms of Page No. 226, Paragraph 8.51 of the Committee report, the Member asked whether the housing mix had been established and if nomination rights could be included on a strategic site and was informed that the housing mix had been agreed at the last minute with the applicant, and Officers were satisfied with that, and it was possible to include nomination rights.

45.57 A Member asked for an indication of the thinking behind the access onto the A40 and was advised that it was a policy requirement for the strategic allocation in Churchdown to make provision for a potential access onto the A40; this development in itself did not require that but it was on an area of land which could be safeguarded via a Section 106 Agreement to potentially provide a new roadway connection in the future, should it become necessary to ease traffic onto Elmbridge Court. Another Member recalled that, historically, concerns had been raised regarding education provision in this area and he sought confirmation there would be adequate spaces for children from the new development in local schools. The Development Management Team Manager (South) advised that the education situation had been assessed by Gloucestershire County Council which was satisfied that any impact could be successfully mitigated through the Section 106 contributions being sought. Further to a query regarding the figures for education contributions set out at Page No. 230, Paragraph 8.77 of the report, the Development Management Manager (South) advised that 'pre-school' should read 'primary', 'primary' should read 'secondary' and 'secondary' should read 'Post-16'. A Member questioned whether the housing would go towards Tewkesbury Borough Council's unmet housing need and was informed they would be going to Gloucester City; however, there was a duty to cooperate and deliver the housing policies in the Joint Core Strategy.

45.58 It was proposed and seconded that authority be delegated to the Development Management Manager to permit the application in accordance with the Officer recommendation. A Member expressed his dissatisfaction that the houses would be going towards Gloucester City Council's housing numbers. The proposer of the motion shared this disappointment but indicated that it had been agreed in the Joint Core Strategy so nothing could be done at this stage. She was still unclear how the access through Oakhurst Close would work but she was sure there must be plans. She raised concern that one cottage would now be completely surrounded by development and, having spoken to the residents, she asked that anything that could be done to mitigate the impact to them was done. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Management Team Manager (South) to **PERMIT** the application in accordance with the Officer recommendation.

PL.46 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

46.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 251-253. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

46.2 A Member noted that none of the decisions listed at Page No. 253 of the report had been determined by the Planning Committee; the decision in relation to Alderton which had come to the Planning Committee was yet to be received but had been overturned as the Inspector had agreed with the Committee in relation to impact on landscape and public amenity. She pointed out this was an extension to existing properties at Alderton.

46.3 It was

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

The meeting closed at 1:30 pm

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 21 November 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	
5b	<p>22/00998/FUL - Land Behind 52 To 74, Willow Bank Road, Alderton</p> <p>Additional Alderton Parish Objection</p> <p>Since the preparation of the Committee report, an additional objection from Alderton Parish Council has been received as follows:</p> <p><i>"Further to our previous communications - we note that further consultation responses have been received by the Council to ongoing changes to the layout, landscaping and materials pallet for the overall scheme.</i></p> <p><i>In terms of Landscaping we see that Stuart Ryder associates, whilst acknowledging some minor improvements still raises landscape concerns such as:-</i></p> <p><i>Landscape Effects (page 4) " I still consider the effect of the change on the land use and overall character of the Site itself is larger at Major/ Moderate, Negative and Permanent given the total change of character and land use."</i></p> <p><i>The proposals remain denser grained than would typically be expected on the edge of the village, which perhaps does not present a reasonable interface between the village and the countryside.</i></p> <p><i>That there is a lack of internal open space - which would be of concern for new residents.</i></p> <p><i>Visual Effects (page 5) " The visual sensitivity of the Ald-02 land parcel was deemed to be Medium in the Toby Jones study and I believe this still to be the case."</i></p> <p><i>The impact on the view from the Winchcombe Way is deemed moderate.</i></p> <p><i>There is an adverse landscape impact on a significant view from the allotments due to a strong building line - albeit with some minor breaking up which has taken place. This view is Identified as a significant view in the Neighbourhood Plan.</i></p> <p><i>He also considers the splitting of the site into west/south and east/north in terms of sensitivity is contrived.</i></p> <p><i>In terms of JCS Policy SD 6 he considers there is more conflict than compliance.</i></p> <p><i>He also points out that the scheme has to rely on off site credits to achieve the 10% Biodiversity net gain.</i></p> <p><i>Further he expresses concern over the lack of detail on future retention and management of soft landscape proposals.</i></p> <p><i>We also raised concerns previously with regards to the over reliance of hedge proposals which seem to be extensive and in the Local Landscape review of the</i></p>

	<p><i>drawings this issue is again raised - such extensive landscape hedges seems to be generally ubiquitous of modern estates and does not reflect the identity of the development itself and its character reflective of the neighbouring village. There is also concern that such hedging alongside every car parking driveway will be impacted upon by such parking and will inevitably be lost/damaged etc. And the hedges leave little space for other varied planting.</i></p> <p><i>Overall we believe there remains little connectivity to the village being back land in nature . The amount and uniformity of so much laurel hedging leads to a monotony of spaces and gardens.</i></p> <p><i>The scale, design, density, monotony and lack of integration to the edges of the village behind which its lies is shown in examples of similar estates being built by Blackhouse Housing in Moreton in Marsh - please see below the bland nature, and scale of a similar scheme currently being built there. This estate planning does not reflect the Cotswolds nature of Alderton - albeit we do acknowledge a removal of red brick and a slightly softer pallet of buff, yellow buff and white materials.</i></p> <p><i>As such, we as a Parish Council remain opposed to the overall scheme'</i></p> <p>Amendments to Plot 13</p> <p>Following discussions between Officers and the resident of No. 54 Willow Bank Road, Officers have liaised with the applicant and agreed for the side (east) facing bedroom window to be removed from Plot 13. The applicant will submit an amended plan showing these amendments and proposed condition 2 will be required to be amended to reflect these alterations.</p> <p>Minor Inconsistency in Plans</p> <p>Officers have identified a minor inconsistency in the floor plans and elevations for Plot 01 and an updated plan has been provided by the applicant to resolve the issue. Proposed condition 2 will be required to be amended to reflect these alterations.</p> <p>Condition 4</p> <p>Officers are discussing the locations of obscure glazing with the applicant and condition 4 will be amended as appropriate following completion of these discussions in the interests of residential amenity.</p>
5c	<p>23/00086/APP - Land Off, Aggs Lane, Gotherington</p> <p>Following the publication of the Committee report for this application, continued discussion with the applicant has taken place on some detailed design matters. Those discussions have resulted in the submission of revisions to the submitted drawings which are considered by Officers to have addressed the issues raised and are summarised as follows:</p> <ul style="list-style-type: none"> • Amendment to the Multi-Use Games Area (MUGA) agreeing to the provision of a footpath from the adjacent Locally Equipped Area of Play (LEAP), the amendment of internal footpaths to soften the abrupt change of direction of path leading to MUGA, and the addition of a green coloured surface to the MUGA to assist its integration into the public open space. • Additional items of play equipment to be sited within the LEAP. • Revision to the LEAP layout to provide additional informal play areas to create variety and increase play value for different age groups.

	<ul style="list-style-type: none"> • Woolstone 5 bed house type - amendment to attached triple garage to ensure it is subservient in scale and appearance, including a reduction in height, change of materials to brick to accentuate its subsidiary nature and the replacement of dormer windows with roof lights. • One bed maisonette - elevations amended to provide more symmetry to the front elevation. • All detached garages on site - replacement of exterior timber cladding with brick to distinguish garages as subservient ancillary buildings and to introduce visual variety and longevity. • All 'fibre cement timber' cladding removed from the house types. Radley, Eaton, Keaton and Woolstone and replaced with dressed stone to match remaining house types, in the interests of the character and appearance of the development. • Revised landscape planting to introduce more native species. • Replacement of post and rail fencing with metal estate fencing in the interests of appearance and longevity. • Revisions to the palette of external facing materials to introduce variety to the tiles proposed. A reconstituted slate roof tile has been introduced to create variation and visual interest in the roofscape. All large format concrete tiles have been replaced with small format tiles. <p>A selection of the submitted revised drawings will be shown as part of the Officers presentation at the meeting.</p> <p>Following the Planning Committee Site Visit on 17 November 2023, Members requested answers to matters pertaining to the site as follows:</p> <ul style="list-style-type: none"> - Distance from MUGA to rear garden fences of adjoining dwellings, 30 - 50 meters - Confirmation the MUGA will not be lit. - Green surface finish to MUGA surface. - Lockable gate on the entrance to the substation. - Footpaths surfaces to be bound gravel. <p>Recommendation:</p> <p>The Officer recommendation of Delegated Approve remains applicable to incorporate the changes set out above, which will necessitate minor revisions to the proposed conditions.</p>
5d	<p>22/01083/FUL - Walnut Farm, Tewkesbury Road, Norton</p> <p>Further to Paragraphs 8.23 and 8.48 of the Committee report and the recommendation at Paragraph 10.1, the Local Highway Authority has confirmed it is no longer seeking a contribution for a bus shelter. This element is to be omitted from the recommendation at Paragraph 10.1 of the report.</p> <p>Upon further consideration it has been found that the existing extant unilateral undertaking is specific to the previously approved scheme. Consequently, the recommendation to Members is revised to accept a new Unilateral Obligation (rather than a S.106 agreement), a draft of which has been completed by the applicant.</p> <p>In addition, a new communication has been received from the Parish Council expressing contentment with the recommended draft condition which requires obscured glazing to the third floor window of unit 1, but remains opposed to the</p>

	<p>scheme for the reasons set out in their consultation response as set out in the report.</p> <p>As a result of these matters the recommendation at Paragraph 10.1 is amended to read:</p> <p>It is recommended that authority be delegated to the Development Manager to permit the application subject to the completion of a Unilateral Undertaking to secure affordable housing and subject to the conditions set out in the report.</p>
5f	<p>22/01317/FUL - 3 Consell Green, Tewkesbury Road, Toddington,</p> <p>Additional Representations</p> <p>Since writing the Committee report, an additional letter of objection has been received from a member of the public. The letter raises concerns in relation to highways safety, visibility splays, loss of light and loss or privacy. The letter raises no new concerns that have not been addressed within the Committee report or dealt with via comments from the Highway Authority.</p>