



**Minutes of a meeting of Planning and Licensing Committee held on Wednesday,  
12 February 2025**

Members present:

Patrick Coleman

David Fowles

Mark Harris

Julia Judd

Dilys Neill

Andrew Maclean

Gary Selwyn

Michael Vann

Ian Watson

Officers present:

Helen Blundell, Interim Head of Legal  
Services

Harrison Bowley, Head of Planning Services

Andrew Moody, Senior Planning Case  
Officer

Julia Gibson, Democratic Services Officer

Kira Thompson, Election and Democratic  
Services Support Assistant

**93 Apologies**

Apologies were received from Councillor Ray Brassington and Councillor Daryl Corps.

**94 Substitute Members**

Councillor Patrick Coleman, as Vice Chair of the Committee chaired the meeting in the absence of the Chair. Councillor Julia Judd acted as Vice Chair.

**95 Declarations of Interest**

There were no declarations of interest.

**96 Minutes**

The Minutes of the meeting held on 15 January 2025 were considered.

Councillor Neill queried the record of her vote for the application 24/00002/AREA Tree Preservation Order of Abstaining as she felt that she had voted 'For' the proposal rather than 'Abstain'

Upon checking the recording of the meeting, the record was amended to reflect Councillor Neill's Vote FOR the Tree Preservation Order (TPO).

The acceptance of the minutes subject to the minor amendment to the voting record was proposed by Councillor Patrick Coleman and seconded by Councillor Ian Watson.

#### **97 Chair's Announcements**

There were no Chair's announcements.

#### **98 Public questions**

There was one public question from Jill Waller who asked the Committee whether the Council had the authority to overturn the current legislation that boundary hedges could be required to be maintained to six feet.

The Head of Planning Services stated that a written response would be circulated.

#### **99 Member questions**

There were no member questions.

#### **100 24/00386/FUL - Woodleigh, Brockhampton, Cheltenham**

The application was for the erection of three dwellings within the rear garden area to Woodleigh, Brockhampton, a loose-knit Non-Principal Settlement.

Case Officer: Andrew Moody

Ward Member: Councillor Jeremy Theyer

The Chair invited the Case Officer to introduce the application:

- There were additional pages circulated as supplementary documents to include a representation of objection from Brodie Planning Associates.
- Various location plans, photographs and elevations of proposed buildings were shared outlining the current landscape and the proposals within the site.

#### Public speakers:

Councillor Gordon Day from Sevenhampton Parish Council addressed the Committee. Councillor Day stated that the Parish Council regarded the Case Officer's report as being fundamentally legally flawed in the application of Policy DS3 of a non-principal settlement. This was contrary to recent planning decisions that noted that Brockhampton is not a non-principal settlement and that accordingly Policy DS4 should be applied. It was noted that the Parish Council felt that the application did not enhance the settlement sustainability and breached the Council's decarbonisation strategy due to:

- Lack of public transport

Planning and Licensing Committee  
12/February2025

- Lack of accessibility to everyday facilities
- Risks to pedestrian safety.

Wendy Hopkins from Bodie Planning Associates, an objector, addressed the Committee. The objector raised issues around consistency of the application Policy DS3 to this application compared to recent applications, that were refused, citing Policy DS4. Concerns were raised that the proposal would urbanise the village edge, harming its rural character and failing to meet DS3 policy criteria.

Paul Jenkins, the agent, addressed the Committee. The agent stated that Policy DS3 of the Local plan was applicable, relating to small-scale residential development in non-principal settlements and so this development should be acceptable in principle. The agent stated that the Case Officer's report demonstrated support from technical consultees, including the Conservation Officer, Natural England, Biodiversity Officer, Landscape Officer, Tree Officer and Drainage Engineers.

Councillor Jeremy Theyer, the Ward Member, addressed the Committee. Councillor Theyer noted that there was strong local opposition with 112 objections from residents including immediate neighbours to the site. It was highlighted that six similar applications were previously refused being assessed under Policy DS4, deeming Brockhampton unsuitable for new development whereas the current application was assessed under Policy DS3. Concerns were shared that the approval of the application could set a precedent for further small-scale developments throughout the village.

### Members Questions

Members asked if the six previous applications in the village were for this development site. The Case Officer noted that from August 2018, none of the applications had been for this site with only two recent applications for new build within the parish whilst others were replacement dwellings. The Case Officer noted that effort was made to provide consistent decisions on a district-wide basis in terms of the application of policy DS3.

Members requested clarification from the legal officer on the validity of the claim from the Parish Council representative that the recommendation to permit the application was legally flawed. The Interim Head of Legal Services considered the determination of the cited case in the Court of Appeal in 1992 and was satisfied that the recommendation was lawful.

It was asked whether the fact that the property was located within the Cotswold National Landscape, yet situated within the garden of an existing property rather than in a rural landscape, would influence the decision. The Case Officer noted that the site was within the residential curtilage and was surrounded by development on three

sides. The impact on the national landscape was less than if built on a greenfield site outside the village.

Members noted the lack of public transport in the villages throughout the Cotswolds and asked if the 'on-demand' Robin bus changed the opinion on public transport options. The Case Officer acknowledged that accessibility to public transport was a consideration. The Case Officer referred to similar cases where development had been assessed to be in accordance with Policy DS3 in villages with limited/no public transport.

Members questioned the use of the term "sporadic" to describe the development, suggesting it appeared more consistent and sought clarification on how the classification of development affected the decision-making process. The Case Officer highlighted that the area around the application site had a significant number of homes, supporting the recommendation under Policy DS3.

Due to the number of objection comments received, it was asked about the engagement with the Parish Council, Ward member and the local community. The Case Officer explained that the Parish Council was consulted, as usual, for the planning application and the Ward member was informed through phone calls and a delegated report.

Members asked how the application would support or enhance the local community and emphasised the lack of shops and transport which was identified by Policy DS3. The Case Officer agreed that there were limited facilities at Brockhampton but that this was common to other Policy DS3 applications in the district.

It was asked whether the identification of the centre of the village and the dwellings within that area were subjective to the assessment of the Policy DS3 compared to applications outside of the central area being previously refused. The Case Officer was happy that the application was within the central area of the village and that Policy DS3 was being correctly applied.

Members asked for clarification on the requested conditions for the protection of newts as they were not clearly attached to the planning consent. The Case Officer agreed to check that the relevant conditions were included if the application was approved.

#### Member Comments:

Members commented on the application as follows:

- Some members felt that Policy DS3 was intended to permit occasional development in smaller villages to support the sustainability of community life.

Planning and Licensing Committee  
12/February2025

- Others felt that due to the limited amenities and lack of public transport in Brockhampton, that sustainability was a consideration.
- Due to the small number of dwellings proposed they would not have a negative impact on the sustainability of the village.
- There was consideration to the number of responses from the Parish Council, Ward Member and community and the strength of feeling was acknowledged.
- That the concerns raised about road safety were not upheld by the Gloucestershire Highways response.
- There was a consideration as to the impact to the Cotswold National Landscape. It was noted that the site of the application was inside of the residential curtilage and would be considered to have less impact.
- Some members felt that the Case Officer's presentation of the location of village dwellings might be subjective.
- Members felt that it was important to consider each planning application on its own merits.

A proposal to permit the application in line with officer recommendations was proposed by Councillor Mark Harris and seconded by Councillor Dilys Neill. This proposal was put to the vote and agreed by the Committee.

Resolved: To Permit the application subject to the inclusion of necessary ecology conditions.

<b>24/00386/FUL - Woodleigh, Brockhampton, Cheltenham (Resolution)</b>		
For	Patrick Coleman, Mark Harris, Andrew Maclean, Dilys Neill, Gary Selwyn, Michael Vann and Ian Watson	7
Against	David Fowles and Julia Judd	2
Conflict Of Interests	None	0
Abstain	None	0
<b>Carried</b>		

---

**101 Sites Inspection Briefing**

The Chair advised members to keep the date of 5 March 2025 free in their diaries.

**102 Licensing Sub-Committee**

There were no licensing sub-committees planned.

The Meeting commenced at 2.00 pm and closed at 3.27 pm  
Chair

Planning and Licensing Committee  
12/February2025

(END)