

**Planning Committee**

**6.00 pm, 21 May 2015**

- 9. Decision on agenda item 9 (please see page 3)**

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## PLANNING COMMITTEE DECISION REPORT FORM

(NB. all decisions should comply with Article 13.2 of the constitution)

### 1. Decision made

Planning Committee resolved to direct officers that refusal reasons 1, 2, 3, 6, 7 and 8 of decision 13/01605/OUT should not be pursued in respect of the appeal lodged in respect of that decision, but should continue to pursue and submit evidence in respect of refusal reasons 4, 5 and 9 (noting that refusal reason 9 may be satisfactorily resolved via the provision of a planning obligation)

### 2. Identity of the Decision Maker

Planning Committee

### 3. Date of Decision

21<sup>st</sup> May 2015

### 4. Reasons for Decision

To consider the reasonableness of the refusal reasons in the context of government guidance (National Planning Policy Framework and national Planning Practice Guidance) and the financial implications potentially arising.

### 5. Alternative options considered and rejected

As set out in exempt report

### 6. Background documents

1. Planning Committee Report 13/01605/OUT  
<https://democracy.cheltenham.gov.uk/documents/g2344/Public%20reports%20pack%2031st-Jul-2014%2018.00%20Planning%20Committee.pdf?T=10>
2. Planning Committee Minutes 13/01605/OUT  
<https://democracy.cheltenham.gov.uk/documents/g2344/Public%20minutes%2031st-Jul-2014%2018.00%20Planning%20Committee.pdf?T=11>
3. Decision Notice 13/01605/OUT  
[http://publicaccess.cheltenham.gov.uk/idoxpa17/files/8FCD1E977E225CB792BAC9884E2F2253/pdf/13\\_01605\\_OUT-DECISION\\_NOTICE-624954.pdf](http://publicaccess.cheltenham.gov.uk/idoxpa17/files/8FCD1E977E225CB792BAC9884E2F2253/pdf/13_01605_OUT-DECISION_NOTICE-624954.pdf)

### 7. Any Consultation undertaken

Consultation with OneLegal and Counsel.

### 8. Results of consultation (where undertaken)

As set out in exempt report

**9. Any Conflict of Interest declared by an Executive Member who is consulted on the decision**

Not applicable

**10. Dispensation**

Was a dispensation given by the Head of Paid Service (Chief Executive) to Cabinet Members to participate in consultation on officer (or Cabinet Member) executive decisions where they have a conflict of interest in respect of any declaration of interest listed at 9?

Yes                      N/A

Date of dispensation Not applicable.....

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**11. Supporting Report**

Final report attached?

Yes                      No

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**12. Confidential or Exempt Information**

Confidential or Exempt information?

Yes                      No

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Name of document(s) which are confidential or exempt

**Consideration of Council's Case – Appeal by Bovis Homes Limited & Miller Homes Limited: Land at Leckhampton, Shurdington Road Cheltenham**

**Signature**.....Councillor Garth Barnes : Chair of Planning Committee

**Date** 26/05/2015