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Your Ref:  
  
Our Ref: PINSM/G1630/429/5  
  
Date: December 2003

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Dear Madam

## TEWKESBURY BOROUGH LOCAL PLAN TO 2011 REPORT OF PUBLIC LOCAL INQUIRY INTO OBJECTIONS

1. Attached is my report of the Inquiry which opened on 5 March 2002 at the Council's offices, Gloucester Road, Tewkesbury. The Inquiry was into objections to the Tewkesbury Borough Local Plan to 2011. The Inquiry sat on 62 days between March and December 2002 and was formally closed on 4 March 2003. The report contains my recommendations on the action which the Council should take in respect of all the objections that were not formally withdrawn by the close of the Inquiry.
2. A Pre-Inquiry Meeting was held on 5 December 2001 at the Council's offices in Tewkesbury, when procedural matters were clarified for the benefit of those intending to take part in the Inquiry.
3. At the opening of the Inquiry the Council's compliance with all the appropriate statutory formalities was confirmed. The Inquiry then proceeded with the hearing of objections; some were organised as informal hearings, others were held in the traditional adversarial manner, and two 'round table sessions' were held in which the Council and objectors took part in a structured discussion about the overall housing provision and affordable housing.
4. The Tewkesbury Borough Local Plan (the Plan) will, when adopted, provide complete coverage for the whole Borough for the first time. The Plan covers the period to 2011 and is certified by the Gloucestershire County Council as in general conformity with the current structure plan (Gloucestershire Structure Plan Second Review, adopted in November 1999), in accordance with section 46(2) of the Town and Country Planning Act 1990. The Plan was placed on deposit in November 1998, and 3991 objections were received during the statutory deposit period. The proposals were re-appraised and the Council published the Revised Deposit Draft Local Plan (RDDLP) in January

2001. The RDDLP was subject to 1985 objections. By the close of the Inquiry 1055 objections had been withdrawn. Although not expressly referred to, the total of 673 supporting representations received on the Deposit Draft and the Revised Deposit Draft are taken into account in my appraisal of the representations and my conclusions. A full list of the representations, both supporting and objecting, is deposited in the Inquiry library.

5. During the course of the Inquiry, the Council undertook public consultation on the Urban Capacity Study, which was not available until February 2002. Its findings were the subject of debate at the Round Table Session on overall housing provision.
6. I have inspected all of the sites that are the subject of objections; most of the inspections were unaccompanied. I have undertaken similar inspections of sites throughout the Borough to which the Council or objectors referred.
7. The Council indicated during the Inquiry that an early report of my conclusions in respect of the objections to the strategic site allocation at Brockworth/Hucclecote (Policy BR1) would be helpful. My interim report, dealing with this matter and with inter-related Policies BR2 and BR3 was sent to the Council in July 2003. For the sake of completeness, it is incorporated within the final report attached.
8. As the Council is aware, I have been assisted during the course of the Inquiry by another Inspector, Mr A Fussey, and by a Senior Planning Officer, Mr M Wilson. Mr Fussey dealt with a considerable number of the objections, some of which were heard at the Inquiry. His sections of the report are subsumed within the overall report and we are both of one mind on the ensuing recommendations. Mr Wilson did much valuable work in analysing the objections and reporting on the two Round Table sessions. Also, Mr T Kemmann-Lane, the Inspector appointed to the public local inquiry into objections to the Stroud District Local Plan, was appointed as Assistant Inspector to the Inquiry. This appointment was for the specific purpose of ensuring common understanding and a consistent approach to the issues raised by the objections to the strategic site, Policy BR1, which overlaps the administrative boundaries. I am very grateful for my colleagues' contribution, but the entire responsibility for the contents of the report and its recommendations rests with me.

## **My Main Conclusions**

9. It needs to be borne in mind that the Plan has had a very long gestation period, during which there have been significant policy changes at the county, regional and national levels. As a result, the strategy of the RDDLP, which emerged more than two years after the Deposit Draft, differs significantly from it, and many objections have been overtaken by events. Since the publication of the RDDLP, new regional guidance in the form of RPG10 (September 2001) has been provided, and the modifications to the Plan will be considered against the background of the emerging Gloucestershire Structure Plan Third Alteration, which has commenced its Examination in Public.
10. The main policy issues dealt with by the Inquiry were concerned with housing and the Green Belt. My recommendations generally endorse the Plan's approach to the residual housing requirement and to the development of the strategic housing site at Brockworth/Hucclecote. But perhaps as a result of its history, I find that the Plan lacks a clear vision for the sustainable development of the Borough, and this gives rise to a number of important weaknesses. I identify significant difficulties with a number of the proposed housing allocations, mainly because of their incompatibility

with PPG3. The absence of any published, comparative sustainability assessment of the proposed allocations has not assisted the development of a strategy that would implement PPG3. And fundamentally, the Council's decision not to evaluate the contribution that could be made to a more sustainable pattern of development by the selective release of Green Belt land has led, in my view, to a Plan that could frustrate the implementation of RPG10's vision for this part of the region. In the light of these and/or other factors I recommend that the proposed allocations under Policies BR4, SH1, DH1, HM2, BC4, SH3, AS5, WI1, WI2 and ST1 be deleted. Acceptance of my recommendations will entail significant re-working of the Plan and further delay in adoption, but for the reasons set out above I consider that this is vital to the achievement of a more sustainable pattern of development not just in the Borough but in its hinterland.

11. In order to bring forward a more sustainable strategy, I recommend that a full comparative assessment of potential housing allocations should be undertaken and made publicly available as a background study for the modified Plan. In this regard the Council will no doubt look more closely at potential identified in the Urban Capacity Study and seek to update and refine it. Nonetheless, on the basis that some greenfield allocations will be required, I recommend that alterations should be made to the Green Belt boundary where this would meet the tests set out in PPG3. The Council made clear during the Inquiry that, in these circumstances, it would wish to consider all potential Green Belt releases, and not just those canvassed in the objections. I have therefore indicated both the Green Belt and non-Green Belt sites that were raised in the objections and that merit inclusion in the assessment of potential new allocations. These are the omission sites at M and G Sports Ground and Golden Yolk Farm/Middle Farm at Badgeworth; Homelands Farm, Bishops Cleeve; Green Street/Kennel Lane, Brockworth; south of Mill Lane, Brockworth; an extension of the Policy HU1 housing area at Hucclecote Road, Hucclecote; Longford/Innsworth; and Barbridge Nurseries, Uckington.
12. Implicit in the above are my conclusions that the proportion of growth directed to Tewkesbury/Ashchurch does not need to be increased; instead, the potential replacement sites that are identified would shift the balance more strongly in favour of the Central Severn Vale (CSV) or, to use RPG10's term, the Principal Urban Areas (PUAs). And also, I do not support objections that seek the allocation of more employment land in Tewkesbury/Ashchurch. But in bringing forward modifications to the Plan, I am sure that the Council will be alert to the opportunities for mixed use development on a suitable scale in sustainable locations.
13. The scale of development at Bishops Cleeve was the focus of a number of objections to the Plan. There was insufficient evidence to conclude that Bishops Cleeve is not capable of accommodating expansion of the magnitude envisaged in the RDDLP, although I recommend the deletion of the largest housing allocation there for site-specific reasons. But in assessing the most sustainable options at the modifications stage, the Council will no doubt take account of RPG10's concern, expressed at paragraph 3.11, that some growth relating to the Principal Urban Areas appears to have been leaping the Green Belt boundary to nearby commuter towns, leading to less sustainable patterns of development and travel.
14. I also wish to highlight my recommendations on the settlement hierarchy generally, as defined in Policies HSG2 and 3. This needs review and re-appraisal, so that the function of the settlements and their role in accommodating further development is firmly rooted in sustainability principles. This applies with particular relevance to my

recommendations that the scale of expansion proposed in Winchcombe should be greatly reduced.

15. The Plan's estimate of need for affordable housing in the Borough is broadly supported, but I recommend that the policies should reflect more closely the guiding principles of negotiation in this matter.
16. With respect to Transport, I draw attention to my recommendation that the Plan should do more to assist genuinely in the implementation of the Local Transport Plan, for example by bringing forward firm proposals for cycleways and pedestrian networks.
17. The Plan contains local landscape designations for the Special Landscape Area and the Landscape Protection Zone. While these are rooted in earlier plans, I consider that the objections highlight the need to re-evaluate the function of the designations and the need for special policy protection. And in bringing forward any consequential modifications to the Plan, the Council may wish to consider whether supplementary planning guidance or other initiatives like those advocated in paragraph 5.6.33 of the GSPSR would be a more effective and positive means of achieving the protection and enhancement sought by some of the Landscape and General policies.
18. Finally, a number of objections to the Deposit Draft Plan refer to sites that are deleted from the RDDLP and in my view this fully resolves the outstanding objections. I support the Council's decision to delete these allocations and do not consider that the objections require any further comment. Accordingly, Policies AL1, AS1, IN1, MA1, ST2, ST3, TE3 and TI1 of the Deposit Draft Plan are not considered in the report.

## **Other Matters**

19. While not the subject of objections, and therefore not part of my recommendations, there are a number of matters that the Council may wish to address in bringing forward modifications to the Plan. It would be advisable to delete references in the reasoned justification to particular Circulars or Planning Policy Guidance notes. These may be superseded during the lifetime of the Plan and, as a result, its policies may carry less weight. The Plan should be read as a whole, and therefore there is no need for cross-references from one policy to another. Many of the policies would benefit from re-drafting as a set of criteria; for example, TRP13, AGR2 and the Nature Conservation policies could be improved in this way. Policy SHP4 refers only to new schemes, but it would be helpful to indicate how proposals to extend existing facilities will be considered. Policy AGR6 uses the term 'low key'. This has not been raised in any of the objections and therefore it remains in my recommended modification of the policy, but it is an imprecise, ambiguous term that would take nothing away from the policy if it were to be deleted. Policy LAN7 on Historic Parks and Gardens would be more appropriately included in the re-titled 'Historic Environment' chapter (formerly Conservation) than in the Landscape chapter.

## **Format of the Report**

20. The format of the report follows the chapter order of the Plan and is divided into three volumes. The first deals with the General Policies, the second with the Local Policies, and the third with omission sites or other proposals for new local policies (classified in the schedule of objections as LPOLNP). The report is structured by reference to the individual policies of each chapter, adjusted where necessary to take account of the evidence at the Inquiry. Objections to the reasoned justification are normally subsumed under the relevant policy heading. Volume Three, which deals with the omission sites, is in alphabetical order of the address by which the site has been generally described. Consideration of each policy or omission site(s) begins on a separate page to ease the subsequent task of copying and distributing elements of the report to objectors and others. Paragraphs are numbered first by volume, then by chapter (in the case of Volume One), then by section, for ease of reference; thereafter they follow a numerical sequence.
21. Each section of the report commences with the identification of the contentious policy or matter, together with the reference numbers of the relevant objections or details of the appendix where they are listed. The main issues raised by the objections are very briefly summarised, followed by my appraisal of the matters in contention, and finally by my recommendations. In some instances it has been necessary to comment on parts of the Plan which, although not the subject of specific objection, require further consideration as a consequence of my conclusions on related matters. However, it has not been possible to draw attention to all the potential implications for other parts of the Plan of some of my recommendations, and the Council should address these at the appropriate stage.
22. All of the matters raised in the objections, the supporting representations and the Council's rebuttal evidence have been taken into account, but my appraisal is dominated by the main issues and considerations that lead to my conclusions. Objections made in writing have been given similar weight to those presented orally at the Inquiry. I have taken full account of Government policy, as set out in Circulars and Planning Policy Guidance notes which were extant at the time of reporting on the objections, whether or not it post-dates the Inquiry. Where appropriate, I have drawn attention to the implications of any recently issued policy advice. But the Council will wish to take into account any subsequent revisions to Government policy which may take place before the adoption of the Plan.
23. The appendices to the report comprise lists of appearances at the Inquiry and of Inquiry documents, Core Documents, the outstanding objections, and a separate schedule of the objections for certain of the LPOLNP sections. Apart from the schedule, all of the appendices were prepared either by the Programme Officer or the Council and are already held by the Council.
24. Last but not least, I wish to express my gratitude to all those who contributed to the smooth running of the Inquiry. In particular, I am very grateful to the Council's officers and to the objectors who produced proofs of evidence, inquiry documents and written submissions on time and in a form that generally accorded with my wishes. This hard work contributed significantly to the effectiveness of the Inquiry and eased my task. So too did the thoroughly professional performance of advocates, witnesses and objectors alike. It is fitting to record my appreciation of the services of Mr Robert Hanson who represented the interests of the Council during the Inquiry. My

thanks also go to all the individuals, residents groups, organisations and companies who gave so much time and thought to their representations at the Inquiry and in writing. I hope that my recommendations go some way to meeting their concerns.

25. My most sincere thanks are reserved for the wholehearted support of the Programme Officer, Mr Alan Scott. His professionalism, diligence and courtesy at all times were much appreciated.

Yours faithfully

MARY TRAVERS BA(HONS) DipTP MRTPI  
Inspector

cc Office of the Deputy Prime Minister  
Government Office for the South West

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## GLOSSARY

AONB	Area of Outstanding Natural Beauty
Borough	Tewkesbury Borough
CD	Core Document
Council	Tewkesbury Borough Council
County Council	Gloucestershire County Council
Deposit Draft	Tewkesbury Borough Local Plan to 2011 Deposit Draft November 1998
EIP	Examination in Public
EIP Panel Report	Report of the Panel on the Examination in Public of the Gloucestershire Structure Plan Second Review, December 1998 Gloucestershire Structure Plan Second Review, November
GSPSR 1999	
GSPTA	Gloucestershire Structure Plan Third Alteration, Deposit Draft November 2002
ha	hectare
Inquiry	Tewkesbury Borough Local Plan Inquiry 2002
LPZ	Landscape Protection Zone
LTP	Local Transport Plan
m	metre
MoD	Ministry of Defence
NPFA	National Playing Fields Association
Plan period	1991-2011
PMM	Plan, Monitor and Manage
PPG	Planning Policy Guidance
Proposals Map	Tewkesbury Borough Local Plan Proposals Map
RDDL	Tewkesbury Borough Local Plan to 2011 Revised Deposit Draft January 2001
RDB	Residential Development Boundary
Region	South West Region
RPG	Regional Planning Guidance
RPG10 2001	Regional Planning Guidance for the South West, September
RSL	Registered Social Landlord
SLA	Special Landscape Area
SPG	Supplementary Planning Guidance
sq m	square metre
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage Systems
TBC	Tewkesbury Borough Council Inquiry Document
The Plan	The emerging Tewkesbury Borough Local Plan to 2011
TPO	Tree Preservation Order
White Land	Land that is not designated on the Proposals Map

## **APPENDIX E – Schedule of LPOLNP Objections referred to in Volume Three**

### **APPERLEY:**

406/1/TBLP/DEPOST	/1	Brindle
428/1/TBLP/DEPOST	/10	Parrott
599/1/TBLP/DEPOST	/3	Deerhurst Parish Council
490/1/TBLP/DEPOST	/3	Davies
1/1/TBLP/DEPOST	/3	Lacopi
1/1TBLP/DEPOST	/4	Lacopi
1202/1/TBLP/DEPOST	/3	Greenslade
1203/1/TBLP/DEPOST	/3	Hunt
1205/1/TBLP/DEPOST	/2	Woodthorpe
1208/1/TBLP/DEPOST	/2	Topham
1210/1/TBLP/DEPOST	/2	Lovejoy
818/1/TBLP/DEPOST	/1	Dunn

### **CHURCHDOWN: The Orchard**

1138/1/TBLP/DEPOST	/1	Tilling
2312/1/TBLP/DEPOST	/1	Ralph
2296/1/TBLP/DEPOST	/1	Tatnell
2297/1/TBLP/DEPOST	/1	Blackman
2298/1/TBLP/DEPOST	/1	Biggs
2301/1/TBLP/DEPOST	/1	Payne
2302/1/TBLP/DEPOST	/1	Guilford
2303/1/TBLP/DEPOST	/1	Henderson
2305/1/TBLP/DEPOST	/1	Pearson
2306/1/TBLP/DEPOST	/1	O'Grady
2307/1/TBLP/DEPOST	/1	Stead
2309/1/TBLP/DEPOST	/1	Berry
2311/1/TBLP/DEPOST	/1	Wells
2315/1/TBLP/DEPOST	/1	Finch
2316/1/TBLP/DEPOST	/1	Baxter
2317/1/TBLP/DEPOST	/1	Baxter
2318/1/TBLP/DEPOST	/1	Finch
2319/1/TBLP/DEPOST	/1	Kitt
2320/1/TBLP/DEPOST	/1	Kitt
2321/1/TBLP/DEPOST	/1	Penlington
2322/1/TBLP/DEPOST	/1	Bosworth
2323/1/TBLP/DEPOST	/1	Bosworth
2324/1/TBLP/DEPOST	/1	Newcombe
2326/1/TBLP/DEPOST	/1	Whitehead
2328/1/TBLP/DEPOST	/1	Phillips
2329/1/TBLP/DEPOST	/1	Roberts
2310/1/TBLP/DEPOST	/1	Whelan
2332/1/TBLP/DEPOST	/1	Rutherford

GOTHERINGTON:

3042/1/TBLP/DEPOST	/1	Cook Family
3342/1/TBLP/DEPOST	/1	Marshall
3010/1/TBLP/DEPOST	/1	Cook
2262/1/TBLP/DEPOST	/1	Hocken
1526/1/TBLP/DEPOST	/2	Barrand
2262/1/TBLP/DEPOST	/2	Hocken
1930/1/TBLP/DEPOST	/2	Maguire

MAISEMORE:

2341/1/TBLP/DEPOST	/1	Brazil
2342/1/TBLP/DEPOST	/1	Brazil
2343/1/TBLP/DEPOST	/1	Burrows
2344/1/TBLP/DEPOST	/1	Jarvis
2345/1/TBLP/DEPOST	/1	Mogon
2347/1/TBLP/DEPOST	/1	Squires
2348/1/TBLP/DEPOST	/1	Bishop
2349/1/TBLP/DEPOST	/1	Richards
2339/1/TBLP/DEPOST	/1	Watts
2338/1/TBLP/DEPOST	/1	King
1543/1/TBLP/DEPOST	/2	Banks
2243/1/TBLP/DEPOST	/12	Cranbrook Homes

NORTON: Lock's Paddock:

697/1/TBLP/DEPOST	/1	Duberley
756/1/TBLP/DEPOST	/1	Stokes
741/1/TBLP/DEPOST	/1	Fellow
743/1/TBLP/DEPOST	/1	South
744/1/TBLP/DEPOST	/1	Treen
746/1/TBLP/DEPOST	/1	Fowkes
747/1/TBLP/DEPOST	/1	Holland
749/1/TBLP/DEPOST	/1	Crole
750/1/TBLP/DEPOST	/1	Danter
751/1/TBLP/DEPOST	/1	Rawlings
752/1/TBLP/DEPOST	/1	Danter
753/1/TBLP/DEPOST	/1	Danter
755/1/TBLP/DEPOST	/1	Coggett
69/1/TBLP/DEPOST	/1	Lock
757/1/TBLP/DEPOST	/1	Ravenscroft
758/1/TBLP/DEPOST	/1	Ravenscroft
759/1/TBLP/DEPOST	/1	Ravenscroft
762/1/TBLP/DEPOST	/1	Hill
763/1/TBLP/DEPOST	/1	Rogers
768/1/TBLP/DEPOST	/1	Meadows
774/1/TBLP/DEPOST	/1	Murphy
1042/1/TBLP/DEPOST	/1	Baldwin
1046/1/TBLP/DEPOST	/1	Booth
1047/1/TBLP/DEPOST	/1	Boulton
984/1/TBLP/DEPOST	/1	Neil
994/1/TBLP/DEPOST	/1	Norris
988/1/TBLP/DEPOST	/1	Reichelt

777/1/TBLP/DEPOST	/1	Clay
775/1/TBLP/DEPOST	/1	Weston

STAVERTON:

2634/1/TBLP/DEPOST	/1	Tombs
2905/1/TBLP/DEPOST	/2	Crownshaw
3012/1/TBLP/DEPOST	/1	Malone
457/1/TBLP/DEPOST	/1	Ashville Properties Ltd
701/1/TBLP/DEPOST	/2	Mace
1772/1/TBLP/DEPOST	/2	Williams
228/1/TBLP/DEPOST	/2	Stephens
109/1/TBLP/DEPOST	/3	Barratt Bristol Ltd & J.A. Pye (Oxon) Ltd
2072/1/TBLP/DEPOST	/7	Wilson Bowden Properties Limited
834/1/TBLP/DEPOST	/2	Rogers

TODDINGTON:

2364/1/TBLP/DEPOST	/1	Moore
2367/1/TBLP/DEPOST	/2	Baker
1600/1/TBLP/DEPOST	/2	Watts
1605/1/TBLP/DEPOST	/1	Jones
1605/2/TBLP/DEPOST	/1	Jones
1606/1/TBLP/DEPOST	/2	Sibley
1607/1/TBLP/DEPOST	/2	Sibley
1608/1/TBLP/DEPOST	/1	Jones
1610/1/TBLP/DEPOST	/2	Carter
1599/1/TBLP/DEPOST	/1	Dee
1595/1/TBLP/DEPOST	/2	Executors of Mabel Hall
1594/1/TBLP/DEPOST	/1	Walker
1824/1/TBLP/DEPOST	/2	Savage
1902/1/TBLP/DEPOST	/2	Marsh
2047/1/TBLP/DEPOST	/2	Heath

TRAVELLING SHOWPEOPLE:

742/1/TBLP/DEPOST	/1	Bartlett
760/1/TBLP/DEPOST	/1	Freeman
764/1/TBLP/DEPOST	/1	Organ
765/1/TBLP/DEPOST	/1	White
766/1/TBLP/DEPOST	/1	Phelps
767/1/TBLP/DEPOST	/1	Smith
769/1/TBLP/DEPOST	/1	Gloucester Caravans Ltd
754/1/TBLP/DEPOST	/1	Herbert
395/1/TBLP/DEPOST	/1	Lee
418/1/TBLP/DEPOST	/1	Allstone Sand & Gravel
772/1/TBLP/DEPOST	/1	Mullens
770/1/TBLP/DEPOST	/1	Baker
989/1/TBLP/DEPOST	/1	Holmes
987/1/TBLP/DEPOST	/1	Sinnott
985/1/TBLP/DEPOST	/1	Dill
986/1/TBLP/DEPOST	/1	Webb

WINCHCOMBE:

264/1/TBLP/DEPOST	/2	Day
447/1/TBLP/DEPOST	/1	Collings
1755/1/TBLP/DEPOST	/2	Hillyard
1766/1/TBLP/DEPOST	/2	Ham
1781/1/TBLP/DEPOST	/2	Richardson
1783/1/TBLP/DEPOST	/1	Warner
1125/1/TBLP/DEPOST	/1	Fisher
1064/1/TBLP/DEPOST	/2	Wakerley
1096/1/TBLP/DEPOST	/4	Talbot
1099/1/TBLP/DEPOST	/1	Morrison
1967/1/TBLP/DEPOST	/2	Brown
1968/1/TBLP/DEPOST	/2	Brown
2010/1/TBLP/DEPOST	/2	Ruddock
2011/1/TBLP/DEPOST	/2	Bruton
2012/1/TBLP/DEPOST	/2	Bruton
2013/1/TBLP/DEPOST	/2	Bruton
2023/1/TBLP/DEPOST	/2	Paish
2024/1/TBLP/DEPOST	/2	Paish
926/1/TBLP/DEPOST	/3	Sharratt
872/1/TBLP/DEPOST	/3	Cox
867/1/TBLP/DEPOST	/2	Sharratt
870/1/TBLP/DEPOST	/2	Timbrell

## **INTROD                      Introduction**

### ***Objections***

***See Appendix D for the list of objections to this Chapter***

### ***Main Issues***

- *prematurity*
- *need for an overall vision and a clear spatial strategy*
- *compliance with PPG3*
- *role of smaller rural settlements.*
- *co-ordination of development with utility infrastructure.*
- *compliance with national guidance of Key Objective V*
- *provision for exceptional circumstances*
- *compliance with Circular 1/97*
- *biodiversity*

### ***Inspector's Considerations and Conclusions***

- 1.1.1.1      The Introduction to the Plan and the individual Chapters are structured so that background information is presented detailing the challenges and opportunities apparent in the Borough, followed by a set of objectives and how they will be implemented and monitored. The policies in the Plan are designed to achieve the objectives by guiding development control decisions.
- 1.1.1.2      The first four issues relate mainly to the Council's general housing strategy and as such are dealt with under HSGGEN and HSG1. Related site-specific matters are considered in Volumes Two and Three of the report. The criticism that the Plan lacks an overall sense of vision is addressed to a limited extent by the changes made in the Revised Deposit Draft Local Plan (RDDLP). Within the Introduction, the structure plan context is summarised to provide a broad vision of the future settlement pattern. But I agree that this does not go far enough, and the Key Objectives should be preceded by a statement of the Plan's overall vision for the Borough in terms of its sustainable development, its future settlement pattern and the role that will be played by the countryside.
- 1.1.1.3      The fifth issue is addressed by the addition of a new objective for the General Policies in the RDDLP.
- 1.1.1.4      With regard to the sixth issue, the words referred to by the objector have been deleted from the RDDLP and are replaced by the words 'brownfield land in sustainable locations'. Nonetheless, in my view it would be more consistent with the language used in national planning guidance to use the term 'previously-

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developed land' in place of 'brownfield'.

- 1.1.1.5 In general, policies should allow some flexibility so that each case can be determined on its merits. Therefore, with regard to the seventh issue, I do not agree that it would be appropriate for policies to rule out development altogether.
- 1.1.1.6 Objections to the wording of references to planning obligations are considered where appropriate under the relevant local policies in Volume Two.
- 1.1.1.7 I consider that the addition of a reference to biodiversity in Key Objective ii addresses the objection on nature conservation matters.
- 1.1.1.8 Although not the subject of an objection, the Council will no doubt take the opportunity to correct the Contents list at Section 8 of the Introduction which omits reference to the Employment Chapter.

### ***Recommendations***

- 1.1.1.9 (i) The Introduction to the Plan be modified by:
  - a) the addition of a statement of the overall vision for the Plan area, in terms of its sustainable development, future settlement pattern and the role that will be played by the countryside, and
  - b) the deletion of the word 'brownfield' in Key Objective v. and its replacement by the words 'previously-developed'.
- (ii) Subject to my recommendations under HSGGEN and HSG1, no other modification be made to the Plan in response to these objections.

**Note: See also my recommendation under LPOL - General.**



## **APP1      Appendix 1 Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issue***

- *updating*

### ***Inspector's Considerations and Conclusions***

- 1.15.1.1      Appendix 1 to the Plan is a schedule of the listed buildings in each parish in the Borough. The objection requests that the appendix should be deleted because it is unlikely to remain up-to-date for the duration of the Plan. However, it appears that the schedule has proved very useful and I consider that the addition of the text suggested by the Council to indicate when it was last updated is sufficient to advise readers of the Plan that the content of the list may change.

### ***Recommendation***

- 1.15.1.2      Appendix 1 to the Plan be modified by the addition of a statement at the beginning of the Appendix that advises when the schedule was last updated.

## **APP2      Appendix 2 Scheduled Ancient Monuments**

### ***Objections***

***See Appendix D for the list of objections on this matter***

### ***Main Issue***

- *accuracy*

### ***Inspector's Considerations and Conclusions***

- 1.15.2.1      The objections identify some inaccuracies in the list of Scheduled Ancient Monuments. The list in the RDDLP is still inaccurate. It is recommended that the list be updated in consultation with English Heritage or Gloucestershire County Council.

### ***Recommendation***

- 1.15.2.2      Appendix 2 be modified by correcting and updating it in consultation with English Heritage or Gloucestershire County Council.

## **APP5      Appendix 5 Car Parking Standards**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *compatibility with PPG13*
- *appropriate standard for garden centres*

### ***Inspector's Considerations and Conclusions***

- 1.15.3.1      Policy TRP16 requires the provision of car parking spaces for new development that accord with the standards set out in Appendix 5. The objections to the appendix are taken into account in my considerations under TRP16. The proposed standards in general, including those for garden centres, should be modified in accordance with my recommendations under Policy TP16.

### ***Recommendation***

- 1.15.3.2      Appendix 5 be modified in accordance with the recommendations set out under Policy TRP16.

## **APP6      Appendix 6 Environmental Impact Assessment**

### ***Objections***

***See Appendix D for the list of objections on this matter***

### ***Main Issues***

- *need for more information*
- *impact on archaeological interests*

### ***Inspector's Considerations and Conclusions***

- 1.15.4.1      Appendix 6, titled Environmental Impact Assessment, contains a policy impact matrix that assesses the effect of the policies on three groups of sustainability indicators. In respect of the first issue, I agree that the appendix is not accompanied by enough information to enable readers to understand its relationship with the main body of the Plan and the processes by which policies and proposals have been assessed. The minor addition to the Introduction to the RDDLP does not resolve the objection. In bringing forward modifications to the Plan, the Council should refine and expand Appendix 6 to address the concerns raised in the objection, taking into account best practice advice on the environmental appraisal of development plans.
- 1.15.4.2      The concern that the policy matrix underestimates or fails to fully reflect potential impact on archaeological sites is understandable, given the summary nature of criterion 13 and of the matrix in general. I agree that it is unsatisfactory because it fails to take account of potential impact on archaeological interests that could be significant. As the objector suggests, the matrix should be modified to indicate that policies relating to the development of land, such as the proposed housing allocations, will have a likely but unpredictable impact on criterion 13, or alternatively, the matrix should be redesigned so that it allows accurate representation of impacts. The latter course of action would produce a more meaningful assessment.

### ***Recommendations***

- 1.15.4.3 (i)      Appendix 6 be modified in accordance with best practice advice so that it makes clear its relationship with the main body of the Plan and the processes by which policies and proposals have been assessed.
- (ii)      The policy matrix be modified so that it indicates that policies relating to the development of land, such as the proposed housing allocations, will have a likely but unpredictable impact on the cultural heritage

(criterion 13) or preferably, the matrix be redesigned so that it allows accurate representation of impacts.

## **GLOSS   Glossary**

### ***Objections***

**See Appendix D for the list of objections on this matter**

### ***Main Issues***

- *adequacy of archaeological references*
- *clarity of reference to Environment Agency*

### ***Inspector's Considerations and Conclusions***

- 1.16.1.1    On the first issue, the amendments to the Glossary in the RDDLP address some of the concerns. However, no reference to the procedure for scheduled monument consent has been included as requested in the objection. The Glossary should not be expected to be a fully comprehensive guide to such matters, but I agree that it would be useful to include the fuller information proposed by the objector. Also, the amended definition of Site of Archaeological Interest is unclear and should be modified as proposed by the objector.
- 1.16.1.2    The amended wording in relation to the Environment Agency resolves the second issue.

### ***Recommendation***

- 1.16.1.3    The Glossary be modified by:
- a)    expanding the definition of Scheduled Ancient Monument by adding the following text:
- ‘Any works to a Scheduled Ancient Monument require consent from the Secretary of State. This is a process separate from the planning system and consent is required for many activities that themselves do not require planning permission e.g. tree planting, erection of fences and other works which constitute permitted development under the planning system. Further information can be obtained from the Borough Council.’, and
- b)    replacing the definition of Site of Archaeological Interest as follows:
- ‘Sites and areas of archaeological interest are recorded in the county Sites and

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Monuments Record (SMR; see below). Information in the SMR can also be used to identify areas of potential archaeological interest. Where development may affect such sites and areas, the archaeological impact of the development will need to be assessed before a planning application is determined. The results of the assessment will indicate whether identified archaeological remains merit preservation or recording.'

## **PRMAP      Proposals Map - General**

### ***Objections***

***See Appendix D for the list of objections on this matter***

### ***Main Issues***

- *need for updating*
- *residential development boundaries and housing allocations*
- *notation for Article 4 Directions*
- *treatment of Gloucestershire Airport*

### ***Inspector's Considerations and Conclusions***

- 1.17.1.1      The amended Proposals Map for the RDDLP indicates that it is intended to update the base map to show the link road into the Gloucester Business Park; this addresses the first issue. I have recommended under HSGGEN that the sites allocated for housing development in the Plan should be included within the Residential Development Boundaries; this addresses the second issue. In response to the third issue, the amended text of the Introduction to the RDDLP explains the purpose of Article 4 Directions, and Appendix 7 contains a list of the areas within the Borough to which Article 4 Directions apply. On this basis I consider that the Council is justified in seeking to indicate these areas on the Proposals Map. Finally, the issue of Gloucestershire Airport is considered under Policy CH1 in Volume Two of this report.

### ***Recommendation***

- 1.17.1.2      No modification be made to the Plan in response to these objections.



## **GEN1                      General Design**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *content and precision*
- *need for reference to Design Briefs and Design Statements*
- *need for Supplementary Planning Guidance (SPG) on design*

### ***Inspector's Considerations and Conclusions***

- 1.2.1.1      There are three elements to Policy GEN1. The first is a general requirement for all new development to be of a high standard of design. The second element is the need for all 'major development' to adhere to design objectives as set out in the Government's best practice guide 'By Design' and for Development Statements to be prepared for such sites. The third element is a stated intention by the Council to require and to prepare development briefs for identified sites over a certain size.
- 1.2.1.2      With regard to the first issue, many of the objections to the policy are concerned with the perceived subjectivity and lack of precision. But the policy is not subjective because it clearly links design considerations to the setting of new building(s), without prescribing a particular style or form. This is entirely in accordance with best practice advice in 'By Design' p.44, which states that design policies should avoid unnecessary prescription and detail and should be expressed in terms of a set of principles.
- 1.2.1.3      Nonetheless, a single policy to deal with the design considerations for major development and those for development in general is not clear or concise enough. Policy GEN1 needs to be untangled into two more concise and contained policies dealing with general design considerations that apply to all development and a new policy that deals only with major development. The latter also requires a definition of what would fall within its scope in the context of the Borough, and it should set out clearly the ways in which the Council's design objectives could be achieved.
- 1.2.1.4      The way in which the urban design principles in the policy and reasoned justification have been taken directly from the Government publication, 'By Design' is not appropriate. In this publication these are presented as objectives, and as such they should not be confused with policy. Page 17 of the guide states that 'Effective design policy and guidance is likely to focus on how in a particular context, development form can achieve the urban design objectives.' The Council needs to re-consider these objectives in the context of Tewkesbury Borough and

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express them as a more focused policy with local relevance. Reference to 'By Design' in the policy and supporting text should be deleted because this guide may be superseded in the lifetime of the Plan by new guidance, making the policy out-of-date and significantly reducing its weight.

- 1.2.1.5 The County Council has objected to the restricted definition of sustainability in the reasoned justification; however I am not convinced that a lengthy definition would add anything to the policy or readers' understanding of it, other than to burden it with an unacceptable level of detail. In response to another objection, the reasoned justification includes a statement that innovative design solutions will be encouraged and I do not consider that this needs to be expanded.
- 1.2.1.6 With regard to the second issue, I support the Council's reference to Design Statements in the policy and reasoned justification. This provides useful information for developers about what the Council requires for the determination of major planning applications. However, the policy wording on Design Briefs could be misconstrued, and in keeping with my recommendation under HSGGEN, this should be deleted and replaced by a modified form of wording in the reasoned justification.
- 1.2.1.7 Turning to the final issue, the Council has indicated that it intends to produce SPG on detailed design matters, subject to the availability of resources. This would accord with the recommended approach in 'By Design'. I recommend that the production of SPG should be undertaken as soon as resources permit.

### ***Recommendations***

- 1.2.1.8 (i) The Plan be modified by:
- a) dividing Policy GEN1 into two separate policies, one dealing with general design policy and the other with the requirements for major development proposals. The latter should include a definition of 'major' in the context of the Borough;
  - b) deleting all references to 'By Design' in the policies and reasoned justification;
  - c) deleting the urban design objectives (key principles) from Policy GEN1 and reconsidering them as focused policy in the context of Tewkesbury Borough, and
  - d) deleting the reference to detailed development briefs from Policy GEN1 and replacing it by modified wording in the reasoned justification that accords with my recommendation under HSGGEN.
- (ii) The Council should seek to produce Supplementary Planning Guidance on Borough-wide design matters as soon as resources permit.
- (iii) No other modification be made to the Plan in response to these objections.

## **GEN2      Architectural Features**

### ***Objection***

*See Appendix D for the list of objections to this policy.*

### ***Main Issue***

- *strength of policy*

### ***Inspector's Considerations and Conclusions***

- 1.2.2.1      Policy GEN2 encourages the retention and repair of local or historic architectural features. As the Council has stated in response to the objection, it will not always be able to control this aspect of development in every case. A restrictive policy would be unreasonable and unenforceable where the building(s) or structure(s) is not listed and/or is outside a Conservation Area.

### ***Recommendation***

- 1.2.2.2      No modification be made to the Plan in response to this objection.

## **GEN4                      Floorscape**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *floorscape treatment and the disabled*
- *consideration of surface water run-off*
- *strength of the policy*

### ***Inspector's Considerations and Conclusions***

- 1.2.3.1      Policy GEN4 seeks to promote well-designed hard landscaping in development proposals, taking account of the setting and character of the surrounding area.
- 1.2.3.2      In consideration of the first and second issues, the amended reasoned justification in the RDDLP meet the relevant objections. However, the reasoned justification would benefit from a cross-reference to Policy ENV11 that deals with Sustainable Urban Drainage Systems.
- 1.2.3.3      In respect of the third issue, the policy must contain an element of flexibility to take account of the variety of different developments to which it will apply and the differing uses and degrees of public access associated with them. The alternative text proposed by the objector is incompatible with this aim.

### ***Recommendations***

- 1.2.3.4      (i) The reasoned justification for Policy GEN4 be modified by the insertion of a cross-reference to Policy ENV11:
- (ii) No other modification be made to the Plan in response to these objections.

## **GEN5          Provision for Art**

### ***Objection***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *reference to residential areas*

### ***Inspector's Considerations and Conclusions***

- 1.2.4.1      Policy GEN5 encourages the provision of new works of art as part of development schemes.
- 1.2.4.2      The policy clearly states that it will only be applied 'in appropriate cases' and I do not agree that a total exemption for the provision of art in residential developments can be justified. There will often be suitable public areas in many residential development proposals that would benefit from the provision of public art.

### ***Recommendation***

- 1.2.4.3      No modification be made to the Plan in response to this objection.

## **GEN6            Crime Prevention**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *conflict with Policy GEN7*
- *strength of the policy*

### ***Inspector's Considerations and Conclusions***

- 1.2.5.1      Policy GEN6 encourages developers to consider crime prevention in the design of their proposals.
- 1.2.5.2      In respect of the first issue, the reasoned justification states that crime prevention, through the control of design matters, will be balanced against other objectives of the Plan and therefore I do not consider that there is any inherent conflict between this and Policy GEN7.
- 1.2.5.3      Turning to the second issue, crime prevention is a material consideration when determining planning applications; however the Council can only encourage good design to deter crime, it cannot require it in the context of a local plan policy.

### ***Recommendation***

- 1.2.5.4      No modification be made to the Plan in response to these objections.

## **GEN7          Energy Efficient Development**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *strength of policy*
- *duplication of Building Regulations*
- *water efficiency and relevance to planning*

### ***Inspector's Considerations and Conclusions***

- 1.2.6.1      Policy GEN7 encourages developers to consider energy efficiency in the design and siting of their proposals.
- 1.2.6.2      With regard to the first two issues, planning legislation does not control internal installations or alterations, unless the work is being carried out to a listed building. Expanding the policy to encourage energy efficiency in terms of heating, lighting and air-conditioning would only create confusion about the scope of planning powers. In terms of external design and siting considerations, it is appropriate for the local plan to encourage improved energy efficiency, through negotiations with developers about new proposals, as part of the Council's wider responsibility to promote sustainable forms of development in the Borough. The policy does not conflict with or duplicate building regulations because it relates to the siting and aesthetic design of buildings, rather than functional matters such as access and health and safety.
- 1.2.6.3      Turning to the third issue, the additional text in the reasoned justification of the RDDLP is unnecessary and goes beyond the scope of planning legislation in encouraging the use of water-efficient domestic appliances. This policy is not the appropriate place to consider water conservation measures relevant to planning.

### ***Recommendations***

- 1.2.6.4 (i)      The reasoned justification for Policy GEN7 be modified by the deletion of the seventh sentence that refers to measures which minimize water consumption.
- (ii)      No other modification be made to the Plan in response to these objections

## **GEN8            Telecommunications**

### ***Objections***

*See Appendix D for the list of objections to this policy.*

### ***Main Issues***

- *strength of the policy*
- *requirement to justify need*
- *archaeological sites*

### ***Inspector's Considerations and Conclusions***

- 1.2.7.1      Policy GEN8 seeks the minimization of the environmental impact of telecommunications infrastructure generally and particularly in designated areas. Operators are also encouraged to share masts or use existing buildings.
- 1.2.7.2      I have share the objectors' concerns regarding negativity and the introduction of the word 'only'. It adds very little to the strength of the policy, which in any case clearly states that the environmental impact of equipment should be minimized. The Draft Deposit version accords with the tone and meaning of PPG8, which states in the General Policy (p.7) that the aim is to facilitate the growth of new and existing telecommunications systems while keeping environmental impact to a minimum. The policy should be flexible enough to promote negotiation between the Council and system operators, but strong enough to protect the environment.
- 1.2.7.3      In response to the objection concerning the phrase 'special attention', I agree that this is open to interpretation. The phrase 'Careful consideration will be given to the visual impact of proposed equipment within...' would be clear and unambiguous.
- 1.2.7.4      The requirement for operators to justify the need for new equipment is dealt with in the last paragraph of the reasoned justification. The text of this paragraph reflects the guidance contained in PPG8 (p.9 – Mast and site sharing) which states that local planning authorities may reasonably expect applicants for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure.
- 1.2.7.5      The protection of archaeological sites and scheduled ancient monuments is covered elsewhere in the RDDLP. The fact that they are not mentioned specifically in connection with Policy GEN8, even though other interests are identified, does not prejudice the level of protection that will be afforded to them through other policies. In the interests of promoting a succinct Plan, it is not necessary to mention them here.



***Recommendations***

- 1.2.7.6 (i) Policy GEN8 be modified by:
- a) deletion of the word 'only' from the first sentence, and
  - b) deletion of the words, 'Special attention to their impact will be accorded...' in the second sentence and their replacement with 'Careful consideration will be given to the visual impact of proposed equipment within...'.
- (ii) No other modification be made to the Plan in response to these objections.

## **GEN9 Utilities**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *Protection of utilities*
- *Operational requirements*
- *Archaeological interests*

### ***Inspector's Considerations and Conclusions***

- 1.2.8.1 Policy GEN9 states that the Council will liaise with the utility companies and other organisations in order to encourage appropriate siting and design of necessary services so that they respect the character of the surrounding area and landscape. Although it is not raised in the objections, I note that this is a statement of intent rather than a policy.
- 1.2.8.2 The final sentence of the reasoned justification that refers to the protection of existing underground services when considering development proposals is unnecessary. Utility companies are statutory consultees and would therefore be consulted about any development affecting local or strategic utility infrastructure. These safeguards already exist as part of the planning application process and as such this paragraph should be deleted from the reasoned justification.
- 1.2.8.3 In respect of the second issue, I support the inclusion of the word 'necessary' in the policy because it underlines the importance of service provision, but the objector's additional suggested wording would be superfluous in my view.
- 1.2.8.4 As I have referred to earlier, the protection of archaeological sites is covered elsewhere in the Plan. The Plan should be read as a whole and issues concerning this matter are more appropriately controlled, where relevant, under specific archaeology policies.

### ***Recommendations***

- 1.2.8.5 (i) The reasoned justification for Policy GEN9 be modified by the deletion of the final paragraph that refers to archaeological sites and to the protection of utilities.
- (ii) No other modification be made to the Plan in response to these objections.

## **GEN10                      Renewal of Permission**

### ***Objections***

*See Appendix D for the list of objections to this policy.*

### ***Main Issue***

- *need for a policy*

### ***Inspector's Considerations and Conclusions***

- 1.2.9.1      Policy GEN10 sets down the Council's approach to the renewal of planning permission, stating that such applications will be assessed as if they were new proposals.
- 1.2.9.2      The regulations for determining new and renewed applications are set down in planning legislation and there is no need to duplicate these in the Plan, whether for purely informative reasons or not. The policy and reasoned justification should be deleted.

### ***Recommendation***

- 1.2.9.3      The Plan be modified by the deletion of Policy GEN10 and its reasoned justification.

## **GEN11      Implementation**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *capacity of existing infrastructure*
- *compliance with Circular 1/97*

## **Inspector's Considerations and Conclusions**

- 1.2.10.1 In accordance with Policy GEN11, development would not be permitted unless adequate provision of infrastructure or services is in place or could be provided in conjunction with the new development. The policy goes on to detail how developers/applicants could make provision in conjunction with new development by way of a planning obligation or through planning conditions.
- 1.2.10.2 I do not accept that it would be reasonable to preclude development unless the required infrastructure is already in place. This would be an unjustified constraint on development and would not in itself contribute to sustainability.
- 1.2.10.3 Many of the objections are concerned with the relationship between the elements of the policy referring to planning obligations and the advice in Circular 1/97. In my view these parts of the policy are superfluous because the Council is entitled to seek to enter into planning obligations in any event. Also, as worded, the policy and reasoned justification appear to go beyond the tests for planning obligations as set out in the Circular. Instead, the Plan should set out in its proposals those provisions that would be sought by means of planning obligations. The policy and reasoned justification should be substantially modified to delete the references to planning obligations.

### ***Recommendations***

- 1.2.10.4 (i) Policy GEN11 be modified by the deletion of the second, third and fourth paragraphs.
- (ii) The reasoned justification for Policy GEN11 be modified by the deletion of the second and third paragraphs and by the addition of a sentence at the end of the first paragraph to the effect that where it is necessary, the Council will seek to ensure the provision of adequate infrastructure to serve proposed new development.
- (iii) No other modification be made to the Plan in response to these

objections.

## **GEN12      Boundary Treatment**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *use of indigenous species*

### ***Inspector's Considerations and Conclusions***

- 1.2.11.1      Policy GEN12 seeks to control new or replacement boundary treatments where they contribute to the character of a development.
- 1.2.11.2      I support the addition of the words 'where appropriate' in the final sentence of the reasoned justification in the interests of promoting a more flexible and responsive policy. I consider that this would resolve the objection.

### ***Recommendation***

- 1.2.11.3      The final sentence of the reasoned justification to Policy GEN12 be modified so that it reads:  
'Natural boundaries such as hedgerows should, where appropriate, use indigenous species.'

## **GEN13      Advertisements**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *above-fascia, illuminated and off-site signs*

### ***Inspector's Considerations and Conclusion***

- 1.2.12.1 Policy GEN13 is concerned with the control of advertisements and sets down the standard and scale of advertisements that will be appropriate in village, town and rural locations in the Borough.
- 1.2.12.2 The amended wording of the RDDLP policy resolves the objector's concerns about the Deposit Draft's inflexible approach to above-fascia and illuminated signs. However the policy still contains a statement that off-site signs would not be permitted. In my view this is an unduly restrictive and unnecessary element of the policy and it should be deleted.

### ***Recommendation***

- 1.2.12.3 Policy GEN13 be modified by the deletion of the second sentence that refers to off-site signs.

## **GEN14      Redevelopment of Contaminated Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy.*

### ***Main Issue***

- *reference to Her Majesty's Inspectorate of Pollution*

### ***Inspector's Considerations and Conclusions***

- 1.2.13.1 Policy GEN14 is concerned with controlling development or redevelopment of contaminated land and it sets down the measures that need to be taken to satisfy the Council that there would be no threat to the health and safety of prospective occupiers.
- 1.2.13.2 The RDDLP has responded fully to the objection by deleting the reference to Her Majesty's Inspectorate of Pollution and replacing it by a reference to the Environment Agency.

### ***Recommendation***

- 1.2.13.3 No modification be made to the Plan in response to this objection.



## **GEN15      New Community Facilities**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *needs in Highnam*
- *trip generation*
- *test of need*
- *strength of policy*

### ***Inspector's Considerations and Conclusions***

- 1.2.14.1 Policy GEN15 encourages the development of new community facilities and sets down criteria to be met that include parking provision and the impact of such development on the amenity of the surrounding area.
- 1.2.14.2 With regard to Highnam, it is not appropriate to make reference to the village in the context of this general policy. Policy GEN15 aims to promote the development of community facilities across the Borough as a whole, and it is for individual proposals in the Plan to deal with locationally-specific matters. I refer to Highnam's needs under Policies HM2 and HM3 in Volume Two of this report.
- 1.2.14.3 In respect of the second issue, I consider that the additional criterion in the RDDLP policy that requires adequate provision to be made for pedestrians, cyclists and public transport users, as well as access for vehicles, should resolve the trip generation concerns raised by the objector.
- 1.2.14.4 Turning to the need issue, Policy GEN15 is robust enough to promote the retention and improvement of community facilities, yet flexible in its requirement that alternative provision can be made by developers. It is entirely appropriate that the policy requires any new or alternative community facilities to be well related to the community that they serve. The continued operation of community uses is a matter for the particular operator. However, I support the Council's stance that where a need is identified, the change of use of the building or land should not be permitted in the absence of suitable, alternative accommodation.
- 1.2.14.5 On the final matter, I do not recommend that the words 'should be located' be replaced by the words 'are to be located' since this would entail an unnecessary and inappropriate degree of prescription.

### ***Recommendation***

- 1.2.14.6 No modification be made to the Plan in response to these objections.

## **GEN16      Disabled Access**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *strength of the policy*
- *relationship with other legislation*

### ***Inspector's Considerations and Conclusions***

- 1.2.15.1      Policy GEN16 concerns access for the disabled in new development.
- 1.2.15.2      With regard to the first issue, in my view the policy is sufficiently robust and takes into account the needs of the disabled and the practicalities of providing disabled access.
- 1.2.15.3      In respect of the second issue, paragraph 33 of PPG1 clearly states that local planning authorities should take access issues into account in development plans. Policy GEN16 only refers to access arrangements and not to internal layout and design, which are matters dealt with under the Building Regulations. As such the policy is appropriate and does not seek to trespass into areas that are covered by other legislation.

### ***Recommendation***

- 1.2.15.4      No modification be made to the Plan in response to these objections.

## **GENNP      General - New Policy**

### ***Objections***

***See Appendix D for the list of objections on this matter***

### ***Main Issues***

- *need for a policy on the sequential approach and the re-use of previously developed land*
- *need for a policy on co-ordination of development and infrastructure provision*
- *need for a policy to encourage home-working or tele-working*
- *need for a policy on sustainable development*

### ***Inspector's Considerations and Conclusions***

- 1.2.16.1 With regard to the first issue, key objective (v), under paragraph six of the Introduction to the Plan, states that it will emphasise the reuse of brownfield land in sustainable locations. It is not necessary for the Plan to contain a specific policy about this issue. However, I deal with the sequential approach and the re-use of previously developed land in more detail under HSGGEN.
- 1.2.16.2 Turning to the second issue, I consider that this matter is dealt with adequately under Policy GEN11 and there is no need for duplication of policies.
- 1.2.16.3 I do not consider that there is any specific need for a policy to encourage home-working or tele-working. Such matters are embraced by the key objectives of the Plan, set out in the Introduction.
- 1.2.16.4 With respect to the need for a policy for sustainable development, I consider that the Introduction to the Plan and other plan policies (as I have recommended that they be modified) would provide a framework for sustainable development and that a specific policy is not required in this regard.

### ***Recommendation***

- 1.2.16.5 No modification be made to the Plan in response to these objections.

## HSGGEN

## Housing - General

### *Objections*

*See Appendix D for the list of objections on this matter*

### *Main Issues*

- *sustainable development framework*
- *balance between the Central Severn Vale and other locations*
- *compatibility with PPG3 and need for comparative sustainability assessment*
- *phasing and the priority of brownfield development*
- *net site areas, residential development boundaries, status of development briefs*

### *Inspector's Considerations and Conclusions*

#### *Preamble*

- 1.3.1.1 These issues need to be appraised against the background of current and emerging higher level planning policies which have changed significantly over the long period that the Plan has been in gestation. National planning policy guidance, in particular PPG3 (March 2000), emphatically places the focus on sustainability. It establishes the search sequence that should be followed by local planning authorities in identifying new housing sites. In deciding which sites to allocate, local planning authorities should assess their potential and suitability for development against certain criteria set out in paragraph 31 of PPG3. Regional Planning Guidance for the South West (RPG10, adopted in September 2001), fully reflects PPG3's advice by advocating a focus on the Principal Urban Areas (PUAs), including Cheltenham and Gloucester, and seeking to strengthen their role. Self-containment within towns within commuting distance of the PUAs is also advocated. The geographic extent of the PUAs is to be defined in the next round of structure plans. Paragraph 3.11 states that in order to ensure that future patterns of development are more sustainable, the boundaries of the Gloucester and Cheltenham Green Belt should be reviewed in the next structure plan round. Policy SS 4 says that development plans should '...critically review the Green Belt to examine whether boundary alterations are needed to allow for long-term sustainable development needs', and Policy SS 12 requires a review of the Green Belt for Cheltenham and Gloucester.
- 1.3.1.2 The Gloucestershire Structure Plan Second Review (GSPSR) was adopted in November 1999 and therefore it pre-dates PPG3 but it was clearly informed by the precursor documents to PPG3. Its overall strategy of directing development to Cheltenham and Gloucester is broadly compatible with the approach now advocated in RPG10. The core strategy is set out in Policy S.1, and its housing arm is Policy H.4. The latter states that in providing for residential development, priority will be given to development within Gloucester and Cheltenham and then to locations adjacent or close by which are or can be easily and conveniently accessed by means of transport other than the private car. This corresponds with

the structure plan's definition of the Central Severn Vale (CSV). Policy H.4 goes on to state that in those areas of Tewkesbury borough outside of the CSV, development will mostly be provided within and adjacent to the existing town of Tewkesbury/Ashchurch.

- 1.3.1.3 By the close of the Inquiry the Gloucestershire Structure Plan Third Alteration Deposit Draft (GSPTA) had been published for consultation. It reflects RPG10's overall strategy by proposing that the focus for all new development in the County will be within the PUAs of Cheltenham and Gloucester at scales and locations that maintain and enhance their predominance. Bishops Cleeve is included within the defined PUA of Cheltenham. The draft GSPTA also indicates that there is no need to make any new greenfield allocations over and above those identified in the emerging local plans, taking into account existing commitments and forecast urban capacity and windfalls. And it proposes that there should be no alteration of Green Belt boundaries on the basis that none is required to meet the County's sustainable development needs. As an emerging plan that has yet to complete all the statutory procedures for adoption, I have accorded limited weight to the draft GSPTA.

#### *Sustainable Development Framework*

- 1.3.1.4 Many of the objections to the overall strategy of the Plan appear to be rooted in concerns about sustainability. In particular, the lack of a sustainable development framework for the Plan's housing allocations that demonstrate their relationship with transport, employment and other uses has been highlighted. Insufficient explanation of the roles that are to be played by the Borough's settlements in fulfilling sustainable development objectives is also at the heart of many of the objections. In my view a reading of the Plan as a whole supports these objections. The Introduction and the supporting text in the Housing and other relevant chapters do not set out a clear set of social, environmental and economic objectives or a locational strategy that seeks to carry forward these objectives. Brief references only to the GSPSR framework do not add up to a coherent strategy for the Borough, and as a result it is not clear how the selected distribution of new housing sites would contribute to a more sustainable pattern of development. There is a need to re-draft the overall objectives of the Plan from a sustainable development perspective, and to make explicit links between these and the key locational policies of the Plan. This would be assisted by relating the objectives to the aims of national planning policy on sustainable development, especially as set out in PPG1 and PPG3, and in particular to the sequential approach and the principles of Plan, Monitor and Manage (PMM) in PPG3.

#### *The Balance between the CSV and Other Locations*

- 1.3.1.5 A recurring theme throughout the objections to the Plan is whether the correct balance has been struck between the CSV and other locations in the identification of housing sites, and whether the Plan confuses a location within the CSV with sustainability *per se*. The categorisation of sites within Policy HSG1 of the Plan is criticised because it appears to suggest that Category A sites, by virtue of their location within the CSV, are more sustainable than those in Category B (Tewkesbury/ Ashchurch) or in the following categories.
- 1.3.1.6 Central to the objections on this matter is the interpretation of Policies S.1 and H.4

of GSPSR. On the face of it they are relatively self-explanatory. They make clear that the CSV is to be the focus of new development in the County. Paragraph 5.6.2 of the explanatory memorandum advises that the size of development will be a matter for local plans, the scale and location to accord with the structure plan policies (my underlining). However, paragraph 5.7.9, which deals with the implications of the overall strategy set out in Policy S.1 for each district, gives rise to some conflicting interpretations. It includes a statement that the majority of development will take place in and around Tewkesbury/Ashchurch and some development at the former Brockworth airfield site. Elsewhere, it says that some development will be located in villages in accordance with the GSPSR policies.

- 1.3.1.7 Some objectors take support from this statement for a less concentrated focus on the CSV, while the Council's view is that the paragraph is in error and does not reflect the overall content of the adopted GSPSR. I agree with the Council, since the paragraph is very similar to one in the deposit draft of the structure plan, notwithstanding that a quite different strategy was proposed in that document. The reference to village development is out of keeping with the revision of the policies that has taken place since the deposit draft. It also seems to be in direct conflict with the clear statement in Policy H.4 about the location of development in the County. And the reference to 'some' development at Brockworth does sit comfortably with Policy H.5 of the adopted GSPSR which provides for a major (my underlining) extension to the urban area. Taking all of these matters into account, I do not consider that the weighting of the proposed housing allocations in the RDDLP towards the CSV, amounting to some 77%, compared with 13% for Tewkesbury/Ashchurch, is excessive or not in harmony with the GSPSR strategy. It shows a clear focus on the CSV and this is the correct approach. Whether the individual sites that are allocated in the Plan meet PPG3's tests for sustainability is a different matter that was fully tested during the Inquiry, but that does not invalidate the broad strategy of the Plan.
- 1.3.1.8 The argument that the GSPSR housing distribution already provides the necessary focus on the CSV and that therefore 'most' of the Borough's provision does not need to be within the CSV is not persuasive. The combined housing requirement for Gloucester City and Cheltenham Borough is only 35% of the overall County requirement. Even when the proposed contributions from the urban extensions at Quedgeley and Brockworth are added to this, the percentage rises to only 42%. This is still not 'most', and in my view the Plan correctly identifies more housing sites in the CSV in order to reflect fully the GSPSR. In any event, the Plan has a certificate of conformity with the GSPSR, granted by the County Council.
- 1.3.1.9 I note the reference in paragraph 6.5.7 of the GSPSR to the findings of the EIP Panel that significant housing development in association with employment development should take place in the general Tewkesbury/Ashchurch area. The meaning of 'significant' in Tewkesbury/Ashchurch is best assessed in the local context, following the advice in paragraph 5.6.2 that the size of development is a matter for local plans. Some of the objectors argue that more residential allocations should be made in Tewkesbury/Ashchurch in order to achieve a balance between jobs and housing in Tewkesbury, and so reduce in-commuting, but in my view this would not justify any marked change in the overall distribution.
- 1.3.1.10 Some objections highlight the reference to the constrained nature of the Borough

in paragraph 5.7.9 and draw support from it for a greater concentration of development in less constrained areas in the northern part. Notwithstanding my comments above about the accuracy of the paragraph generally, I do not consider that this reference should be interpreted as a caveat to Policy H.4 and its clear focus on the CSV.

- 1.3.1.11 It has been suggested that any significant extensions to the urban areas of Cheltenham and Gloucester, apart from those at Quedgeley and Brockworth, would not accord with RPG10, since they should be brought forward as part of the third review of the structure plan. In principle this would appear to be a correct interpretation, since such extensions would be likely to require alterations to the Green Belt boundary of more than a minor nature. However, the interpretation of 'significant' is a matter for each case, and I deal with objections to particular allocations in the Plan and those that promote new urban extensions elsewhere in this report. In any event, I do not consider that Policy SS 12 of RPG10, which requires any urban extensions arising from the next round of structure plans to be planned on a sub-regional basis, should be interpreted as an embargo on the allocation of urban fringe sites in the RDDLP. The need for cross-boundary working between local planning authorities will undoubtedly increase in importance in the next round of plan preparation, but RPG10 does not prevent consideration being given at this stage to urban extensions within the CSV parts of the Borough. And in accordance with my conclusions elsewhere<sup>1</sup>, the Council should not be absolved from an assessment of the most sustainable options for development within the Plan period on the basis that this entails strategic issues.
- 1.3.1.12 Related to the question of balance are opposing views by some objectors about the amount of development that should be directed to villages. However, the distinct change in strategy between the Deposit Plan and the RDDLP, to remove the focus on village development, was required in order to comply with national planning policy and the GSPSR strategy. If the Stoke Orchard allocation is accepted as a village location, then 4.8% of the overall housing allocations is in villages. Any significant increase in this percentage would be likely to lead to unsustainable patterns of development and to conflicts with national, regional and county-wide policies. Site-specific objections regarding village development are considered in Volumes Two and Three of the report.
- 1.3.1.13 I have also considered the balance that would emerge from my recommendations that the Council should delete some of the RDDLP's allocations and consider bringing forward other sites. These would shift the balance further in the CSV's favour, while reducing the allocation in Tewkesbury/Ashchurch by the deletion of Policy AS5. However, even if the proportion of the Plan's allocation in Tewkesbury/Ashchurch were to be reduced to 6-7%, it would still accord with Policy H.4 of the GSPSR, so far as most of the development outside the CSV would be located in Tewkesbury/Ashchurch.

*Compatibility with PPG3 and the Need for Comparative Sustainability Assessments*

- 1.3.1.14 Some objections suggest that the Plan's focus on the CSV has artificially constrained the selection of sites, leading to unsustainable allocations. This is best tested by a comparative sustainability assessment of the Plan's housing sites, an exercise that is striking by its absence from any of the Council's working

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<sup>1</sup> See GBTGEN and GBT1.

documents. Core Document 37A, which was made available during the Inquiry to explain the process of site selection, indicates some of the stages that occurred and the sites that were examined. But it provides no evidence of any comparative sustainability assessment of the sites, taking into account the advice in paragraph 31 of PPG3 or its precursor documents and that in paragraph 9.2.2 of the GSPSR. I agree that this is a very serious flaw in the Plan and it goes some way to explaining why sites that are unsustainable have been proposed for allocation.

- 1.3.1.15 In response to these objections the Council has relied on the CSV strategy as the central tenet for the location of new housing development. I do not consider that it was wrong to do so, but Policy H.4 of the GSPSR provides a fuller expression of the sustainability underpinnings of the CSV concept than has been applied by the Council in its selection of sites. The policy makes clear that development should be provided in locations where employment, leisure, commercial and community facilities can be integrated and where there are opportunities to maximise the use of public transport. It also states that in providing for residential development, priority will be given to development within Gloucester and Cheltenham and then to locations adjacent or close by which are or can be easily and conveniently accessed by means of transport other than the private car. In my view this requires a critical appraisal, guided by the advice in paragraph 31 of PPG3, of the potential for any new housing site to match the sustainability tests set out in Policy H.4.
- 1.3.1.16 At this stage it is not possible to say that a very different balance between the CSV and the rest of the Borough would have been achieved if a PPG3-compliant approach had been followed. Much would depend on the opportunities that were assessed and especially on the approach to potentially sustainable sites in the Green Belt. Nonetheless, it is vital that proposed modifications of the Plan are based on a full comparative assessment of the sustainability of the proposed allocations. This would also address objections about the need for the environmental value of proposed sites to be explicitly appraised.

#### *Phasing and the Priority of Brownfield Development*

- 1.3.1.17 A number of objections raise concerns about the proposed phasing indicated in Policy HSG1. Those that are site-specific in nature are considered under the appropriate policy. Others relate more generally to the Plan's sequential categorisation of sites and to the priority that should be given to brownfield development. Dealing with the latter point first, the lack of an urban capacity assessment at an earlier stage in the preparation of the Plan has not assisted the aim of maximising the re-use of brownfield sites. However, I conclude below<sup>2</sup> that the most prudent option would be to allocate sites for 3770 dwellings but to ensure that the PMM process is informed by an up-to-date urban capacity study which will permit very careful scrutiny of the need for greenfield releases in the latter part of the Plan period. In any event, 53% of the RDDLP's allocations are classified as brownfield by the Council<sup>3</sup> and this would make a significant contribution to the Region's target for brownfield, albeit from a predominantly rural area. The phasing proposed in Policy HSG1 would bring forward all of the proposed brownfield sites, except for Policy AS5, in the first half of the Plan

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<sup>2</sup> See under Policy HSG1.

<sup>3</sup> This classification appears to be based on the definition used by the Gloucestershire Housing Monitor but objections are considered under site-specific policies that some have been inappropriately categorised as brownfield.



period. There appear to be good reasons for expecting that the Policy AS5 site could not come forward until later.<sup>4</sup> Seven sites classified as greenfield by the Council are also proposed to be released in the period up to 2006, three of which are in the CSV (Policies DH1, BC3 and WO1), and the remainder in Tewkesbury (Policy TE6) and in Winchcombe (Policies WI1, WI2 and WI3). I recommend elsewhere that some of these sites should be deleted from the Plan, but notwithstanding the reasons for my recommendations, the overall phasing strategy appears to be appropriate. It would provide a choice of new housing in locations throughout the Borough and this requires some greenfield releases in the earlier part of the Plan period.

- 1.3.1.18 The contention that all sites within the CSV should be phased for release in the first half of the Plan period, albeit that some are greenfield, is not accepted. This could harm the prospects for bringing forward brownfield sites in the same area and there is no evidence that it would be justified by any need to maintain a choice of new housing. Therefore, I do not accept that the sequential categorisation of sites in Policy HSG1 of the Plan should be used as a phasing device, and it is clear that the Council has not intended that it be treated in this way.
- 1.3.1.19 A number of objections challenge the sequential categorisation of particular sites, based especially on an alleged confusion of locational and sustainability factors. These are taken into account under the relevant local policies.

*Net Site Areas, Residential Development Boundaries, Status of Briefs*

- 1.3.1.20 The net site areas of the allocated sites are not referred to in the Plan, although they are provided in the Housing Topic Paper (CD38). Concern has been expressed that the realism of the site capacity figures are therefore difficult to appraise, and that monitoring of the progress of site development toward achieving the capacity figure would be more difficult. I agree that it would be desirable to incorporate the net site area figures within the Plan. It would not be appropriate, as another objection seeks, to delete specific housing numbers from the site allocation policies, since this would make monitoring of the housing provision very difficult.
- 1.3.1.21 Conflicting views about the use of Residential Development Boundaries (RDBs) in the Plan have been put forward. In my view they are necessary to implement the Plan's policies and to make clear where development may or may not be permitted. The exclusion of the proposed allocations from the RDBs has been criticised as illogical and I tend to agree. It would result in substantial new developments lying outside the defined RDBs until the Plan is formally reviewed. The precise line of the RDB may be difficult to define because of the nature of some proposed allocations, but I consider that these cases do not outweigh the advantages of the more logical approach.
- 1.3.1.22 Policy HSG1 includes a statement that planning permission would not be granted for any of the allocated sites in advance of a design and development brief being approved by the Council, and the reasoned justification expands on the significance of this requirement. The objection that this goes beyond the guidance

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<sup>4</sup> See under Policy AS5 in Volume Two.

set out in PPG1 and PPG12 is accepted and I consider that the relevant wording should be deleted from the policy and the reasoned justification. It should be replaced by modifications to the last two paragraphs of the reasoned justification to say that design and development briefs will be prepared for each site in consultation with interested parties and will be taken into account as a material consideration in the determination of planning applications. The introduction to the Housing Chapter needs to be modified accordingly and the reference to detailed standards being set out in briefs should be deleted.

### *Other Objections*

- 1.3.1.23 A number of other objections to the general strategy and housing policies of the Deposit Draft have been overtaken by the changes made to the RDDLP which take account of the adopted GSPSR. In this respect the lower allocation for Tewkesbury/Ashchurch may help to address concerns that the area needs time to assimilate recent growth and resolve flooding problems. The suggestion that a new town solution would address the problem of identifying sustainable sites for new housing would not accord with the GSPSR<sup>5</sup>. Affordable housing issues are dealt with under Policies HSG15, 16 and 21. Objections relating to specific sites are taken into account under the respective policy headings in Volume Two, and those that concern the numbers set out in Policy HSG1, including some that question the need to fulfill the GSPSR requirement, are considered under that policy.
- 1.3.1.24 As requested in an objection, the introduction to the Housing Chapter needs a cross reference to Policy HSG1, referring to the sequential approach and the Council's urban capacity study, but I do not agree that a reference to Quedgeley, which is outside the Borough's administrative area, would be appropriate. The objection to the addition of the new, fifth objective for the housing policies is not supported; it is clearly expressed and in keeping with the criteria in paragraph 31 of PPG3. A need to aim for higher densities is suggested, and I agree that this would accord with the general intent of PPG3 to make the best use of available land. It would therefore be appropriate to amend the third objective of the housing policies, as set out in the introduction to the chapter, to include a reference to making more efficient use of land. An objection referring to potential sites in Cheltenham Borough does not require any modifications to the Plan. Another that refers to the design of housing estates is a matter of detail that can be addressed through the implementation of the Plan's development control policies.

### *Recommendations*

- 1.3.1.25 (i) The Plan be modified by redrafting the Introduction and the introduction to the Housing Chapter to make clear how the selected distribution of new housing sites would contribute to a more sustainable pattern of development. In particular, the Key Objectives of the Plan should be re-drafted so that the promotion of sustainable development is at their core. The Introduction to the Plan should also make explicit links between the Key Objectives and the main locational policies of the Plan. The modified Key Objectives should relate to the aims of national planning policies, especially as set out in PPG1 and PPG3, including the sequential approach to site selection and the

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<sup>5</sup> See also my considerations under LPOLNP Boddington, in Volume Three.

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principles of Plan, Monitor and Manage.

- (ii) As part of the modifications to the housing allocations recommended elsewhere in this report, a full comparative sustainability assessment of the proposed housing sites should be undertaken and made publicly available as a background study for the modified Plan.
- (iii) The third objective of the housing policies, as set out in the introduction to the chapter, be modified to include a reference to making more efficient use of land.
- (iv) A cross-reference be inserted in the introduction to the Housing Chapter to Policy HSG1, referring to the sequential approach and the Council's urban capacity study.
- (v) The text of the local policies be modified to include the estimated net site areas.
- (vi) The Residential Development Boundaries as shown on the Proposals Map be modified to include the proposed allocations in the Plan.
- (vii) The Introduction to the Plan and Policy HSG1 and its reasoned justification be modified to delete references to planning permission not being granted until development briefs have been approved, and to detailed requirements being set out in briefs. The deleted references be replaced by wording to the effect that design and development briefs will be prepared for each site in consultation with interested parties and will be taken into account as a material consideration in the determination of planning applications.
- (viii) No other modification be made to the Plan in response to these objections.

## HSG1

## Housing Allocations

### *Objections*

*See Appendix D for the list of objections to this policy*

### *Main Issues*

- *adequacy of the base data*
- *need for a flexibility/non-implementation allowance*
- *implications of the Urban Capacity Study*
- *reliability of the windfalls forecast*
- *soundness of the density assumptions*

### *Inspector's Considerations and Conclusions*

#### *Preamble*

- 1.3.2.1 Policy H.2 of the GSPSR sets out the distribution of the overall housing provision between the districts. Tewkesbury Borough's provision figure is set at about 9,900 dwellings. Some objections to the Deposit Draft refer to incompatibility between the Plan and the GSPSR requirement but these have been overtaken by changes made in the RDDLP which seek to reflect fully that requirement. Others reject the burden of accommodating the scale of development that is sought or criticize the system for allocating housing provision through regional and structure plans to local plans. However, none have made a substantive case that the GSPSR figure is not the correct starting point for the assessment of the Plan's overall provision for housing and I have no reason to suggest otherwise. Various objections refer to the meaning of 'about' or express preference for the wording 'up to' instead of 'about'. In my view the use of 'about' is a proper reflection of the GSPSR's requirement and makes clear that the provision calculations are not intended or expected to be a precise mathematical figure.
- 1.3.2.2 Policy HSG1 sets out the residual housing requirement for the period up to 2011 as 3770 dwellings. This takes account of completions from the beginning of the Plan period, existing commitments at 1<sup>st</sup> January 2000, and a windfall allowance for the remainder of the Plan period. CD53 and 53A provide updated information on completions and windfalls estimates with the result that the residual requirement is reduced slightly to 3718 dwellings. With the proposed allocation of 3770 dwellings, the Plan would entail an over-provision of 52 dwellings. The Council's Urban Capacity Study (CD46) was not completed until February 2002 and therefore did not provide an input to the identification of sites to meet the housing requirement, but as discussed below it throws some light on the robustness of the windfalls estimate.

#### *Adequacy of the Base Data*

- 1.3.2.3 A number of objections raise concern about the reliability of the base data, given

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the change from gross to net figures for completions that took place in 1998. CD53 and 53A seek to address this matter and they indicate that the methodology used to produce the completions data for the Plan has under-estimated the completions figure by only 80 dwellings. While one objector has sought further clarification of the data in CD53 and 53A, I have no reason to doubt its accuracy. In any event I consider that the difference between the various figures put forward is of such little magnitude that it would not have any significant effect on the overall provision made by the Plan for about 9900 dwellings as required by the GSPSR (my underlining).

- 1.3.2.4 Another matter raised in some objections is the effect of the change from gross to net completions figures on the data used to prepare the windfalls forecast. Again CD53 and 53A address this matter. They also correct the methodology for projecting the windfalls figure beyond five years, to take account of 100%, not 65%, of completions, since there should be no danger of double-counting in the second five-year period. For the same reason that the effect of the changed basis of computation seems to have very little significance in Tewkesbury, I do not consider that there is any cause for serious concern about the reliability of the base data.
- 1.3.2.5 A minor query about the correctness of the table on pages 3 and 4 of TBC 37 has been resolved and it is accepted that the remaining capacity of the aggregate of small sites of one to five dwellings at 1.1.2001 is 126, not 147. Therefore the total remaining capacity is 1183, not 1204 dwellings. This does not alter fundamentally the basis on which Policy HSG1's provision is calculated.

### *Need for a Flexibility/Non-Implementation Allowance*

- 1.3.2.6 The objections include calls for the residual requirement figure to be increased by around 10% to take account of the non-implementation of planning permissions or other failures to achieve the housing provision made by the Plan. Such objections were commonly made before PPG3 was revised in March 2000 and were based on some evidence that land availability studies tended to overstate the contribution of completions on identified sites over a five-year horizon. However, in my view the revised PPG3 has clarified and emphasised through its exposition of the Plan, Monitor and Manage (PMM) approach that local plan making is a continuous process, and that housing requirements and the way in which they are met should be kept under regular review. In accordance with the advice, site allocations should be reviewed and updated as the plan is reviewed and rolled forward at least every five years, and local planning authorities are expected to be prepared to alter or revise their plan policies in the light of that monitoring.
- 1.3.2.7 PPG3 goes on to emphasise that it is essential that the operation of the development process is not prejudiced by unreal expectations of the 'developability' of particular sites, nor by planning authorities seeking to prioritise development sites in an arbitrary manner. But this is a different matter that requires a soundly-based site selection process. Any justification that may have existed prior to the revised PPG3 for the application of a non-implementation allowance to elements of the housing provision calculations no longer applies. The process for dealing with non-implementation is the monitoring and review of the Plan itself. The application of a non-implementation allowance would not only be contrary to the principles of PMM but could lead to

over-provision of housing sites in certain circumstances and to the undermining of urban regeneration strategies. In any event, available evidence suggests that the rate of non-implementation of commitments in the Borough is as low as 1%.

- 1.3.2.8 It is also argued that a flexibility allowance should be added to the residual requirement to prevent a housing land supply vacuum. I accept that the release of sites is unlikely to provide a steady flow of opportunities throughout the Plan period and that peaks and troughs are more likely to occur, but this would be compensated for, at least in part, by windfalls that come forward throughout the period. The addition of a flexibility allowance would not necessarily even out the rate of release of sites, and it could lead to unnecessary reliance on greenfield development, contrary to the objectives of PPG3. Also, it appears that steps are being taken to facilitate the release of sites as soon as possible; one of the Plan sites is already under construction, proposals for the very large Brockworth site are being developed in tandem with the Plan, and others already have the benefit of planning briefs.
- 1.3.2.9 The Ministerial Statement on 17 July 2003 requires that development plans should make provision for at least 10 years' potential supply of housing from the forecast adoption date of the Plan, in accordance with paragraph 6.8 of PPG12. Therefore, while I do not recommend the addition of a flexibility allowance, in bringing forward the recommended modifications to the Plan, the Council should demonstrate how the advice in PPG12 has been applied.

*Implications of the Urban Capacity Study*

- 1.3.2.10 The Council has pointed to the timing of publication of the best practice guidance on 'Tapping the Potential' in December 2000 as the reason why an Urban Capacity Study (UCS) for the Borough could not be completed in time to inform the housing provision policies in the RDDLP. Clearly, had the UCS been available earlier in the plan-making process, the brownfield capacity of the Borough could have been assessed more fully, thereby addressing the concerns of some objectors. In any event the Urban Capacity Study (CD46) was published in February 2002, and it has been used as a means of testing the adequacy of the windfall assumption in Policy HSG1.
- 1.3.2.11 The UCS covers the period from 1<sup>st</sup> January 2001-mid 2011. Following consultation with the HBF about methodology, six urban areas were identified for assessment. Within these, a total of 101 sites were identified for detailed appraisal (only those sites considered likely to accommodate 10 or more dwellings were specifically identified). A figure was included for the residual part of each urban area based on trend information (particularly windfalls and commitments data), a character area approach and other factors. The total capacity identified by the UCS after discounting is 955 dwellings, a significant number of which (250 dwellings) is from one large site at RAF Innsworth. The potential of brownfield sites outside the urban areas to yield windfalls is also noted, and it is suggested that this could add another 280 dwellings to the total.
- 1.3.2.12 In general the methodology and the conclusions of the UCS have elicited a large measure of agreement from objectors, although criticisms of some of the individual site assessments have been made, especially about viability and ownership constraints. But it needs to be borne in mind that the methodology

incorporates a mix of site-specific opportunities and examples of development opportunity. Only a proportion of the latter are identified as contributors to urban capacity. Also, the policy judgements that are made in the discounting process appear sound and in keeping with PPG3's approach. The significance of the large site at RAF Innsworth (CIL6) for the overall capacity figure is noted, but there is no substantive evidence to suggest that it should be excluded from the calculations or that the density assumed for it is too high. The role of urban capacity studies in highlighting brownfield development opportunities has been demonstrated in this case by a number of proposals that have come forward as a result of the study. It is also noteworthy that some of these are on sites that were dismissed as being inappropriate for inclusion, and one has come forward as an omission site at the inquiry. Overall, I consider that the study is generally sound, transparent, and rigorous in its approach and realistic in its appraisal of development potential. If anything, it may err on the side of caution, but as the first complete UCS for the Borough it is perhaps wiser to do so.

*Reliability of the Windfalls Forecast*

- 1.3.2.13 Policy HSG1 sets out the expected contribution from windfalls over the period 2000-mid 2011 as 879 dwellings. The Housing Topic Paper (CD38) provides an updated windfall estimate from 2001 to mid-2011 of 771 dwellings. Both figures are derived from a mixture of net and gross completions figures historically. As referred to above, CD53 and 53A have revisited this data. They seek to produce a more refined figure that takes account of losses from the housing stock, the advice in PPG3 about what should be included in windfalls figures, and a correction to the methodology used to avoid double-counting. As a result, the total windfall estimate 2001-2011 is put at 909 dwellings.
- 1.3.2.14 Some objections question the apparent reliance on windfalls in the Plan, given that the Policy HSG1 estimate amounts to some 23% of the residual requirement. But I find no reason to expect that future capacity for windfalls would be less than that which has been achieved in recent years, especially given the policy presumption in favour of more efficient use of urban land. And it is apparent from the above that the findings of the UCS and of the re-working of the windfalls completions data broadly support the windfall estimates underpinning the residual housing provision figures. Specifically, they suggest that the windfalls estimates in Policy HSG1 and in CD38 are likely to be slightly over-shot, not under-achieved. However, in the interests of clarity and to assist monitoring, the Plan should explain the basis of the windfalls estimate and its relationship to the capacity identified by the UCS.
- 1.3.2.15 Other objectors would wish to see the potential indicated by the UCS and by the re-worked windfalls estimates translated into a reduction in the residual housing requirement, in order to minimise the development of greenfield land. However, the Council would accept that the UCS needs to be refined; this is the first study of its kind carried out in the Borough, and annual reviews to refine the methodology and test the assumptions used are planned. Even though there may be potential to reduce the residual requirement through an adjustment of the windfalls estimate, I do not recommend this at this stage. The most prudent approach would be to allocate sites for some 3770 dwellings, as Policy HSG1 seeks to do, but to ensure that the PMM process is informed by an up-to-date UCS which will permit very careful scrutiny of the need for greenfield releases in the

latter part of the Plan period. Such a course of action would not prevent the Council from considering whether it would be appropriate to put forward some of the sites identified in the UCS, as proposed modifications to the Plan, in order to replace allocations that I recommend should be deleted<sup>6</sup>.

## ***Density Assumptions***

- 1.3.2.16 The total provision made by Policy HSG1 is underpinned by estimates about the net housing densities that will be achieved on the individual site allocations. These are set out in Table 7 of CD38. In response to objections that the Plan needs to include the details of the net site areas, I have recommended elsewhere that modifications should be brought forward to provide this information in respect of each housing site that is allocated.<sup>7</sup> The broader question that arises from some of the objections is whether the density estimates are a sound and appropriate basis on which to rely for the purposes of Policy HSG1. Site-specific objections challenge some of the density assumptions, most notably in respect of Policy BR1, but I have concluded<sup>8</sup> that the average density envisaged for that site is appropriate. In the case of other sites my recommendations on objections relating to density do not have any very significant implications for the numbers of dwellings that would be provided, nor therefore do they materially affect the numbers indicated in Policy HSG1.
- 1.3.2.17 In general the Plan seeks to achieve average densities within the range specified in PPG3 and there is no convincing reason to doubt that these can be achieved. Although some objectors contend that it would be difficult or inappropriate to seek densities much above the minimum of the PPG3 range, given the character of the district, I consider that there is nothing so exceptional about the Borough that national planning policy guidance and good practice advice on density should not apply. There is no reason why, with good design and layout, land cannot be used more efficiently without compromising the quality of the environment. This may require more imaginative thinking than has hitherto been the case, but the onus to do so has been placed clearly by Government policy on local planning authorities and developers. Therefore, in broad terms I consider that the total allocation of 3770 dwellings in Policy HSG1 is based on policy assumptions about density that are appropriate and achievable.

## ***Other Matters***

- 1.3.2.18 Objections that concern specific sites allocated under Policy HSG1 are considered under the respective policies in Volume Two. In accordance with my recommendations on these objections, consequential modifications to Policy HSG1 are required. Accordingly, the sites identified as BR4, SH1, DH1, HM2, BC4, SH3, AS5, WI1, WI2, and ST1 should be deleted from Policy HSG1, and the capacity figure in respect of site SO1 should be modified to 110 dwellings.

## ***Conclusions***

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<sup>6</sup> See my recommendations in respect of the objections to the Policy HSG1 allocations in Volume Two of the report.

<sup>7</sup> My recommendations in respect of HSGGEN (Housing – General).

<sup>8</sup> See under BR1 in Volume Two of the report.



- 1.3.2.19 I consider that the basis on which Policy HSG1 makes provision for 3770 dwellings is generally sound and in keeping with the requirement of the GSPSR. Updated information and refinement of methodologies indicate that some corrections of the calculations set out in the second paragraph of Policy HSG1 would be appropriate, but their significance does not warrant any modification to the total provision figure. The application of a flexibility allowance to elements of the calculations would not be appropriate since it would be contrary to the proper application of the PMM approach, set out in PPG3, and there is no convincing evidence that it would be justified by any particular circumstances in the Borough. Subject to the inclusion of an explanation of the windfalls estimate and the relationship of the UCS to the Plan, to the updating of the table referred to above, to ensuring that the advice in PPG12, paragraph 6.8 is explicitly addressed, and to the consequential modifications referred to above and those required under HSGGEN, no other modification to Policy HSG1 is recommended in response to these objections.

### ***Recommendations***

- 1.3.2.20 (i) Policy HSG1 be modified by updating the table of calculations of the net dwelling requirement to reflect the information set out in CD53A.
- (ii) The reasoned justification for Policy HSG1 be modified by including an explanation of the basis of the windfalls estimate and the relationship of the UCS to the Plan.
- (iii) In bringing forward the recommended modifications to the Plan, the Council should demonstrate that the advice in PPG12, paragraph 6.8 on provision for at least 10 years' potential supply of housing has been applied.
- (iv) Consequential modifications be made to Policy HSG1, having regard to my recommendations elsewhere in the report on the site-specific allocations. Therefore, the sites identified as BR4, SH1, DH1, HM2, BC4, SH3, AS5, WI1, WI2, and ST1 should be deleted from Policy HSG1, and the capacity figure in respect of site SO1 should be modified to 110 dwellings and its phasing modified to 2001-2011.
- (v) In the light of my recommendations under HSGGEN, replacement sites be brought forward as housing allocations in modifications to the Plan, after a full comparative assessment of the sustainability of the alternative options has been undertaken.
- (vi) No other modification be made to the Plan in response to these objections.

## **HSG2                      Larger Settlements Containing a Primary Level of Community Facilities and Services**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *appropriateness of residential development boundaries*
- *distinction between urban and rural housing development, definition of 'larger settlements' and criteria for inclusion*
- *inclusion/exclusion of certain settlements*
- *site-specific proposals for modifications to boundaries*

### ***Inspector's Considerations and Conclusions***

- 1.3.3.1      In accordance with Policy HSG2, residential development would be permitted within the defined Residential Development Boundaries (RDBs) of identified settlements, subject to certain criteria. The reasoned justification refers to the rural housing strategy of the GSPSR which restricts development to those larger settlements containing an adequate level of community facilities and services.
- 1.3.3.2      Objection is made to the principle of defining RDBs, but as I conclude under HSGGEN above, these are an appropriate tool for the implementation of the Plan and should be retained. There is no reason why RDBs would 'fossilize' settlements; they would encourage renewal within them, and if there is a demonstrable need for enlargement, this could be considered in a review of the Plan. My recommendation<sup>9</sup> that sites allocated for development in the Plan should be included within the RDB would help to remove any misunderstanding about the intent of Policy HSG2.
- 1.3.3.3      Other objections question the basis for the inclusion of the settlements listed in the policy, especially in terms of the advice in PPG7 and PPG13. I agree that the policy is not properly justified. The Plan does not explain what is meant by 'larger' settlements or an 'adequate' level of facilities. There are considerable disparities in size and in the level of facilities between the settlements included in the policy. While some, for example Tewkesbury, offer a wide range of day-to-day services, Maisemore does not have a primary school, shop, post office, library or GP surgery. It appears that the population of the listed settlements varies from under 500 to over 11,000. The GSPSR states that it is essential that villages where housing is proposed are well served by public transport, but Policy HSG2 draws no distinction between accessibility by car or other means to the surrounding urban areas. Therefore the policy fails to make an adequate distinction between settlements which are essentially urban or rural in nature, nor does it address the implications for travel and car use of permitting new residential

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<sup>9</sup> See HSGGEN above.

development within the settlements.

- 1.3.3.4 I consider that the policy requires modification to reflect a fundamental review of the function of the settlements and their role in accommodating further residential development, in the light of national, regional and structure plan policies. The settlements included in the policy should be capable of satisfying a range of criteria relating to their level of services and facilities, including a good level of accessibility by public transport to surrounding urban areas. Some objections contend that new housing should be permitted in settlements without facilities, because the provision of services and facilities could be expected to follow residential development. But I consider that this effect would not occur below a certain threshold, and that an unsustainable pattern of expansion of very small settlements would result if the objections were sustained.
- 1.3.3.5 It follows from the above that the list of settlements included in Policy HSG2 should be critically reviewed and their numbers reduced. Nonetheless, specific objections are made to the inclusion of Alderton, Apperley, Maisemore, Twynning and Woodmancote within the policy. Having regard to their level of facilities and public transport connections to urban areas I consider that there is inadequate justification for including the first four of these as settlements where residential development would be appropriate in principle; therefore they should be deleted from the policy. The suitability of including the first four in an 'infilling-only' policy should be examined, together with the other settlements already identified in Policy HSG3.
- 1.3.3.6 So far as Woodmancote is concerned, the Parish Council regard its shortage of recreational facilities, only one shop, and no doctor's surgery or youth facilities, as reasons why it should not be a Policy HSG2 settlement. However, as I have concluded in respect of the objections to Policy WO1, it is generally appropriate to look to Bishops Cleeve/Woodmancote for sites for new residential development. Woodmancote is perceived locally as a separate village with an identity that is distinct from Bishops Cleeve, but the continuous urban area formed by the two offers a good range of facilities and services. Within this context, the enlargement of Woodmancote as proposed in the RDDLP would not be excessive. The proposed site scores well against a number of the indicators proposed in RPG10 Annex A as measures of accessibility. The nearest primary school is only 100m from the site, and a convenience store/post office is within about 500m walking distance. Two supermarkets, a wider range of shops and medical/dental services are available in Bishops Cleeve, about 1km from the site. Cleeve School, providing secondary education is 1km away, and there is a range of employment opportunities in Woodmancote and Bishops Cleeve, many of which are within convenient cycling distance. The M27 bus route along Station Road provides a half-hourly service in the peak period between Bishops Cleeve and Cheltenham, with hourly services for the rest of the day, and there are limited evening and Sunday services.
- 1.3.3.7 Other objections seek the inclusion of Ashchurch as a Policy HSG2 settlement. The Council indicated at the Inquiry that in view of the allocation AS5, relating to the MoD lands, it would now be appropriate to re-classify the settlement under HSG2. For reasons set out in Volume Two, however, I recommend that Policy AS5 be deleted from the Plan. Nonetheless, I consider that the relationship between the existing settlements at Ashchurch and Northway and its accessibility

by bus and especially train services to urban areas would make Ashchurch suitable for inclusion as a HSG2 settlement. On this basis a special policy for meeting church needs would not be required because a new rectory within the RDB would be acceptable in principle, and any proposals for improvement of parish facilities could be considered under the Plan's existing policies. On a separate point, it would be logical to extend the RDB to include the Family Quarters Estate.

- 1.3.3.8 A number of site-specific proposals for alterations to the proposed RDBs are put forward in the objections. The sites at Green Bank/Kennel Lane (Brockworth), at Highnam and Winchcombe are considered elsewhere in this report.<sup>10</sup> In respect of the others in general, I do not consider that it would be appropriate to extend the area within which development in principle would be permitted. In my view none of these sites are in 'larger' settlements to which the policy should properly apply, and any development proposals that come forward on them would be appropriately considered under the other policies of the Plan.
- 1.3.3.9 Other criticism of the criteria within the policy is not accepted. It is reasonable to require that new development would be in harmony with the scale and character of its setting and that it would not entail the loss of important local features. Another objection linking the need for Green Belt review with the implications for review of RDBs, in particular at Brockworth and Churchdown is noted. Site-specific cases are considered in Volume Three, and Green Belt issues in general are considered under GBTGEN and GBT1 in this report. I have no doubt that the sustainability advantages of Churchdown and other locations will be taken into account, together with the need not to compromise Green Belt objectives, in any reassessment in accordance with my recommendations elsewhere in the report.

## ***Recommendations***

- 1.3.3.10(i) Policy HSG2 be modified following a fundamental review of the function of the settlements listed in the policy and their role in accommodating further residential development, in the light of national, regional and structure plan policies. The settlements included in the policy should be capable of satisfying a range of explicitly-defined criteria relating to their level of services and facilities, including a good level of accessibility by public transport to surrounding urban areas.
- (ii) Notwithstanding (i) above, the settlements of Alderton, Apperley, Maisemore and Twyning be deleted from Policy HSG2 and their suitability for inclusion within Policy HSG3 should be assessed.
- (iii) The settlement of Ashchurch be included in Policy HSG2, and deleted from Policy HSG3, and for the avoidance of doubt, the Residential Development Boundary for the settlement should be extended to include the Family Quarters Estate at MoD Ashchurch.
- (iv) No other modification be made to the Plan in response to these objections.

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<sup>10</sup> See under the omission sites in Brockworth and Winchcombe in Volume Three, and under Policy HM2 (Highnam) in Volume Two.

## **HSG3            Other Villages - Infilling Only**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compatibility with national planning policy*
- *need for flexibility*
- *justification for adding Staverton, Aston-on-Carrant and Pamington to the list of settlements*
- *site-specific cases for modifying RDBs*

### ***Inspector's Considerations and Conclusions***

- 1.3.4.1      Policy HSG3 identifies a number of villages within the Borough where residential development would be restricted to infilling, subject to certain criteria. The reasoned justification explains that the policy applies to villages which are generally larger historic, nucleated settlements containing a distinct and cohesive grouping of buildings, although generally without the range of facilities or better accessibility of those villages covered by Policy HSG2.
- 1.3.4.2      One of the objections points out that the Plan does not adequately explain how provision for residential development in settlements without a primary level of services and facilities will meet strategic objectives, and it seeks re-consideration of the list of settlements accordingly. The primary concern of this objection is to ensure that urban housing needs are not met in rural areas, and I agree that the policy as framed would be unlikely to achieve this important element of sustainability. My recommendations on objections to the general housing strategy of the Plan (HSGGEN) and to Policy HSG2 in particular are also relevant to this matter. On this basis I consider that the specific settlements included in Policy HSG3 require fundamental re-evaluation to distinguish those in which some provision for development to meet the needs of rural communities would be justified. The locational principles set out in paragraph 2.10 of PPG7 should guide the selection of settlements. The Plan should then provide positive guidance about the type and scale of residential development that would be appropriate in these settlements.
- 1.3.4.3      A number of other objectors seek greater flexibility in the policy, to permit more opportunities for residential development within settlements or extensions beyond the settlement boundary. For the reasons given above I do not concur. It would not reflect national planning policy advice or the strategic policy framework of RPG10 and the GSPSR to relax control over residential development in the countryside. The essence of the national and strategic policies is that the countryside should be protected for its own sake, and that new development should aim to achieve a better balance between employment and housing in rural communities, thereby reducing the need to travel. With regard to the definition

of 'infilling' in the policy, I note that it does not reflect the wording in PPG7 which refers to the sensitive infilling of small gaps within small groups of houses or minor extensions to such groups. Nonetheless, as PPG7 goes on to state, much would depend on the character of the surroundings and the number of such groups in the area. Subject to my recommendation above, I consider that the Plan is justified in retaining the definition set out, given that the RDBs are drawn as part of a Plan-led approach to defining the opportunities for an appropriate level of new residential development in the identified settlements. This would not exclude the potential for new housing to come forward as part of the 'rural exceptions' approach where a particular local need is identified.<sup>11</sup>

- 1.3.4.4 It is argued that Staverton should be identified as a Policy HSG3 settlement, instead of its proposed categorisation within Policy HSG4. The contention is that it fits within the description of Policy HSG3 villages as set out in the reasoned justification, and also that Green Belt policy which applies to this settlement should be relaxed to allow infilling. The implication for Policy GBT1 is considered elsewhere in this report, but I do not consider that Staverton should be re-classified as a HSG3 settlement in any event. It comprises a very small, loosely-knit arrangement of buildings and open spaces, and its sole community facility is the church. An infilling policy could have a significant impact on the form and size of the village, as well as requiring increased use of the car to gain access to day-to-day facilities. In respect of Aston-on-Carrant and Pamington, their small size and lack of facilities also makes them unsuitable for an infill policy, in the light of the considerations set out in the second paragraph above. Their exclusion from Policy HSG3 would not prevent any proposal for the re-use of agricultural buildings being considered on its merits. It is also important to note that there has been an important shift in emphasis in national planning policies since the Tewkesbury Ashchurch Local Plan was prepared, and therefore I do not consider that the treatment of Aston-on-Carrant in that plan is an important consideration for the RDDLP.
- 1.3.4.5 Some objections seek specific modifications to the proposed RDBs of certain settlements listed in the policy, to permit additional housing within the villages. The case in respect of the CRE site at Stoke Orchard is considered elsewhere in this report.<sup>12</sup> In respect of the other proposals, none merits any alteration to the RDBs in my view. The relatively tightly-drawn RDBs are consistent with an approach which seeks to limit new housing in settlements without a primary level of services and facilities, and it would be contrary to national and strategic policies to encourage expansion of such settlements. The exclusion of open spaces within the built-up areas of some of the villages from the RDB is also justified by the need to protect the form and pattern of settlements. In the case of Sandhurst, for example, the field proposed for inclusion within the RDB is a substantial open area that contributes positively to the rural character of the village. In the settlement of Tirley, I find no evidence that the suggested enlargement of the RDB would have any effect on the social inclusiveness of the existing pattern of development, and it would lead to an unsustainable expansion of a very small settlement without a primary level of services and facilities. The objection concerning Ashchurch is considered under Policy HSG2 above.

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<sup>11</sup> See Policy HSG15

<sup>12</sup> See under Policy ST1 in Volume Two.

***Recommendations***

- 1.3.4.6 (i) Policy HSG3 be modified to reflect a fundamental re-evaluation of the role and function of the settlements listed in the policy. This should identify only those settlements in which some provision for development to meet the needs of rural communities, as opposed to urban housing needs, would be justified. The locational principles set out in paragraph 2.10 of PPG7 should guide the selection of settlements. The modified policy should provide positive guidance about the type and scale of residential development that would be appropriate in the settlements.
- (ii) No other modification be made to the Plan in response to these objections.

## **HSG4            Other Settlements/Rural Areas**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *justification for restrictions on development*
- *need to permit exceptional cases*
- *treatment of Ashchurch and Aston-on-Carrant*
- *flexibility for redevelopment of previously-developed sites*

### ***Inspector's Considerations and Conclusions***

- 1.3.5.1      Policy HSG4 sets out the policy framework for residential development proposals in rural areas or in settlements not covered by other policies of the Plan. In these areas, residential development would only be permitted where it would be essential for agricultural or forestry purposes, or would involve the acceptable conversion of an existing building, or the provision of affordable housing.
- 1.3.5.2      An objection is made that the policy is unduly restrictive by not permitting infill or small-scale housing development in hamlets and villages in sustainable locations. Examples are put forward in the Chargrove area that are excluded from the Shurdington RDB. The implications for Green Belt policy of the amendments suggested to the RDB are considered elsewhere in this report, but in general I consider that Policy HSG4 should not be made less restrictive. It reflects national planning policy that sporadic residential development in the open countryside, away from established settlements or from areas allocated for development in development plans, should be strictly controlled. The mere location of a site on a public transport route does not make it a sustainable housing opportunity. Paragraph 3.21 of PPG7 expands on the exceptional circumstances in which residential development in the countryside might be acceptable, including sensitive infilling of small gaps within small groups of houses or minor extensions to groups. But as it states, much would depend on the character of the surroundings and the number of such groups in the area. In the light of this advice, I do not consider that it would be appropriate to modify the policy to incorporate any other exceptional case.
- 1.3.5.3      For similar reasons it would not be justified to allow exceptions within the policy for new enterprises and businesses such as dog kennels. Needs arising from diversification of the rural economy can be addressed within the terms of the Plan, by the policies set out in the Agriculture Chapter, and in general, rural diversification is more likely to entail new employment opportunities for the locally-resident population, not new dwellings. Elsewhere, new businesses and any associated housing demand could be accommodated in those settlements that are identified for some development under the terms of Policies HSG2 and HSG3.



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The justification for new dwellings in the countryside that do not fall within the categories specified in Policy HSG4 would require very careful scrutiny, and the current wording of the policy would not prevent any such case being considered on its merits.

- 1.3.5.4 The objections concerning Ashchurch and Aston-on-Carrant are considered under Policies HSG2 and HSG3. The representations concerning the opportunities presented by brownfield sites relate particularly to the Bentham Works at Witcombe, and are considered under GBTNP. But the general argument that Policy HSG4 is unduly restrictive in this regard is not accepted. As Policy S.3 of the GSPSR states, previously developed land may exist in rural areas but it may be in locations where development could be intrusive in the countryside or highly unsustainable. These sites should not be used for housing where they would generate substantial traffic flows, particularly by car, in order to gain access to employment, local education, shopping and other day-to-day activities. For these reasons I do not consider that Policy HSG4 requires any modification to address brownfield issues.

### ***Recommendation***

- 1.3.5.5 No modification be made to the Plan in response to these objections.

## **HSG5     New Housing Development within Existing Residential Areas**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *importance of vacant land for biodiversity*
- *provision for water supply and drainage infrastructure*
- *encouragement for higher densities and a flexible approach to car parking standards*

### ***Inspector's Considerations and Conclusions***

- 1.3.6.1     Policy HSG5 sets out the planning and design requirements for the development or redevelopment of areas covered by Policies HSG2 and HSG3. The text of the RDDLP includes amendments to the reasoned justification which refer to biodiversity interests. In my view they go some way towards resolving the objection, although they are not reflected in changes to the policy wording requested by the objector. However, the Plan should be read as a whole and Policy NAT8 seeks to protect and enhance biodiversity when considering development proposals. In my view it should not normally be necessary to insert cross-references throughout the Plan to other relevant policies, and I do not consider that any modifications are required in response to this objection.
- 1.3.6.2     Similarly in the case of water and drainage requirements, Policy GEN11 states, amongst other matters, that planning permission would not be granted for development unless the necessary infrastructure and public services are either available or can be provided. I consider that this policy addresses the matters raised in the objection.
- 1.3.6.3     Another objection seeks modification of the policy to provide greater flexibility in the design and layout of schemes on brownfield sites. However, I do not agree that the wording of the policy criteria would inhibit schemes for higher densities or innovative layouts and designs on these sites. The third criterion could be expected to apply to any development scheme, irrespective of whether it is on a brownfield or greenfield site. The first criterion specifically allows for increases in density or site coverage, provided that it would integrate harmoniously with surrounding land uses. In my view these provide the right level of flexibility and there is no reason why they should be used to discourage the best possible re-use of brownfield sites. My recommendation that the Plan's objectives for housing should include a reference to the need to make more efficient use of land would also address the objector's concerns.
- 1.3.6.4     It is contended that the policy does not allow the necessary flexibility in car parking standards that may be required to make the best use of land. This issue is considered under Policy TRP16 in my report. Finally, in the light of my recommendations on Policy HSG4, it would not be appropriate to include a

reference to that policy in Policy HSG5, as requested by one objector.

***Recommendation***

1.3.6.5 No modification be made to the Plan in response to these objections.

## **HSG6                      Refurbishment of Existing Dwellings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *clarity and relationship with Policies HSG7 and HSG8*

### ***Inspector's Considerations and Conclusions***

- 1.3.7.1      Policy HSG6 encourages the retention, repair and refurbishment of existing dwellings in the countryside, especially where they are of historic significance or make a positive contribution to the landscape. The objection is concerned that the policy could be used to favour repair instead of replacement, which is dealt with by Policy HSG7, that the relationship between the two policies is unclear, and that Policy HSG8 deals adequately with extensions to dwellings. It is suggested therefore that Policy HSG6 could be deleted.
- 1.3.7.2      I do not agree that the policy is unnecessary or lacks clarity in its relationship with Policy HSG7. It addresses the need for guidance on proposals to refurbish existing dwellings, while discouraging their transformation into something that differs radically from the original. In this sense it favours repair rather than replacement, but I can find no reason to conclude that a proposal under Policy HSG7 might be refused by reason of Policy HSG6. Policy HSG7 is clear in its intent to permit the rebuilding and replacement of existing dwellings, subject to the specified criteria. Also, Policy HSG8 deals with domestic extensions in general, whereas the reference to extensions in Policy HSG6 is in the context of proposals to refurbish dwellings in the countryside. These raise different issues, and I consider that the separate policy treatment is appropriate.

### ***Recommendation***

- 1.3.7.3      No modification be made to the Plan in response to this objection.

## **HSG7                      Replacement Dwellings**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issue***

- *removal of permitted development rights*

### ***Inspector's Considerations and Conclusions***

- 1.3.8.1      Policy HSG7 sets out criteria to guide the determination of applications for replacement dwellings. The RDDLP removes a reference within the Deposit Draft policy, which stated that permitted development rights might be removed in order to exercise control over future extensions and the curtilages of dwellings. Instead, the RDDLP places this advice in the reasoned justification. I consider that the amendment is an appropriate one and it does not infer that permitted development rights would be removed automatically.

### ***Recommendation***

- 1.3.8.2      No modification be made to the Plan in response to this objection.

## HSG8

## Domestic Extensions

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *inclusion of policy guidance in the reasoned justification*
- *consistency of policy and reasoned justification*

### ***Inspector's Considerations and Conclusions***

1.3.9.1 Policy HSG8 sets out the criteria that would be used to determine planning applications for domestic extensions. The reasoned justification goes further, by setting out the general development control guidelines that would be applied, although it emphasises that these are not prescriptive. The first objection relates to the advice in Annex A of PPG12 that the reasoned justification should only contain an explanation behind the policies and proposals in the plan. It should not contain policies and proposals which will be used in themselves for taking decisions on planning applications. I agree that the content of the reasoned justification breaches the spirit of this advice, even though it is expressed in non-prescriptive terms, and it is clear from the second objection that it can lead to confusion and uncertainty about how the policy would be applied. This part of the reasoned justification should be deleted from the Plan and the Council should give consideration to replacing it by advice in Supplementary Planning Guidance (SPG) on good design practice in residential extensions. In the context of SPG the meaning of 'normally', or 'should' or 'should not' would become clear, without undermining or confusing the intent of the policy. The Council has indicated in response to objections to Policy GEN1 that it intends to prepare SPG on Borough-wide design issues as soon as resources permit.

### ***Recommendations***

- 1.3.9.2 (i) The Plan be modified by the deletion of the third paragraph of the reasoned justification for Policy HSG8 which begins with 'The general development control guidelines...' and ends with '...extended dwelling or adjacent property.'
- (ii) Further to my recommendation under Policy GEN1, Supplementary Planning Guidance should include advice on good design practice in residential extensions.
- (iii) No other modification be made to the Plan in response to these objections.

## **HSG9                      Conversions/Sub-Division**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *policy precision*
- *pedestrian and cycle movements*
- *safety of highway users*

### ***Inspector's Considerations and Conclusions***

- 1.3.10.1     Policy HSG9 is concerned with proposals to convert or sub-divide existing dwellings to provide an increased number of residential units. An objection to the wording of the Deposit Draft policy has been resolved in my view by the change made in the RDDLP. As a result, the original reference to 'an unacceptable erosion of space around a building...' has been replaced by a precise explanation of what is required.
- 1.3.10.2     I consider that the changes made in the RDDLP also deal satisfactorily with the second objection, by including reference to access for pedestrians, cycles and vehicles.
- 1.3.10.3     Finally, more precise wording of criterion (vi) is sought by the third objection. The Council accepts, and I agree, that the suggested modification would be appropriate.

### ***Recommendations***

- 1.3.10.4 (i)     Criterion (vi) of Policy HSG9 be modified as follows:

    'The proposal does not result in an unacceptable level of vehicular movements which would adversely affect the safety or the satisfactory operation of the highway network'.

- (ii)     No other modification be made to the Plan in response to these objections.

## **HSG10      Distance between Dwellings**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *degree of prescription*
- *justification for standards*
- *clarity and precision*

### ***Inspector's Considerations and Conclusions***

- 1.3.11.1 Policy HSG10 states that new residential proposals must ensure that the relationship between dwellings is not overbearing and will not create an adverse standard of residential amenity by reason of overlooking. This is an amendment of the Deposit Draft policy which also required minimum separation distances between buildings. In its place, the reasoned justification has been expanded and it sets out minimum standards for separation distances. It makes clear that the standards would normally only be relaxed where it is demonstrated that their imposition would detract from the existing pattern of development and that the design solution would be of high quality.
- 1.3.11.2 The Deposit Draft policy was amended in response to objections that its standards were too prescriptive and not necessarily conducive to good design or the need to explore how higher densities could be achieved. However, the wording in the reasoned justification is equally prescriptive, and it offends the advice in PPG12 about the distinction that should be drawn between the content of a policy and its reasoned justification. Also, I consider that there is inadequate justification for seeking to impose these standards, in the light of the advice in 'Better Places to Live', the companion guide to PPG3. This makes clear that privacy is an important design objective in ensuring that residents feel at ease within their home, but that it is also an area where general planning standards prescribing minimum separation distances between habitable rooms can frustrate the creation of attractive residential environments, by denying the ability to create privacy through careful design. Thus, while there are well-established 'rules of thumb', these need to be applied flexibly in relation to the specific context and in the recognition that the objective of privacy can often be better secured through careful design rather than by physical separation alone. In my view the reasoned justification, even though it refers to the possibility of a relaxation of the standards, would be likely to inhibit and frustrate attempts to make better use of land in urban areas. Moreover, the treatment of privacy as a separate policy issue is at odds with a joined-up approach to design that is essential if new residential environments are to meet the broad range of objectives that PPG3 and its companion guides set out.
- 1.3.11.3 The precise concern of the objection that there is a lack of clarity and precision in



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the policy is not clear, but for the reasons set out above, I consider that the policy should be deleted from the Plan. Design issues, including privacy, would be considered under Policy GEN1, and amplified in Supplementary Planning Guidance (SPG) that the Council intends to produce as soon as resources permit. SPG on design in the Borough would allow fuller explanation of what the Council seeks to achieve in new residential environments. For the avoidance of any doubt, the Council could also consider adding a reference in criterion 4 of Policy HSG8, concerning domestic extensions, to overlooking.

### ***Recommendations***

- 1.3.11.4 (i) The Plan be modified by the deletion of Policy HSG10.
- (ii) Further to my recommendation under Policy GEN1, Supplementary Planning Guidance should include advice on the protection of privacy as part of an integrated approach to good design.
- (iii) The Council should give consideration to adding a reference to 'overlooking' in criterion 4 of Policy HSG8.
- (iv) No other modification be made to the Plan in response to these objections.

## **HSG11 Residential Gardens**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *justification for standards*

### ***Inspector's Considerations and Conclusions***

- 1.3.12.1 Policy HSG11 requires that garden land should be provided that is appropriate to the size of the dwelling and the character of the existing and proposed residential layout, and that it should incorporate an area that is not overlooked at ground level. It also acknowledges that communal garden areas may be appropriate in some circumstances. The reasoned justification sets out minimum private garden sizes as a general guide to what the Council would expect, and details the factors that would be taken into account in deciding whether the provision would be adequate.
- 1.3.12.2 The objections generally refer to the conflict between the reasoned justification and the advice in PPG3 that was current when the objections were lodged. This advised that the functional requirements within a development were for the most part a matter for the marketing judgement of the developer, in the light of their assessment of customers' requirements, and that such matters included garden sizes. The revised PPG3 does not include this specific reference, but the essence of the objections that the standards lack justification applies with even more force in the light of the revised PPG3 and its companion guides. Paragraph 57 of the revised PPG3 advises that local planning authorities should critically examine the standards they apply to new developments, particularly with regard to roads, layouts and car parking, to avoid the profligate use of land. There is no evidence that the standards set out in the reasoned justification have been critically examined in the light of PPG3, nor especially that they have been evaluated in terms of the examples illustrated in 'Better Places to Live'. The reasoned justification allows for some flexibility in the application of its standards. Nonetheless, it is likely to constrain and discourage good, innovative design of spaces around the home that would assist in achieving the Government's objective of making more efficient use of land. The policy, while less prescriptive, also suggests that standard ratios of garden space to dwelling space are appropriate. I consider that this is unhelpful and potentially in conflict with the aims of national planning policy. Accordingly the policy should be deleted. Instead, Supplementary Planning Guidance, which the Council intends to produce as soon as possible, would be the appropriate means of amplifying the requirements of Policy GEN1 concerning general design, in the light of PPG3 and its best practice advice.

***Recommendations***

- 1.3.12.3 (i) The Plan be modified by the deletion of Policy HSG11.
- (ii) Further to the recommendation under Policy GEN1, Supplementary Planning Guidance should include advice on design of spaces around the home, in the light of PPG3 and its best practice advice.

## **HSG12    Change of Use of Agricultural Land to Residential Curtilage**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *meaning of 'significant'*

### ***Inspector's Considerations and Conclusions***

- 1.3.13.1    In dealing with proposals for the change of use of agricultural land to residential curtilage, Policy HSG12 sets out a requirement that there should be no significant encroachment into the surrounding countryside. The objection is concerned that the word 'significant' is too loose a term in this context. However, I do not agree, since policies need to be worded in a way that permits the variety of proposals that may come forward to be treated on their merits, rather than determined by fixed rules.

### ***Recommendation***

- 1.3.13.2    No modification be made to the Plan in response to this objection.

## **HSG13      Elderly Persons Accommodation (Independent Units)/ Special Needs Housing**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *wording concerning S106 obligations*
- *definition of 'special needs'*
- *accessibility by public transport*

### ***Inspector's Considerations and Conclusions***

- 1.3.14.1 Policy HSG13 sets out the circumstances in which applications for elderly persons' flats, sheltered housing or similar accommodation and special needs housing would be permitted. The amendment to the wording in the RDDLP states that applicants may be asked to enter into a S106 obligation, to restrict the minimum age of occupants, where a reduced car parking standard has been accepted. This amendment appears to address the concerns of the objections that planning obligations can only be sought, not required.
- 1.3.14.2 A definition of 'special needs' housing, and references to the wider context in which such housing initiatives may come forward are also sought in the interests of clarity. I agree with the Council, as it concedes in TBC40, that a definition would provide clearer guidance on the scope and application of the policy; however, a reference to the Care in the Community Initiative and Gloucestershire Community Care Plan is unnecessary, because the Plan is understood to operate within the wider legislative and organisational framework.
- 1.3.14.3 One objection raises concern that public transport may provide an inadequate standard of accessibility for elderly people living on peripheral housing estates. This objection relates particularly to the proposed housing allocations in Winchcombe, and I deal with the issues of accessibility and sustainability of those sites elsewhere in the report.<sup>13</sup>

### ***Recommendations***

- 1.3.14.4 (i) The reasoned justification for Policy HSG13 be modified to include a definition of 'special needs' as indicated in TBC40.
- (ii) No other modification be made to the Plan in response to these objections.

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<sup>13</sup> See under WIGEN, WI1, WI2 and WI3 in Volume Two.

## **HSG15      Affordable Housing (Exceptions Schemes)**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *order of policies*
- *locational criteria*
- *types of provider and role of low-cost market housing*
- *S106 obligations and planning conditions*
- *meaning of 'perpetuity'*
- *clarification of exceptional circumstances*

### ***Inspector's Considerations and Conclusions***

- 1.3.15.1 Policy HSG15 provides guidance on the exceptional circumstances in which new housing for particular local needs might be permitted in rural areas. The Council accepts that it would be appropriate to re-order the policies on affordable housing, so that this policy follows those setting out the general approach to affordable housing provision, and I agree that modifications to the Plan should be brought forward accordingly.
- 1.3.15.2 The amendments incorporated in the RDDLP do not fully address the concern that the policy appears to suggest that permission for 'exceptions schemes' may be given in the open countryside. The Council favours the retention of more flexible wording in the policy, on the basis of experience that the only suitable sites which emerge may be well-related to, but not adjoining, existing settlements. I accept that circumstances might arise where no site within or adjoining a suitable village could be identified, but this could be dealt with as a departure from the Plan, if necessary. The policy should make it clear that only sites that are within or adjoining villages or settlements would comply with the rural exceptions approach by deleting the reference to 'preference'.
- 1.3.15.3 The reasoned justification refers to the need for a willing and funded registered social landlord to be available to carry out and manage the proposed scheme, but as one of the objections points out, there may be other means of providing affordable housing that will meet its objectives. I agree that the wording of the reasoned justification should not exclude this possibility; similarly, the potential for low-cost market housing to be provided on rural exceptions sites should not be excluded and the text of the reasoned justification should be modified accordingly.
- 1.3.15.4 As PPG3 advises, planning obligations and planning conditions may be used for the purpose of ensuring that the housing in question will be available to meet local needs, both initially and in perpetuity. While one or the other will be necessary to achieve this, I agree that the Plan should acknowledge the role of planning

conditions as well as planning obligations in this matter, and the policy and the reasoned justification should be modified accordingly.

- 1.3.15.5 One of the objections seeks to have the word 'perpetuity' replaced by 'for the foreseeable future', but I consider that the latter is imprecise and does not reflect national planning policy guidance on the matter. Also, the addition of a statement in the reasoned justification that the Council would be reluctant to override its planning policy on important sites would reduce the clarity of the Plan. The policy deals with exceptional circumstances and the suggested wording would be superfluous and confusing.

### ***Recommendations***

- 1.3.15.6 (i) The Plan be modified by:

- a) re-ordering of the policies on affordable housing so that the policy on rural exceptions schemes follows the more general policies on affordable housing;
  - b) deletion of the first part of the second sentence of Policy HSG15 and its re-wording as follows:  
    'Proposed sites should be small in size and located in or adjoining ....';
  - c) re-wording of the reasoned justification to clarify that either through the involvement of a registered social landlord or by some other appropriate means, the Council would wish to be satisfied that the affordable housing could be enjoyed by successive as well as the initial occupiers of the scheme;
  - d) re-wording of the reasoned justification to clarify that low-cost market housing might be appropriate on rural exceptions sites, and
  - e) re-wording of Policy HSG15 and the reasoned justification to clarify that planning obligations or planning conditions as appropriate would be used to control the occupancy of affordable housing.
- (ii) No other modification be made to the Plan in response to these objections.

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## **HSG16      Affordable Housing/Unallocated Sites**

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### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *evidence of need*
- *negotiation, site suitability, economics of provision*
- *justification for thresholds.*
- *off-site provision*
- *contributions from other sources*
- *exemption for sheltered housing*
- *need arising outside the Borough*

### ***Inspector's Considerations and Conclusions***

- 1.3.16.1      In accordance with Policy HSG16, where there is an identified lack of affordable housing to meet local needs, the Council would seek to negotiate with developers for the provision of an element of affordable housing on sites of 15 or more dwellings or on sites in excess of 0.5ha. The policy also sets out a threshold of 5 dwellings for sites in settlements with a population of 3,000 or less.
- 1.3.16.2      A number of the objections in respect of Policy HSG16 overlap with objections to Policy HSG21 and are dealt with under the latter for the sake of clarity. In response to concern about the order of the policies, the Council accepted at the Inquiry that it would be more logical for Policy HSG16 to follow Policy HSG21 and for the numbering system to be modified accordingly. In my view the policy framework on affordable housing could be made clearer and more concise by drawing together the existing Policies HSG16 and 21, and the Council should give consideration to this as part of the re-drafting of the respective elements.
- 1.3.16.3      Fundamental criticism of the policy is raised on the basis that the Council's housing needs study is flawed. This is considered in detail under Policy HSG21, but for the reasons given there, I conclude that there is a clear need to seek an element of affordable housing provision on sites that are not already allocated in the Plan. Accordingly, the policy wording should be modified, as requested by another objector, to omit the first clause and replace it by a statement on the need for affordable housing. However, I do not agree that it would be appropriate to set a target for the percentage of affordable housing to be sought on unidentified sites; the actual number should be determined by negotiation, based on site characteristics and local need.
- 1.3.16.4      The Council accepts that Policies HSG16 and 21 require a stronger emphasis on the role of negotiation in seeking affordable housing provision, and on the importance of site suitability and the economics of provision in determining the quantity of affordable housing that might be appropriate in any particular case.



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The policies are to be read together, and therefore I consider that an amendment to the reasoned justification of Policy HSG21 would suffice to address this matter. No modification is required to Policy HSG16 itself, since it already makes clear that the Council will 'seek to negotiate'.

- 1.3.16.5 The site size thresholds set out in Policy HSG16 are lower than those generally advocated in Circular 6/98, and they have given rise to objection on the grounds of inadequate justification. I do not make a judgement on whether or not the Borough is 'unique', but there is substantive evidence to support the application of lower thresholds in Tewkesbury Borough, bearing in mind the need demonstrated in the 1998 study (CD36). The windfalls data for the year 2000 show that, if higher thresholds were adopted, there would have been extremely little potential to negotiate for some affordable housing provision on windfalls sites, notwithstanding the identified need. There is nothing to suggest that these figures were atypical or that they underestimate the potential that may come from larger windfalls sites in the future. The relative lack of opportunity that would arise without the use of lower thresholds is indicated by the Urban Capacity Study (CD46). Out of the 101 sites that were assessed, only six had capacity for 25 or more dwellings.
- 1.3.16.6 In the case of settlements of less than 3000 population, the windfalls data for the year 2000 shows that only five sites with a capacity for 10 or more dwellings came forward. The Plan's restraint policies on new residential development in the smaller settlements are likely to reduce the opportunities for affordable housing provision on windfalls sites in the future. For these reasons I consider that the site size thresholds set out in Policy HSG16 should be retained. A request is made that adjacent sites should be counted as one for the purpose of the policy, and I note that the proposed changes to PPG3, published for consultation in July 2003, seek to address this matter. Limited weight can be attached to the consultation document. Nonetheless, there is demonstrable need to maximise the opportunities for increasing the stock of affordable housing in the Borough, and the effectiveness of Policy HSG16 could be seriously undermined by proposals that fragment sites or reduce the dwelling capacity to below the threshold size. Accordingly, the reasoned justification should include advice that applications for planning permission for development which forms part of a more substantial proposed development on the same land or adjoining land, would be treated as an application for planning permission for the more substantial development.
- 1.3.16.7 I accept that it might be appropriate to permit off-site provision of affordable housing in certain circumstances, as pointed out in the objections. The reasoned justification for Policy HSG21 already acknowledges this point, and given that the two policies are to be read together, I do not consider that there is any need for a duplicate reference in Policy HSG16. In a similar vein, I agree that the potential contribution to meeting the need for affordable housing from other sources, such as conversions or bringing back empty properties into use, should be fully acknowledged in the Plan. But it would seem more appropriate to do so by a modification to the reasoned justification of Policy HSG21.
- 1.3.16.8 The Council generally accepts the objection that highlights the particular case of sheltered housing schemes. I agree that it would be reasonable, where specialist high-density housing is proposed for a site, to consider whether or not the proposal would have fallen within the scope of the policy if it had been brought

forward for general market housing. This could be made clear by a modification of the reasoned justification for the policy.

- 1.3.16.9 The Borough's role in meeting affordable housing needs that may arise outside its boundaries was not reflected in the Deposit Draft policy, but the reasoned justification for Policy HSG21 in the RDDLP refers to the operation of local housing markets and to the influence of Gloucester and Cheltenham on certain parts of the Borough. I consider that this broadly addresses the concern raised in the objection, and in accordance with my recommendations on Policy HSG21, the scope of future reviews of housing needs would be more comprehensive.

### ***Recommendations***

- 1.3.16.10
- (i) The Plan be modified by a re-ordering of its policies so that Policy HSG16 would follow Policy HSG21; alternatively, the Council should give consideration to drawing together the two policies into one.
  - (ii) Policy HSG16 be modified by the deletion of the words, 'Where there is an identified lack of affordable housing to meet local needs,...' and their replacement by the words, 'In order to address the demonstrated lack of affordable housing across the Borough...'.
  - (iii) The reasoned justification for Policy HSG16 be modified to include a statement that, where specialist high-density housing, for example, sheltered homes, are proposed for a site, it would be reasonable to consider whether or not the site would have fallen within the scope of Policy HSG16 if it had been brought forward for market housing.
  - (iv) The reasoned justification for Policy HSG16 be modified to include advice that an application for planning permission for development which forms part of a more substantial proposed development on the same land or adjoining land, would be treated as an application for planning permission for the more substantial development.
  - (v) No other modification be made to the Plan in response to these objections.

## **HSG17                      Gypsy Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for sites*
- *scope of policy*

### ***Inspector's Considerations and Conclusions***

- 1.3.17.1 Policy HSG17 seeks to retain existing authorised sites for use by gypsies and establishes criteria for new or extended sites. These also apply to sites for travelling showpeople.
- 1.3.17.2 An objector claims that the Council has not adequately assessed the level of need for sites, based on the 1995 gypsy count, but the RDDLP's reasoned justification now refers to July 2000 figures. Tewkesbury Borough provides a very high proportion of Gloucestershire's authorised sites and the Council considers that there are enough spaces on these to meet requirements during the Plan period, although there are high numbers of unauthorised caravans. I consider that opportunity should be taken to incorporate the most recent figures available and, if necessary, re-assess the conclusion.
- 1.3.17.3 It is claimed that there is a need for a transit site in the Gloucester area, and that this should be referred to in the reasoned justification. A need at a location in or near Gloucester City is endorsed by the GSPSR, but the objector also says that it would be unlikely to be found in Gloucester and so would probably have to be in Tewkesbury Borough. While a need for a transit site is not disputed, and should be referred to in the reasoned justification, there is no evidence that it could not be in Gloucester or would probably have to be in Tewkesbury Borough.
- 1.3.17.4 Turning to the scope of the policy, I consider that a criteria-based policy is justified in terms of national advice, including Circular 1/94. Some objectors are concerned that it would be almost impossible to fulfil the criterion that there should be no encroachment in the open countryside. It is pointed out that gypsy sites have even been permitted in Green Belts on appeal. However, the reasoned justification distinguishes between sites in rural or semi-rural settings and those which encroach on the open countryside. The criterion need not prevent sites being created on greenfield land, but would control those in visually obtrusive locations. I therefore see no reason why it should be amended.
- 1.3.17.5 The replacement of the criterion requiring safe and convenient access from the principal highway network by one referring only to access from the highway is proposed on the basis that a gypsy family might have no control over the main road access. However, as with other development proposals, it is reasonable to consider the implications for safety on the highway network and not just on a particular access point. Increased hazards for road users on a principal highway could make a proposal unacceptable and would not be justified if a developer were unable to secure improvements. The criterion should remain.

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- 1.3.17.6 An objector seeks to amend the criterion requiring consistency with protection policies by saying that they should be 'taken into consideration' and that Circular 1/94 is less prescriptive in relation to Green Belt sites. However, the criterion is in harmony with the explanatory memorandum of the GSPSR that refers to Policy H.10. It is important that all proposed sites and stopping places respect the character of the local environment. With regard to such uses in the Green Belt, Circular 1/94, quoted in PPG2, says that they are not *normally* appropriate in the Green Belt; the policy should be modified accordingly. Inappropriateness in the AONB was not questioned.
- 1.3.17.7 It is requested that where sites are permitted, there should be stringent conditions, including the prevention of non-residential uses and restrictions on the numbers of commercial vehicles. The objection also suggests that the term 'family group' is too loose and that controls on the use of a site should be based on numbers of units. In my view these matters can be considered at the planning application stage.
- 1.3.17.8 An objection seeks the use of the term 'travellers' within the policy, and I agree that this would harmonise with GSPSR Policy H.10 and its reasoned justification. This amendment would also address the large number of objections<sup>1</sup> claiming inadequate policy support for travelling showpeople, based on a lack of awareness that this policy also extends to them.
- 1.3.17.9 Finally, an objection is based on a misunderstanding that the policy's encouragement to use sites with existing buildings refers to listed buildings.

### ***Recommendations***

- 1.3.17.10 (i) Policy HSG17 be modified by:
- a) changing its title to 'TRAVELLERS' SITES' and making consequential modifications to the reasoned justification, and
  - b) re-wording the second sentence of the penultimate paragraph of the policy as follows:  
  
    'Travellers' sites are not appropriate in the Cotswolds Area of Outstanding Natural Beauty and are not normally appropriate in the Green Belt'.
- (ii) The reasoned justification for Policy HSG17 be modified by:
- a) incorporating the most up-to-date statistics available and, if necessary, reassessing the adequacy of the provision in the light of this information, and
  - b) inserting a reference to a possible need for a transit site in or near Gloucester.
- (iii) No other modification be made to the Plan in response to these objections.

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<sup>1</sup> These objections are considered under LPOLNP Travelling Showpeople in Volume Three.

## HSG18

## Minsterworth Gypsy Sites

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *justification for deleting either of the proposed sites*
- *number of families to be accommodated at the former mushroom farm*
- *justification for a site at Cherry Orchard, Oakle Street*

### ***Inspector's Considerations and Conclusions***

- 1.3.18.1 In accordance with Policy HSG18, two areas of land on Hygrove Lane are identified as proposed gypsy sites; they are already in use. The policy states that the site at the former mushroom farm will be expected to accommodate three separate gypsy family groups. It also states that highway improvements along Hygrove Lane and high quality landscaping schemes will be required.
- 1.3.18.2 Other villages face restrictions on development and some objectors oppose special consideration being given to the needs of gypsies, but these are clearly recognised both in national guidance and the GSPSR. The four core families involved have been settled in Minsterworth for about 40 years, but the Council does not dispute their gypsy status and I agree that they benefit from the provisions of the appropriate policies.
- 1.3.18.3 Some objections suggest that it is unreasonable to accommodate the families in the parish just because they chose to settle there. There are concerns about the history of unauthorised uses and I recognise that the Borough has a high number of authorised sites. However, the core families have long-established links with the village and there has been inadequate provision for them. In my view it would be unreasonable to seek to disperse the families throughout the Borough, and appropriate provision should be made for them.
- 1.3.18.4 From the information given, some of those resorting to the sites are distant members of widely-extended families, and their links with the parish are likely to be more tenuous than the core families. I consider that it would be unreasonable to provide for all descendants of the original families, together with their spouses, to live on the sites, especially when, as was confirmed, younger family members also travel to stay with their parents-in-law. It is necessary to balance desires to live in Minsterworth with the capacity of the sites and the village, by limiting the numbers of caravans and/or mobile homes.
- 1.3.18.5 There is wide support for only one site on Hygrove Lane. The site on the southern side of the lane is screened by hedging. Provided that this is retained and that there is extensive planting on its eastern boundary to prevent expansion towards the A48, I consider that this site would not encroach on the open countryside. A temporary planning permission for this site was given on appeal in 1991.

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- 1.3.18.6 The former mushroom farm is not a brownfield site in terms of PPG3 and the lack of screening on its eastern boundary makes it prominent from the A48, although the Council says that it does not encroach into the open countryside. This site currently houses two extended families, and the Council suggests that the family from an unauthorised site at Cherry Orchard should also live here. However, part of the mushroom farm site would have to be reserved for vehicle parking and manoeuvring and for a belt of landscaping inside its eastern boundary. Moreover, part is occupied by a tipped platform and associated slopes, which further reduce the useable area. I consider that the remaining part of the site is constricted and does not even appear to have the capacity for the number of caravans sought in a current application. I give little weight to an alleged family conflict preventing the family from Cherry Orchard moving here, but in my view the site would not have the capacity to accommodate them.
- 1.3.18.7 In the light of the above, I accept that there is a need to provide three sites for the four core families, and that the two on Hygrove Lane should remain designated.
- 1.3.18.8 The lane is a public footpath and some objectors, and indeed supporters, say that it and its junction with the A48 are dangerous and unsuitable to serve even the existing uses. The amended policy in the RDDLP recognises this by requiring improvements along the lane and I agree that these would be necessary even if there were only one gypsy site served by it. It seems that passing places could be provided; some of them, and any alterations to the junction, could involve land owned by one of the families concerned. I consider that the reasoned justification should include fuller details of the necessary works. One of the landowners suggests that his site could be served by a separate access; this may remove some pressure from the lane, but an additional access point could increase dangers on the A48, as well as making his site visually intrusive.
- 1.3.18.9 After the close of the Inquiry an appeal against the refusal of retrospective planning permission<sup>1</sup> for a gypsy site at the Old Mushroom Farm was dismissed. The Inspector found that the principle of the use was acceptable but that no accurate details of traffic movements had been provided, although he considered that the Council had probably overestimated them. It was therefore not possible to establish what works were required to Hygrove Lane and whether the appellants had control over the required land. However, I consider that this deficiency can be remedied in the amplified reasoned justification. While the occupiers of the Old Mushroom Farm may not themselves control the land needed for improvements, I have found that these would still be required even if there were only one site on the lane. The recent appeal decision does not alter my view that the two sites should be designated.
- 1.3.18.10 Some objectors request that the existing site at Cherry Orchard at Oakle Street should be designated under the policy. It is well-kept, screened from the open countryside and has a good access. In 1997 an Inspector found it obtrusive from the public footpath which runs through the access, but there appears to be space for substantial landscaping to screen caravans from the footpath. In my view the unimplemented planning permission for a telephone exchange on the land does not make it a brownfield site, nor is it a precedent for its use by gypsies. However, given its particular characteristics and the need for more provision in the parish, I consider that the land which is currently used as a gypsy site should also be designated under the policy.

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<sup>1</sup> reference APP/G1630/A/02/1102197

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- 1.3.18.11 An objector suggests a restriction to named persons, with provision to update the list to include additions to families, but in my view this would be difficult to enforce and could lead to limitless expansion. It is also difficult to define a family unit, which could include distant relatives without close ties to the area. However, a limitation on the occupancy of the sites would be necessary to reflect the particular circumstances involved, and in my view a better means of balancing the needs of those with genuine links to Minsterworth with the capacity of the village and of each site would be to limit the numbers of caravans or mobile homes. The links of some of the current occupiers may be tenuous, but I consider that the most up-to-date winter count is a reasonable basis for assessing the levels of occupation which could be permitted, both on individual sites and in terms of total provision in the parish. An objector agrees that these are taken in the period of maximum occupation and I am satisfied that it is a factual record of numbers of caravans, although the Council agrees that the numbers of households are estimates.
- 1.3.18.12 The count in January 2002 showed 11 caravans at the former mushroom farm, seven at the other site on Hygrove Lane, and six at Cherry Orchard. When I inspected the sites in April 2002, these numbers had changed to nine, eight and five respectively; this reflects the evidence given that some who live on the sites in winter travel to stay with their spouses' families at other times. I consider that a total provision of about 25 caravans in the parish is a reasonable indication of the needs of the core families. In their proofs of evidence or at the Inquiry, different objectors suggested that the requirement for the parish is between 32 to 40 caravans, to which should be added provision for growth. However, in my view these figures are too high and go beyond the immediate needs of the core families. I invite the Council to consider inserting maximum figures for each site, based on the most recent winter counts.
- 1.3.18.13 Some objectors are concerned about setting a precedent for other gypsy sites to be established in the parish, but any new arrivals would not have the same ties to Minsterworth as the long-established core families. In these circumstances, the Council would be free to treat any future proposals on their individual merits.
- 1.3.18.14 An objector asks for the policy to refer to 'travellers'; this would harmonise with GSPSR Policy H.10 and its reasoned justification. An amendment is also needed as the policy wrongly refers to a site on the western side of Hygrove Lane.
- 1.3.18.15 I agree that, because of highway safety and visual amenity implications and their constrained sizes, there should be no commercial uses on any of the sites, apart from the limited parking of vehicles used to travel to the occupiers' places of work. An objector considers that sewage may pollute nearby land and water bodies, but the Council could control such matters when it considers specific planning applications.

### ***Recommendations***

- 1.3.18.16 (i) Policy HSG18 be re-titled 'Minsterworth Travellers' Sites' and be modified as follows:

'Three sites in Minsterworth, at the former mushroom farm on Hygrove Lane, land on the southern side of Hygrove Lane, and land at Cherry Orchard, Oakle Street are identified on the Proposals Map as travellers' sites. The occupation of the sites shall be restricted to such persons.

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No commercial uses will be permitted on the sites.

The implementation of high quality landscaping schemes for the sites and highway improvements along Hygrove Lane will be required.'

- (ii) The Council should give consideration to stipulating the maximum number of caravans/mobile homes that would be permitted on each site identified under Policy HSG18.
- (iii) Consequential modifications be made to the reasoned justification and the Proposals Map and the reasoned justification be amplified to give details of the required highway works.
- (iv) No other modification be made to the Plan in response to these objections



## **HSG19      Mitton Site (Wychavon District)**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *deletion of the allocation*

### ***Inspector's Considerations and Conclusions***

- 1.3.19.1 Policy HSG19 of the Deposit Draft has been deleted from the RDDLP. It proposed the allocation of a site for residential development that lay outside the Borough boundary, within Wychavon District. Its deletion satisfies all but one of the objections, which is concerned that this would prevent its development in the future. However, there is no evidence of any prospect of an allocation outside the Borough's boundary at Mitton being implemented within the Plan period and it would therefore be unreasonable to place any reliance on this site to contribute to the housing requirement. The deletion of the policy would not prevent consideration being given in the future to alternative ways of meeting any need for the expansion of Tewkesbury, but this would be a matter for joint consideration by the respective planning authorities.

### ***Recommendation***

- 1.3.19.2 No modification be made to the Plan in response to these objections.

## **HSG20      Phasing within Tewkesbury/Ashchurch Urban Area**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need for policy*

### ***Inspector's Considerations and Conclusions***

- 1.3.20.1      Policy HSG20 of the Deposit Draft has been deleted from the RDDLP. This resolves the objections which questioned the need for, and the appropriateness of the policy.

### ***Recommendation***

- 1.3.20.2      No modification be made to the Plan in response to these objections.

## HSG21

## Affordable Housing

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compliance with national policy*
- *robustness of the housing needs assessment*
- *relationship between sub-area assessments and site specific targets*
- *requirement for 'free land'*
- *definition of 'affordable'*

### ***Inspector's Considerations and Conclusions***

#### *Preamble*

- 1.3.21.1 Policy HSG21 is a new policy introduced in the RDDLP to reflect the findings of the Tewkesbury Housing Needs Study 1998 (CD36).<sup>14</sup> It identifies a shortfall of 1322 affordable dwellings during the period 1998-2011 and seeks to address this by means of negotiations with developers of the allocated sites, and by means of Policy HSG16 in respect of unallocated sites. The reasoned justification explains that the shortfall of 1322 dwellings identified by the Housing Needs Study is for social housing, and that while this is only one component of overall need, it is used as a proxy for the total need for affordable housing. The policy's aim is the provision of low-cost market and/or subsidised housing that would be available to households that cannot afford to rent or buy houses available in the existing housing market.

#### *Compliance with National Policy*

- 1.3.21.2 In response to objections to both Policies HSG16 and 21, the Council accepts that there is a need for explicit reference to the guiding criteria for negotiations on the provision of affordable housing, as set out in paragraph 10 of Circular 6/98. This should be added to the reasoned justification for Policy HSG21, and I consider that it would make clear that the policies would not be applied unreasonably to sites which are unsuitable for affordable housing and it would have regard to the advice in Circular 1/97. With reference to other objections, it would be appropriate also to expand the reasoned justification to acknowledge the other sources of supply, for example, making the best use of existing stock and/or conversions of existing buildings, that may help to meet the need for affordable dwellings. This could usefully refer to the Council's Empty Homes Strategy which seeks to bring long-term vacant dwellings back into use, and it could provide some indication of the significance of the other sources of supply.

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<sup>14</sup> For the full title of the study, published in two volumes, see the Core Documents List.

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- 1.3.21.3 The Council accepts a number of other suggested refinements. These include the insertion of a reference in the policy to the guiding framework set by PPG3 and Circular 6/98. The comprehensiveness of the Plan would also be improved by the addition of references in the reasoned justification to the role of the Housing Strategy Statement, the role of Registered Social Landlords (RSLs) in delivery and management, the need for monitoring, and the need for designs and layouts that seamlessly integrate affordable housing and general market housing on sites. However, the Plan should make clear that all the potential modes of delivering affordable housing, whether through RSLs or otherwise, will be explored. And it follows that the Plan should set out the other circumstances in which planning decisions for affordable housing would need to include arrangements to control occupancy, given that RSLs may not always be involved.

### *Robustness of the Housing Needs Assessment*

- 1.3.21.4 A number of the objections to Policies HSG16 and 21 question the basis of the 1322 figure and the robustness of the 1998 Housing Needs Study (HNS). Reference has also been made to the updated needs assessment for 2002, known as the Ark Report (CD52), which was commissioned by the Council and published during the Inquiry. Firstly, it is important to note that the HNS was prepared before the then DTLR's good practice advice on housing needs assessments<sup>15</sup> was published in July 2000. The Council accepts that refinements to the HNS methodology would be appropriate in the light of the good practice advice and I have no doubt that future surveys will take this into account. However, I do not consider that there are good reasons to dismiss the overall conclusions of the HNS about the level of housing need in the Borough, or that it is not sufficiently up-to-date for the purposes of the Plan. It would not be reasonable to expect surveys of this scale to be carried out more than once every five years or so, and the Council's approach of commissioning the Ark Report to provide an up-dated assessment, based on existing records, is in accordance with good practice advice. Some topics merit further research, especially the significance of the market areas that straddle borough boundaries, changes in affordability levels, and the contribution from initiatives to make better use of the existing stock. But this does not mean that the findings of the 1998 study and the Ark Report should not be used as a basis for the affordable housing policies of the Plan.
- 1.3.21.5 So far as detailed criticisms of the 1998 study are concerned, it is significant that it was based on a sample survey of 1,514 households, with a response rate of some 68%. The actual size of the sample rather than the percentage of the population sampled is the critical factor and in this case the overall findings and the main sub-area findings are statistically very reliable, although, as can be expected, the results for individual parishes have higher levels of error. The study was based on the Deposit Draft Structure Plan's housing requirement for the Borough of 9100 dwellings, rather than the increased figure of 9900 that was finally approved in the GSPSR, but only a very small proportion of the increase would be subject to affordable housing agreements. Therefore, I do not consider that this difference is of any real significance for the conclusions of the HNS.
- 1.3.21.6 The survey findings were analysed by means of a behavioural, dynamic model

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<sup>15</sup> Local Housing Needs Assessment: A Guide to Good Practice; DTLR, July 2000

that takes into account the extent to which the requirements of the less well-off can be met through the normal operation of the housing market. It also makes allowance not only for current vacancies but also for potential vacancies, and it produces both 'objective' and 'subjective' outputs. Neither mode of analysis is true at the expense of the other but both highlight different aspects of the operation of the housing market. The objective outputs show what is strictly affordable and/or 'needed' on the basis of household composition and affordability, but the subjective outputs show more nearly how new households are likely to behave in practice. To this extent I agree with the reports' authors and with the Council that the subjective outputs deserve greater consideration than the objective ones. The former also allow for a level of under-occupation which is inevitable, and may be desirable to meet higher space standards and allow flexibility to respond to changing family circumstances. I do not consider that the 'subjective' method entails any fundamental conflict with the advice in the Guide to Good Practice. This acknowledges the role of subjective assessments in many stages of the housing needs assessment, including estimating backlog need, affordability, and the social housing requirement arising from new household formation. It also acknowledges that there is scope to vary the emphasis quite considerably within and around the common framework of housing needs assessments, depending on the circumstances affecting different localities.

- 1.3.21.7 In accordance with the HNS, the net stock shortfall in the Borough over the five years from the study date is standardised at 1925 dwellings; in 'subjective' terms it shows a net shortfall of 1380 dwellings in the owner-occupied sector, and over 550 dwellings in the social rented sector. In 'objective' terms there would be a shortfall of 2507 owner-occupied dwellings, partly off-set by a surplus of about 500 dwellings in the private-rented sector and a tiny surplus in the social-rented sector. Use of 'objective' assumptions about affordability in the model considerably reduces the apparent shortfall in the social-rented sector, because on balance it seems that many of the households creating the projected shortage could in principle afford owner-occupation in smaller, cheaper properties in the private market. However, many evidently want two- to four-bedroom dwellings and are concerned that they cannot acquire suitable owner-occupied properties. For the reasons given above I do not consider that these factors can be discounted from an assessment of housing needs. The HNS treatment of 'hidden households' has also been criticised, particularly the lack of a follow-up survey. Nonetheless, the methodology is not in conflict with the advice in the good practice guide, particularly in relation to the costs and benefits of repeat visits.
- 1.3.21.8 The HNS model projects the position that would be reached by 2011 if population trends continue and no additional stock is provided in the meantime. Some objections raise concerns about the validity of the projections, but the study makes clear the limitations of this exercise and in my view it provides a reasonable basis for future planning and monitoring. The various model outputs are provided, and this is the basis of the total affordable housing shortfall figure of 1322 as set out in Policy HSG21. This figure represents the total estimated shortfall in social-rented housing, over the period 1998-2011, calculated from the 'subjective' method and taking account of losses from the Right to Buy Scheme.
- 1.3.21.9 It seems to me therefore that the fundamental question is whether the final figure chosen in the policy represents a balanced policy judgement, informed by a reasoned assessment of housing needs. Firstly, it is clear that the 1322 figure is

likely to be an under-estimate of the need for affordable housing across all tenures, since it is based only on the estimated need for social-rented housing. If it is compared with the estimates derived from the 'objective' method, the HNS still shows a net stock shortfall of 1925 dwellings over the period 1998-2003 alone, and this includes a shortfall of 970 owner-occupied dwellings of various sizes in purchase price bands up to £88,000. The projections to 2011 indicate shortfalls of owner-occupied dwellings of about 400, 800 and 600 respectively in price bands ranging from under £40,000 to under £80,000, based on the 'objective' method, and these would not be off-set to any significant extent by surpluses in other sectors.

- 1.3.21.10 Also, when the HNS findings are reviewed in the light of the Ark Report, I consider that the level of need that Policy HSG21 seeks to address is validated. The Ark Report relies principally on data provided by the main social and supported housing providers in the Borough, various departments of the Council and the County Council, and by the Land Registry. Notwithstanding the difficulties with using some of these sources, as highlighted by objectors, it seems to me that the data has been carefully interpreted and that the report is clear and reasonably comprehensive in its approach. Housing need for the period 2002-2011, on the basis of current trends and for social-rented housing only, is estimated as 4,679 dwellings. This is made up of a backlog of need, based on waiting list data, for 803 dwellings, and newly arising need for 3,876 dwellings over the period. It is self-evident that if current trends do not continue, this estimate would change, and therefore it does not form a reliable basis on its own for planning the future supply of affordable housing. But the study provides a basis for monitoring and updating, and taken in the round, it indicates that the figure expressed in Policy HSG21 is a modest but reasonable, up-to-date target to guide negotiations on the provision of affordable housing on allocated and unallocated sites during the Plan period. It follows that it would be appropriate to re-word Policy HSG21, as requested in an objection, to express the number of dwellings sought as a target figure that would help to meet the affordable housing need in the Borough. Since 1322 is clearly not intended to be a mathematically precise figure, it would also be more appropriate to refer to a target of 'about 1320 affordable dwellings'.

### ***Site Specific Figures and Sub-Area Assessments<sup>16</sup>***

- 1.3.21.11 The reasoned justification for Policy HSG21 provides information from the HNS on the four sub-areas identified in the study. This has given rise to some confusion, in my view, since objectors have sought to relate the sub-area figures to individual site allocation targets, to parish needs, and to projections of need to the end of the Plan period. The site-specific targets for affordable housing set out in the relevant policies of the Plan are not intended to reflect needs arising only within parish boundaries; that would severely constrain the potential to meet backlog need and need that arises within housing market areas. The only circumstance where provision might reasonably be related solely to the parish level is in the case of rural exceptions schemes. In general, I consider that retention of the site-specific targets for affordable housing provision within the

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<sup>16</sup> Some objections that raise detailed site-specific issues are considered under the relevant policies; see in particular Policies BC3, BC4, BR1, WO1 and W11.

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relevant policies would increase the clarity of the Plan, and subject to my recommendations under site-specific objections, I consider that these should be retained. However, I share the concerns expressed in some objections that the data presented under Policy HSG21 on the sub-areas does not aid in understanding the approach. Its context is not adequately explained and it cannot be readily interpreted in the site-specific policies. Therefore, the Council should consider deleting it from the text or alternatively, expanding the context in which it is presented so that its relationship with the site-specific targets can be more readily understood.

### *Requirement for Free Land*

- 1.3.21.12 The reasoned justification includes a statement that free land is virtually a pre-requisite for the provision of affordable rented housing, and that the Council's first priority will be to negotiate free land (serviced to the edge of the land to be transferred) to meet an identified local requirement for affordable housing. In response to objections, the Council says that the issue of free land focuses on one particular method of provision, whereas the focus should be on deliverability in a wider sense – in some cases this may be more than just free land. This is correct, but it goes beyond the remit of the Plan to seek to influence the value at which land will be transferred. The inclusion of the references to free land in the Plan is in conflict with the advice in Circular 1/97 and 6/98 and should be deleted.

### *Definition of Affordability*

- 1.3.21.13 The reasoned justification for Policy HSG21 sets out a definition of affordability that is couched in terms of a formula. Some objectors argue that a more common definition than that used in the Plan should be applied, and they also raise concerns about the precise figures used in the text. The income and rental data in the reasoned justification serve only to illustrate the basis for the formula, and the Council accepts that the precise figures will vary during the Plan period and could therefore be updated, perhaps by means of Supplementary Planning Guidance. In my view the Council should seek to include a definition of affordability that will endure, and therefore it would be appropriate to delete the reference to current income/rental levels from the text of the reasoned justification and to rely on the formula instead. This would not preclude the Council from revising the formula during the Plan period if that appears to be necessary, either as part of a formal plan review or by means of Supplementary Planning Guidance. So far as the formula itself is concerned, I accept that a number of different approaches are commonly in use, but which is more appropriate is ultimately a matter of judgement, and there is no substantive evidence to suggest that the Council's definition is inappropriate. .

## **Other Matters**

- 1.3.21.14 In general there is no reason to conclude that the Plan's approach under-estimates the potential of the private-rented sector to contribute to meeting affordable housing need. And there is no substantive evidence that there is a pool of affordable, private-rented properties, in Gloucester and Cheltenham for instance, that would make a significant contribution to meeting housing needs in the Borough. Nonetheless, the policy framework would be strengthened and clarified

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by a reference to the need to foster and develop existing housing market partnership initiatives, so that the assessment and delivery of affordable housing in market areas, especially where they straddle administrative boundaries, would be more effective.

- 1.3.21.15 Objections to Policies HSG16 and 21 request that affordable housing developments should not be required to provide car parking to the same standards that are sought for general market housing, and that higher densities should be sought for affordable housing. However, I agree with the Council that there is no reason in principle why different standards should apply, especially in view of the importance of integrating affordable housing provision with general market housing. Although Circular 6/98 makes reference to lower car-ownership rates generally for affordable housing, I would expect the more up-to-date advice in paragraphs 59-62 of PPG3 to guide the approach taken to car parking provision on residential developments in general.
- 1.3.21.16 The suggestion that the Plan's policies fail to take account of the potentially available level of funding to secure affordable housing provision is noted, but I consider that the Plan takes a balanced approach to fulfilling the role expected of the planning system in providing for affordable housing. Concern is also raised about the proposed elimination of the backlog of need within one Plan period. But given the advice in the good practice guide on this matter, and the Government's intention that everyone should have the opportunity of a decent home, I can see no reason to question the target set by Policy HSG21. Another objector contends that affordable housing for local needs should be provided first, and that it should not be reliant on the development of sites for general market housing. However, it would be unrealistic and not in keeping with Government policy to seek to make such a distinction. In my view there is no need for a reference to the needs of key workers, since those who are in housing need would be considered within the terms of the policies. Overall, I do not consider that the approach to affordable housing provision outlined in the Plan would diverge in any significant way from Policy HO.3 of RPG10, or from PPG3 or Circular 6/98, subject to the modifications recommended above.

### ***Recommendations***

- 1.3.21.17(i) Policy HSG21 be modified by the deletion of the first sentence and the re-wording of the policy to make clear that 'about 1320' dwellings is the overall Borough-wide target for the provision of affordable dwellings during the Plan period, and that this will be sought within the framework set by national planning policy guidance, Government Circulars and other advice.
- (ii) The reasoned justification be modified to:
- a) make explicit reference to the guiding criteria for negotiations on the provision of affordable housing, as set out in paragraph 10 of Circular 6/98;
  - b) acknowledge the other potential sources of supply, for example, making the best use of existing stock and/or conversions of existing buildings, that may help to meet the need for affordable dwellings. This could include a reference



- to the Council's Empty Homes Strategy, and provide some indication of the significance of the other sources of supply;
  - c) acknowledge the role of the Housing Strategy Statement, the need for monitoring of affordable housing provision, and the need for designs and layouts that seamlessly integrate affordable housing and general market housing on sites;
  - d) acknowledge the role of Registered Social Landlords (RSLs) in the delivery and management of affordable housing while clarifying that the Council will also seek to harness the potential of other modes of delivery, as appropriate;
  - e) set out the other circumstances, where RSLs are not involved, in which planning decisions for affordable housing would need to include arrangements to control occupancy, following the advice in paragraph 12 of Circular 6/98;
  - f) either delete the sub-area tables from the text or alternatively, expand their context so that their relationship with the targets indicated in the site-specific policies can be more readily understood;
  - g) delete the references to 'free land' from the text;
  - h) delete the data on incomes/rental levels from the text and replace it by a reference to the intention to keep under review the appropriateness of the affordability definition; it should also make clear that the Council will seek to bring forward an updated formula, if necessary, either by means of Supplementary Planning Guidance or as part of a formal review of the Plan, and
  - i) refer to the need to foster and develop existing housing market partnership initiatives, so that the assessment and delivery of affordable housing in market areas, especially where they straddle administrative boundaries, would be more effective.
- (iii) No other modification be made to the Plan in response to these objections.

**GBT            Green Belt – general**

**GBT1         Green Belt**

***Objections***

***See Appendix D for the list of objections on these matters***

***Main Issues***

- *review of the Green Belt boundary*
- *scope of policy*
- *infilling in washed-over settlements*

***Inspector's Considerations and Conclusions***

***Preamble***

- 1.4.1.1      In response to objections to the Deposit Draft, the RDDLP contains a substantially revised policy framework for the Green Belt. As a result, Policies GBT2 and GBT3 of the Deposit Draft are deleted, GBT1 is significantly amended, and two new policies, GBT4 and GBT5 deal with the proposed deletions from and additions to the Green Belt. In my view these changes resolve some of the objections to the Deposit Draft about the treatment of the proposed boundary alterations and their relationship with PPG2. Certain other objections relate to site-specific cases and are considered under the relevant omission site, or under GBT4, GBT5, or GBTNP below. The case of Gloucestershire Airport is dealt with under Policies CH1 and CH2.
- 1.4.1.2      The revised wording of Policy GBT1 includes two errors. I assume that the word 'material' has been omitted in error before the words 'change in the use' and there is a typographical error in the same line ('provide' instead of 'provided'). No doubt the Council will take the opportunity to make corrections at the Modifications stage of the Plan.

***Review of the Green Belt Boundary***

- 1.4.1.3      Only minor changes to the Green Belt boundary are proposed by Policies GBT4 and GBT5 and the Plan generally seeks to retain the Green Belt that has been statutorily defined through a number of local plans dating back to 1983. A number of objections call for changes to the Green Belt boundary in order to promote more sustainable locations for new housing development. The site-specific cases are considered under the relevant omission sites elsewhere in this report<sup>1</sup>. I deal here with the issues of principle raised by the objections that the Green Belt boundary should be altered.
- 1.4.1.4      PPG2 states that where existing local plans are being revised and updated, existing green belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such revision. In this case, Policy GB.1 of the GSPSR

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<sup>1</sup> See Volume Three.

provides for the maintenance of the Green Belt between Cheltenham and Gloucester. Paragraph 9.2.2 of the explanatory memorandum re-iterates the advice in PPG2 and clarifies that 'the consideration of exceptional circumstances will involve detailed assessment of the capacity of urban areas as well as comparative assessment of alternative locations outside the Green Belt in terms of various sustainability criteria.' It adds that it is not envisaged that significant alteration to accommodate development for the Plan period will be required, although paragraph 9.2.3 indicates that a review of the extent of the Green Belt boundaries is likely to be required during the review of subsequent structure plans.

- 1.4.1.5 The Strategy Topic Paper (CD37) acknowledges that during the preparation of the Plan there was considerable debate about the potential allocation of housing sites in the Green Belt because 'Green Belt adjoining the urban areas of Cheltenham and Gloucester is inevitably a more sustainable location, but the Council ultimately followed the RPG10 and (G)SPSR guidelines'. However, in my view the GSPSR does not preclude alterations that may be deemed to be 'significant' in this round of local plans; it simply states that it is not envisaged that they will be required. It is clear from paragraph 9.2.2 that much would depend on the outcome of urban capacity studies and comparative sustainability assessments.
- 1.4.1.6 So far as RPG10 is concerned, paragraph 3.11 refers to the leaping of the Green Belt that appears to have already taken place around the Principal Urban Areas. It states that the boundaries of the Green Belt around Cheltenham and Gloucester should be reviewed in the next round of structure plans in order to ensure that future patterns of development are more sustainable. Policy SS 4 sets out the action that should be taken in this regard by local authorities when preparing their development plans. While this guidance is of most relevance to the third review of the structure plan that is now underway, it is also a material consideration for the RDDLP. In my view the three criteria of Policy SS 4, together with the advice in paragraph 9.2.2 of the structure plan and in PPG3, especially paragraphs 67 and 68, allow for more than minor alterations to the Green Belt boundary in the Plan, provided that exceptional circumstances can be demonstrated and the objectives for which the Green Belt was designated would not be compromised.
- 1.4.1.7 Attention has focussed on the meaning of 'significant' in paragraph 9.2.2 and on Policy SS 5 of RPG10 which underlines the importance of co-ordinated planning for all the districts of a Principal Urban Area. The Council considers that any larger-scale alterations to the Green Belt boundary should be examined in a strategic context where cross-boundary issues can be fully addressed. I understand the concern that the Plan should not prejudice the outcome of the co-ordinated studies required by Policy SS 5, but the Council should not be absolved from an assessment of the most sustainable options for development within the Plan period on the basis that this is a strategic matter.
- 1.4.1.8 A number of the proposed housing allocations in the RDDLP would perpetuate the leapfrogging of the Green Belt, and the allocations in general are not based on an explicit, published assessment of the comparative sustainability of the potential housing sites. For the reasons set out elsewhere in the report, a number of the allocations are unsustainable and would contribute to a pattern of development that could frustrate the implementation of RPG10. In my view this is the far greater risk. This flaw goes to the heart of the RDDLP, and it has led to my recommendations that some of the proposed housing allocations should be deleted.

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- 1.4.1.9 As I have concluded elsewhere, the housing requirement set down by the GSPSR should be addressed by the Plan, and it is therefore essential that modifications are brought forward that provide for the most sustainable sites to accommodate the required growth. It is likely that this will entail some alterations to the Green Belt boundary, based on demonstrable exceptional circumstances<sup>2</sup>. Where specific proposals have come before this Inquiry, my recommendations indicate those sites that merit further consideration in this regard. Following the advice in PPG2 that any proposals affecting Green Belts should be related to a time-scale which is longer than that normally adopted for other aspects of the plan, it is important that the relevant planning authorities should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the Plan period. This may mean safeguarding land between the urban areas and the Green Belt which may be required to meet longer-term development needs. RPG10 provides the regional framework for considering this issue. It can be expected that the sub-regional context for assessing the need for any safeguarding will be provided by the emerging review of the structure plan.
- 1.4.1.10 One of the objections contends that the Green Belt is larger than necessary to prevent Cheltenham and Gloucester from merging and that the area has low landscape value. Scope for a new settlement in the transport corridor between the two towns, possibly at the airport is identified. However there is no evidence before me that shows how such a proposal would be consistent with the continued operation of the airport, and it would also involve the erosion of the Green Belt in a narrow gap between the two urban areas.
- 1.4.1.11 The need to maintain the net area of land designated as Green Belt, even if some actual changes to the boundary are made, is also put forward. I do not agree that this should be an objective of any review since it does not relate to the key purposes of the Green Belt. However, in accordance with paragraph 9.2.3 of the GSPSR, it would be appropriate for any review of the Green Belt to consider scope to include additional areas, and this could be addressed through the Plan or through the review of the structure plan.

### *Scope of Policy*

- 1.4.1.12 Unlike PPG2, the revised text of Policy GBT1 makes no reference to inappropriate development in the Green Belt being permitted in very special circumstances. Objections seek the inclusion of this advice or of the word 'normally'. I do not agree that it would be appropriate or necessary to make a corresponding reference within the wording of the policy. By their nature, such circumstances would be truly exceptional and the policy should not seek to address what might or might not constitute 'very special circumstances'. As in the case of any policy, the use of the word 'normally' is superfluous since each proposal would be considered on its merits in the light of the development plan and all other material considerations.
- 1.4.1.13 One of the objections contends that the presumption against development in the Green Belt is too restrictive if other objectives are to be achieved. However, the presumption against inappropriate development is enshrined in national policy and is properly reflected in the Plan.
- 1.4.1.14 PPG2 includes 'limited infilling or redevelopment of major existing developed sites identified in adopted local plans' as not being inappropriate in the Green

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<sup>2</sup> The assessment of the comparative sustainability of sites that would form part of this process would include their agricultural and landscape value, as sought by some objectors.

Belt, and sets out relevant criteria in Annex C. It describes these sites as 'substantial' and makes clear that local authorities may (my underlining) identify major developed sites in their development plans. Objections are made to the failure of the Plan to identify any such sites, and particular reference is made to sites at Elmbridge and the Bentham Works site<sup>3</sup>. However, the Council considers that there are no substantial areas in this Green Belt that should be treated as major developed sites for the purposes of PPG2 and I agree. The presence of large buildings on a site does not make it 'substantial' in Annex C terms. It is much more likely that such sites would occupy large areas. Linked objections to the policy and to the treatment of Gloucestershire Airport in the RDDLP seek a more relaxed approach to permit infilling or redevelopment of major developed sites. But for the reasons set out above, and under Policies CH1 and CH2, I do not recommend any additional policy criterion in Policy GBT1 on this matter.

- 1.4.1.15 One objector seeks to add the category of development at existing infrastructure installations to those acceptable in the Green Belt, but no evidence is put forward to support the variation of national policy guidance in this respect. I see no reason why the Plan should add to the categories of development that would be acceptable in principle within the Green Belt.
- 1.4.1.16 Another objection seeks provision for small-scale affordable housing in the Green Belt. In accordance with PPG2, limited affordable housing for local community needs under development plan policies according with PPG3 would not be inappropriate development in the Green Belt. However, as PPG3 points out, rural exception housing policies are not intended to apply in most Green Belt areas, which are by their nature close to the main conurbations where conditions are not typical of the generality of rural areas. Exceptionally, very limited development of affordable housing within or adjoining existing villages or other small settlements in the Green Belt may be acceptable. Given the compact nature of the Borough's Green Belt, I consider that the omission from the RDDLP of the Deposit Draft's reasoned justification relating to rural affordable housing is a proper interpretation of the advice in PPG2 and PPG3.
- 1.4.1.17 I agree that the enhancement of the Green Belt is an important aim, but this is already one of its objectives, as set out in PPG2, and there is no need to repeat this in the Plan.

*Infilling in washed-over settlements*

- 1.4.1.18 Policy GBT1 does not permit infilling in settlements washed over by the Green Belt. Some objections seek to amend this blanket prohibition by adding 'infilling within existing villages' to the categories of development that may be permitted, and that settlements where this would be appropriate could be identified either by inseting them, or listing them. .
- 1.4.1.19 PPG2 provides for a range of options when considering infilling, and the Council has proposed two of them (inseting some settlements and prohibiting infilling in others). In my view this does not conflict with the advice in PPG3 or PPG7 that some housing may be required outside main settlements. The mere location of a hamlet on a public transport corridor does not make it a sustainable location for new housing and so, in the case of Chargrove, I have concluded elsewhere that it is appropriately considered under Policy HSG4. As far as GBT1 is concerned, it is also right that infilling or small-scale housing development should be prohibited within Chargrove. This part of the Green Belt has a scattered pattern of

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<sup>3</sup> The Bentham Works site is considered under GBTNP – Green Belt New Policy.

development that could be significantly affected by even small-scale changes. Similarly, in the case of Staverton, an infill policy could have a marked impact on the form and size of the village, as well as requiring increased use of the car to gain access to day-to-day facilities. The fundamental aim of Green Belt policy, that of keeping land permanently open, could be significantly undermined by an infill-type policy for small hamlets within the Green Belt. Therefore, I consider that the Council is justified in seeking to resist the principle of infilling in washed-over settlements. However, larger settlements such as Churchdown and Shurdington are inset and so I do not agree that there is a 'blanket prevention' or that the Council's approach is in conflict with either the GSPSR or national guidance.

### ***Recommendations***

- 1.4.1.20 (i) As a consequence of the recommendations under HSGGEN and HSG1, the Plan be modified by making any necessary alterations to the Green Belt boundary where this would not compromise the objectives of its designation and exceptional circumstances can be demonstrated, and the Proposals Map be modified accordingly.
- (ii) In making any alterations to the boundary of the Green Belt, the need to safeguard land between the urban area and the Green Belt which may be required to meet longer-term development needs be addressed, along with the scope to include additional areas within the Green Belt.
- (iii) Section c) of Policy GBT1 be modified to read, '....the making of a material change in the use of land provided that...'.
- (iv) No other modification be made to the Plan in response to these objections.

## **GBT2          Existing Buildings and Extensions in the Green Belt**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issue***

- *compatibility with PPG2*

### ***Inspector's Considerations and Conclusions***

- 1.4.2.1      In response to objections, this policy is deleted in the RDDLP and the policy framework for the Green Belt as set out in the Deposit Draft is substantially revised. I consider that these revisions effectively resolve the objections apart from that in respect of the Bentham Works which is considered under GBTNP.

### ***Recommendation***

- 1.4.2.2      No modification be made to the Plan in response to these objections.

## **GBT3                      Safeguarded Land**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *retention of policy*
- *need for identification of safeguarded land*

### ***Inspector's Considerations and Conclusions***

- 1.4.3.1      This policy is deleted in the RDDLP. Policy GBT3 of the Deposit Draft proposed to safeguard two areas of land, one at Leckhampton and the other at Uckington. The first is proposed in the RDDLP as the new housing allocation SH1 and all of the linked objections are considered under that policy. Land at Uckington has been developed for residential and employment use and a safeguarding policy is no longer appropriate. Undesignated land outside the residential development boundary would be protected by countryside policies.
- 1.4.3.2      The case for a more general review of the Green Belt, including the safeguarding of lands for potential future development needs, is considered under GBTGEN and GBT1.

### ***Recommendation***

- 1.4.3.3      No modification be made to the Plan in response to these objections



## **GBT4                      Deletions from Green Belt**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *justification for deletions*

### ***Inspector's Considerations and Conclusions***

- 1.4.4.1      Policy GBT4 is a new policy within the RDDLP that proposes the deletion of seven small areas of land from the Green Belt. This responds to an objection lodged to the Deposit Draft that any changes to the Green Belt boundary should be formally proposed as a policy, accompanied by a reasoned justification.
- 1.4.4.2      I agree that any proposed changes to the boundaries of the Green Belt should have regard to the objectives of its designation and to the guidance in Policy SS 4 of RPG10. This matter is covered generally in my considerations under GBTGEN and GBT1.
- 1.4.4.3      Turning to the specific cases, the proposed deletion of land to the west of Smiths Industries, Bishops Cleeve is linked with Policy BC6. Taking the two policies together, the Plan seeks to allocate some additional employment land at Cleeve Business Park, while at the same time creating a clear and defensible boundary to the Green Belt on its least sensitive side. This entails an allocation of some 5.5ha, of which 5.2ha is land deleted from the Green Belt while the balance is made up of a small area that had already been allocated for employment use. The proposed Green Belt deletion would be partially compensated for by the proposed addition of two new areas (of 1.16ha and 0.22ha) to the Green Belt to the south and north respectively of the Smiths complex (see Policy GBT5). The land proposed for deletion adjoins an existing employment area and its incorporation into the employment site would help to maintain the well-being of a company that is a vital component of the local economy. The openness of the Green Belt would only be marginally reduced by the proposal and it would not cause any significant erosion of the gap between Cheltenham and Bishops Cleeve. Taking all of these matters into account it appears that the exceptional circumstances test may be satisfied in this case, but the justification provided in the RDDLP needs to be expanded to make clear the positive factors relating to the need for additional employment land at this location.
- 1.4.4.4      Other objections concern the deletion of two small areas (sites F and G) at Shurdington. However, both are clearly part of the village's built-up area and do not contribute to the purposes of the Green Belt. I consider that these are exceptional circumstances in which minor alterations to the Green Belt boundary in the Plan are justified, and I agree with the Council that the proposals would create a more logical and defensible boundary. Subject to my recommendation in respect of Policy SH3, I consider that the definition of the inset area in the Green Belt at Shurdington would accord with PPG2's advice and with the objective of preventing encroachment on the countryside.

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- 1.4.4.5      Objections to the proposed deletion of site A at Hillview Nurseries are taken into account under Policy SH3 in Volume Two of the report, in conjunction with the objections to its allocation for housing development.

### ***Recommendations***

- 1.4.4.6    (i)      The reasoned justification for Policy GBT4 be expanded in relation to site B (land west of Smiths Industries, Southam Parish) to make clear the positive employment factors in favour of a change to the Green Belt boundary at this location.
- (ii)      No other modification be made to the Plan in response to these objections.

## **GBT5 Additions to Green Belt**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issue***

- *justification for proposed additions*

### ***Inspector's Considerations and Conclusions***

- 1.4.5.1 Policy GBT5 proposes 11 small additions to the Green Belt and the reasoned justification provides an explanation for each proposed change.
- 1.4.5.2 One of the objections points out that any changes to boundaries should have regard to the purposes of the Green Belt as set out in PPG2, and also guidance in Policy SS 4 of RPG10. These matters are taken into account in my considerations under GBTGEN and GBT1.
- 1.4.5.3 Addition F involves the bottom halves of long rear gardens to houses on the southern side of Criftycraft Lane and Barrow Hill, Churchdown. This area is outside the Residential Development Boundary of Churchdown and within the Special Landscape Area (SLA). PPG2 advises that boundaries should be clearly defined, using recognisable features where possible. The existing line, following the well-vegetated boundaries of the gardens, complies with this advice. In my view there is no reason to replace this by a boundary which passes through the gardens without following any recognisable feature. The gardens rise up behind the houses and I appreciate the desire to prevent development in them, which would be prominent and intrusive outside the framework of the settlement. However, I consider that Policies HSG4 and LAN2 or LAN4 (subject to my recommendations) could adequately control development, and that inclusion in the Green Belt is unnecessary.
- 1.4.5.4 The policy includes a small rectangular area on the northern edge of the Smiths Industries complex at Bishops Cleeve. An objector says that this area was previously allocated for employment and is a logical addition to the complex, while landscaping and restriction to Class B1 uses could adequately protect nearby residents' amenity. However, the objection could result in development extending beyond the existing complex and encroaching into a small tongue of countryside which visually separates residential and commercial areas. The proposed addition would accord with one of the purposes of the Green Belt to assist in safeguarding the countryside from encroachment. Moreover, Policy GBT4 proposes deleting a much larger area to facilitate the complex's expansion.
- 1.4.5.5 Another of the proposed additions is a small area occupied by agricultural buildings at the end of a ribbon of houses at Brookfield Road, Churchdown, thus bringing the Green Belt boundary up to the end of the ribbon. An objection contends that it is wrong to extend the Green Belt in an area where a review of boundaries would be logical. However, the existing boundary bisects a group of

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farm buildings, and in my view there is no reason not to include the whole group within the Green Belt. More general considerations about Green Belt review are set out under GBTGEN and GBT1.

- 1.4.5.6 An objection to the addition of land to the south of Tewkesbury Road, Uckington has been resolved by the deletion of this proposal in the RDDLP.

### ***Recommendations***

- 1.4.5.7 (i) Policy GBT5 be modified by the deletion of Addition F and consequential modifications be made to the reasoned justification.
- (ii) No other modification be made to the Plan in response to these objections.

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## **GBTNP                      Green Belt - New Policy**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *justification for suggested boundary changes*
- *case for major developed site designation at Bentham Works*

### ***Inspector's Considerations and Conclusions***

- 1.4.6.1      The objections listed under this heading relate to specific areas of land. Most of them seek deletions from the Green Belt and consequent allocations, especially for housing. These are dealt with under the respective omission site address in Volume Three of the report. Objections relating to the Plan's proposed removals from, or additions to the Green Belt are considered under Policies GBT4 and GBT5 respectively. The other objections are considered below.
- 1.4.6.2      In connection with an objection seeking the removal of land from the Green Belt near Ashville Business Park and its allocation for employment purposes<sup>4</sup>, a compensatory addition to the Green Belt is put forward for consideration. This corresponds with the area proposed for housing development under Policy DH1. Conversely, another objection seeks the deletion of an adjacent sports ground and other buildings from the Green Belt and its allocation as part of an enlarged Policy DH1 site.
- 1.4.6.3      I note that the land to the north of the Dowty Rotol complex is used for outdoor recreation and it contains several recreational buildings, including a large clubhouse, together with a pair of dwellings. Some of this area is within the designated Green Belt and some excluded. Despite the presence of some buildings, I consider that the portion that is within the Green Belt contributes to its openness, especially when viewed from Cheltenham Road. It makes an important contribution to the purposes of the Green Belt by safeguarding the countryside from encroachment. The contention that it should be regarded as previously developed land does not outweigh its importance for the Green Belt. While it may appear illogical for two parts of an area of recreational open space to be treated differently, the large clubhouse separates the more open Green Belt section from that which is not included within the Green Belt. The area that is excluded from the Green Belt still performs some Green Belt functions, but to add it into the Green Belt in advance of a more detailed review, in order to compensate for a deletion elsewhere, would not outweigh the harm caused by the suggested deletion. The merits of an enlarged housing allocation in this area are not accepted for the reasons set out under Policy DH1. .
- 1.4.6.4      The case for a general review of Green Belt boundaries and particularly around Brockworth is made in a number of linked objections. The issues of principle involved are considered under GBTGEN. Specific objections in respect of lands

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<sup>4</sup> See LPOLNP Churchdown – Cheltenham Road, Staverton in Volume Three.



at Brockworth are considered under the respective omissions sites in Volume Three.

- 1.4.6.5 Turning to the second issue, the Bentham Works site extends to about 3.2ha in the Green Belt and AONB. It is currently occupied by about six industrial buildings and is in an area of sporadic development close to the hamlet of Witcombe. The objectors confirmed at the Inquiry that they do not now seek to delete their land from the Green Belt, but to designate it as a major developed site, supported by a development brief. Designation could be accompanied by setting out the criteria in paragraph C4 of Annex C to PPG2. The aim is to facilitate its development by a mixture of Class B1 uses and 42 'live/work' units. Conditions and Section 106 obligations would secure the specific nature of the development. Their terms would include the provision of a community minibus and a new cycleway.
- 1.4.6.6 The objectors argue that the site is redundant brownfield land, which is scarce in Tewkesbury Borough, and that it does not contribute to the aims and objectives of the Green Belt or AONB. They have marketed the site for 18 months, but without success because of the existence of the modern Gloucester Business Park nearby. It is not a major employment site protected by Policy EMP1, so non-employment use can be acceptable. Indeed the Plan allocates more than enough new employment sites. Without an alternative form of development, the obtrusive buildings will remain and deteriorate. Conversely, their proposal would enhance the landscape, improve the openness of the Green Belt and contribute to its objectives; the Council should accept that the site is not viable and use its discretion to designate it.
- 1.4.6.7 PPG2 indicates that factories could be major developed sites, but Annex C refers to 'substantial' sites. While it gives no guidance on threshold sizes, in my view this is not large enough to fall into the category, even though the buildings may be tall. Moreover, RPG10 envisages development of major developed sites to form self-contained communities, and the objectors agree that this site is too small to comply. Even if it were not, PPG2 does not require designations as major developed sites (my underlining)
- 1.4.6.8 The buildings are large and are in attractive countryside, but they have blended into the landscape and their impact does not warrant designation; indeed views of them are dominated by more obtrusive structures at the nearby leisure development. Replacement by lower and less bulky buildings could improve the openness of the Green Belt and reduce encroachment, but in my view these benefits do not justify designation as a major developed site.
- 1.4.6.9 Homeworking can reduce travel demand. This has been found in the various appeal decisions quoted by the objectors, but they confirmed that none related to Green Belt sites. In my view brownfield status need not thereby make a site suitable for housing. The objectors agree that their land is not sustainable in terms of PPG13, but consider that the intended transport improvements could overcome this, and that their proposal would be more sustainable than the lawful use. However, the housing element would be so small that a community minibus is unlikely to prove viable, and I do not agree that the proposed improvements would adequately integrate housing on the site into any local community. Nonetheless, the housing element of a live/work scheme would be likely to be the main component, and despite proximity to leisure and employment facilities and its brownfield nature, I consider that the site is not a sustainable one for this purpose.
- 1.4.6.10 The objectors refer to high traffic generation from the site if it were to remain in employment use. If this adversely affects local amenity, any redevelopment

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involving less intensive forms of employment could be considered under Policy EMP5. In any event, a development proposal would be treated on its merits, including whether there were any very special circumstances that should be weighed against Green Belt policy and other considerations. Taking all of these matters into account, I do not consider that there is sufficient justification for designating this land as a major developed site.

### ***Recommendation***

1.4.6.11 No modification be made to the Plan in response to these objections.

## **EMP      Employment – General**

### **EMP1      Major Employment Sites**

#### ***Objections***

*See Appendix D for the list of objections on these matters*

#### ***Main Issues***

- *interrelationships with other policies and objectives*
- *clarity and precision*
- *need for additional provision*

#### ***Inspector's Considerations and Conclusions***

- 1.5.1.1      The Employment Chapter of the RDDLP sets out the objectives and policies for employment land throughout the Borough. In response to one of the objections, the Council accepts that the chapter should provide an explanation of the relationship between its policies and proposals and the objectives for sustainable development. I consider that the amendment put forward in TBC12 would address this matter. The need for local business centres and craft centres generally is also raised as a concern, but in my view Policies EMP4, AGR4 and AGR6 address this matter. With reference to Severn Trent's objection, the Council's suggested amendment in TBC12 is an appropriate response. Other objections classified under EMP General and EMP1 that relate to site-specific matters are considered in Volumes Two and Three of the report.
- 1.5.1.2      Turning to the objections to Policy EMP1, I agree that the clarity and precision of the policy could be improved and in my view this would be addressed adequately by replacing the word 'existing' by the word 'major' in the first line of the policy; also the first sentence of the reasoned justification should clarify that the existing employment areas at the specified locations, as defined on the Proposals Map, are classified as major employment areas. In my view the second paragraph of the policy allows sufficient flexibility for alternative uses without undermining the intent of the policy to retain employment land for its purpose. And in regard to the sequential approach to hotel and leisure uses, I consider that the policy should not seek to bypass PPG6's advice on this matter. In applying that advice, each case would be treated on its merits.
- 1.5.1.3      Given that the sites already have the benefit of planning permissions for a wide range of uses, I do not consider that it would be beneficial to re-draft the policy to take account of any differential transport impact of various use classes. However, the reference to non-car modes of transport only in relation to leisure uses in the second paragraph is an inadequate reflection of PPG13, and I agree with the objector that this requires amendment. The policy should make clear that proposals for new development on the major employment sites should be accessible by a choice of modes of transport.

- 1.5.1.4 Some objections contend that the overall provision of major employment sites is inadequate and they seek the allocation of new sites. These are dealt with under LPOLNP in Volume Three of the report, but I deal with the general issues here. In terms of the overall provision, the RDDLP allocations under Policy EMP1 provide for about 15% more than the total land supply figure for the Borough set out in Policy E.1 of the GSPSR. The latter emphasises that the figure is not a target but an indicative distribution figure only, and that its aim is to provide a supply through the local plan process that will not constrain investment. The need for more monitoring and review of employment land provision is highlighted, while adding that the figure is considered to strike the right balance with the proposed housing distribution.
- 1.5.1.5 In my view there is little to support the case for any significant increase in the supply over and above that provided for by Policy EMP1. Rapid take-up rates in recent years in the Tewkesbury/Ashchurch area are not a good enough reason to increase the supply even further above the indicative level when there appears to be an ample supply in the Borough as a whole. To do so could undermine the CSV focus of the strategy. Also, there is no substantive evidence of any shortage of premises or types of site that is constraining investment. The desirability of mixed use development is not in itself a good argument for the release of more greenfield sites for employment, especially taking into account the potential that could be released through the regeneration of existing employment land in sustainable locations. Policy EC 4 of RPG10 does not lend support to the identification of new major strategic sites in the Plan; instead it underlines the role of the Regional Planning Body, SWERDA and the structure planning authority in this work. Overall, I consider that there is insufficient justification for the identification of any additional lands under Policy EMP1, and that the need for any new Policy EC 4 type sites is a matter for the ongoing review of the structure plan.
- 1.5.1.6 An objection seeks the designation of BVD Ashchurch as a Policy EMP1 site, but this would add about 100ha to the land supply, and in my view it would entail an unacceptably large increase and a very significant shift away from the focus on the CSV. The future use of the site is under review by the MoD and I do not consider that there is any planning justification for pre-empting the outcome of that process by the suggested designation. Also the re-wording of Policy EMP1 in the RDDLP is not negative in its intent and I consider that it allows sufficient flexibility to deal with proposals for redevelopment or expansion of existing sites.
- 1.5.1.7 It would not be appropriate to include requirements about legal agreements in the policy, and the concern about the adequacy of infrastructure provision would be addressed through other policies of the Plan. There is an objection to employment development in open countryside, but in my view the policy makes no significant new allocation of greenfield land over and above what has already been committed. The traffic implications of hotel and leisure uses are compared unfavourably with their employment potential in another objection, but subject to the PPG6 matter referred to above I do not consider that there is any fundamental issue in this regard. In general, mixed use sites are likely to offer greater sustainability benefits and this could outweigh any traffic factors taken in isolation.

***Recommendations***

1.5.1.8 (i) The Plan be modified by:

a) the addition of the following to the introductory section of the Employment Chapter:

'The Plan's proposed approach to new employment development will help to reduce transport demand by enabling the provision of employment close to residential areas, where workers will be able to minimise their journey lengths and have the opportunity to use transport modes other than the private car.';

b) the addition of a new objective in the Employment Chapter as follows:

'To ensure that new development takes place in locations where existing and planned water services can accommodate additional growth';

(ii) Policy EMP1 be modified by:

a) inserting a new sentence at the end of the first paragraph that states that new development on these sites should be accessible by a choice of transport modes, and

b) inserting a new sentence at the beginning of the second paragraph that states that the sequential approach will be applied as appropriate to proposals for alternative uses.

(iii) No other modification be made to the Plan in response to these objections.

## **EMP2      Employment Uses within Settlements outside Allocated Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *flexibility and positive intent*
- *traffic impacts and sustainability*

### ***Inspector's Considerations and Conclusions***

- 1.5.2.1      Policy EMP2 concerns employment uses that lie within settlements but outside allocated employment sites. It seeks to ensure that any extension or redevelopment of these uses is carried out in a manner that would safeguard the quality of the environment in the surrounding area. The policy has been revised in response to an objection at the Deposit Draft stage so that it sets out more clearly the circumstances in which applications for planning permission would be granted. In my view the RDDLP policy satisfactorily addresses this concern and is not overly restrictive. It is reasonable to seek that any new employment use would remove or reduce any detrimental environmental impact from existing uses.
- 1.5.2.2      As in the case of Policy EMP1, I do not consider that there is a need to re-draft the policy to take account of any differing traffic impacts of various use classes. Where such an issue might arise it could be addressed by criterion A of the policy and by the other policies of the Plan. But in response to another objection, I agree that a criterion seeking provision for safe and convenient access by non-car modes would be appropriate, since this should be one of the aims for redevelopment or extension proposals in general.
- 1.5.2.3      In respect of the other objections, Policy GEN11 deals with the provision of infrastructure and I do not consider that there is a need to duplicate such requirements within Policy EMP2. The objection in regard to the MoD site at Ashchurch is taken into account under EMP1 and no further comment is required here. Policies EMP2 and EMP5 rightly seek to draw a distinction between sites that are within settlements and those that are not. It would be contrary to the key objectives of the Plan to seek to blur that distinction in the manner requested in one of the objections. No other wording changes to the policy are required in response to the objections.

### ***Recommendations***

- 1.5.2.4      (i)      Policy EMP2 be modified by the addition of a criterion as follows:
- ‘There is provision for safe and convenient access by pedestrians, cyclists and public transport users’.

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- (ii) No other modification be made to the Plan in response to these objections.

## **EMP3 Rural Business Centres**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *scope of policy*
- *designation of land at Norton*
- *extension of RBCs at Deerhurst and Highnam*

### ***Inspector's Considerations and Conclusions***

- 1.5.3.1 Rural Business Centres (RBCs) all comprise existing ranges of small units, generally in the countryside or adjacent to villages; they are identified on the Proposals Map and listed in the reasoned justification. They are often the result of conversion schemes or involve redeveloped brownfield land. The policy seeks to retain the small-scale nature of the units and activities, by normally resisting redevelopment or amalgamation. However, the creation or expansion of RBCs are subject to Policy EMP4, which would allow expansion and new building in specific circumstances.
- 1.5.3.2 Many RBCs involve the redevelopment of traditional agricultural buildings and in my view it would be unrealistic to allocate specific locations for this type of use. The Council's approach of assessing proposals under Policy EMP4, but then accepting their special characteristics as being subject to Policy EMP3, appears reasonable.
- 1.5.3.3 Some objectors argue that the policy is unnecessarily restrictive as there may be compelling reasons to expand rather than relocate. However, the reasoned justification stresses the small-scale nature of RBCs and of the uses within them, arguing that businesses should move to larger premises on allocated sites as they expand. I consider that the policy recognises the 'nursery' nature of RBCs while providing flexibility to address particular circumstances, as envisaged by the objectors.
- 1.5.3.4 The compatibility with PPG7's advice to avoid major employment development in rural locations not well-served by public transport is raised, together with the concern that Class B1 uses generate high levels of traffic and are unlikely to be appropriate in RBCs; it is argued that these and other traffic-generating uses should be excluded and that since Class B8 uses may have a similar impact, the policy should give specific guidance on their location.
- 1.5.3.5 It appears to me that this objection underrates the small-scale nature of units within RBCs, now amplified in the revised reasoned justification. An initial application would be assessed against Policy EMP4, which also refers to small-scale uses and addresses matters of accessibility, although not public transport. In



my view the traffic generation of proposed uses could be considered in the context of individual applications. The aim of Policy EMP3 to control changes within RBCs would also enable those which would materially increase traffic to be assessed. There is no evidence to support the objector's views on traffic generated by Class B1 or B8 uses.

- 1.5.3.6 In summary, I consider that the re-use of existing buildings for employment use would accord with both the sustainability aims of PPG13 and with PPG7's promotion of the rural economy. Moreover, locating small-scale employment premises in well-accessed areas would have the potential to reduce private car use by giving rural residents the opportunity to work nearer home.
- 1.5.3.7 Turning to site-specific objections, one seeks the designation of premises at Norton Barns, Wainlode Lane, Norton as an RBC. This site is some 200m from the village, which is on a bus route and has some community facilities. The lawful use is as a specialist trade reclamation centre, museum and exhibition area with ancillary storage and craft workshops; conditions limit the uses to recognise the site's exceptional circumstances, its planning history and the proximity of housing. The land is occupied by several buildings of various sizes and ages; it also includes a paddock, which is within the Landscape Protection Zone.
- 1.5.3.8 Proposals for new employment uses in the countryside, including future RBCs, would be considered under Policy EMP4. In my view this would enable careful selection of such schemes. Once established, any alterations to RBCs would then be subject to Policy EMP3. This site is previously developed land and it may be in a more sustainable location than some other RBCs, as it is close to a settlement and to public transport. I agree with the objectors that some of the existing RBCs might not comply with Policy EMP4 were they to be proposed now, not least because of changes in national guidance. However, Policy EMP3 clearly relates to existing uses in a range of small-scale units, and its objective is to encourage this type of contribution to the rural economy. Norton Barns is occupied by a single user and is not the type of site covered by the policy.
- 1.5.3.9 In my view an RBC on this relatively large site would be likely to intensify what the existing permission seeks to ensure is a specialist use with a low impact on its surroundings. Any intensification of uses on this congested site would not be appropriate to the local context or accord with criterion C. Even if the paddock were to be excluded, I do not consider that the site has the prerequisites of designation under Policy EMP3. Moreover, intensification of use by subdivision into a number of units would be likely to create the harmful effect previously identified, even though there may be benefits from relocating the existing uses. There is, however, no evidence that the existing uses create such loss of amenity as to bring the site within the scope of Policy EMP5. A conversion scheme to create 12 dwellings, including several live-work units, received planning permission after the Inquiry. However, the scheme was clearly treated as a residential development and the existence of an employment element does not in my view support this objection.
- 1.5.3.10 As well as opposing the general scope of the policy, another objector seeks to include some 4ha of land to the south of an existing RBC at Highfield Business Park, Deerhurst in the designation. However, the policy clearly requires any expansion proposals within an RBC to demonstrate that the small-scale nature of the units and activities would remain. The land is outside the RBC and its size indicates that expansion would not be small-scale. Instead it would be likely to be obtrusive in the landscape when seen from nearby, even though the land is

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currently screened from the main A38 road by hedging. For these reasons I do not consider that designating this area as an RBC would be appropriate, but any proposed expansion of the Highfield Business Park would be considered under Policy EMP4.

- 1.5.3.11 The proposed extension of the Highnam Business Centre is considered under Policy HM3 in Volume Two of this report.

### ***Recommendation***

- 1.5.3.12 No modification be made to the Plan in response to these objections

## **EMP4 Rural Employment Policy**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *application of policy*

### ***Inspector's Considerations and Conclusions***

- 1.5.4.1 The policy encourages small-scale employment uses in rural areas where appropriate to their local context; they should be directly related to the essential needs of agriculture or involve sites with existing buildings or structures. Proposals should accord with defined criteria. Rural Business Centres (RBCs) approved under this policy would then become subject to Policy EMP3.
- 1.5.4.2 Some objectors seek the extension of the policy to permit redundant agricultural land to be used for small-scale employment uses and to allow established rural businesses to expand, with a recognition of the contribution which new buildings can make to rural diversification; it is argued that these should not be restricted to agricultural uses. The policy does not rule out new buildings in all circumstances but in my view, if sustained, the objection could lead to a proliferation of development in many locations, causing unacceptable harm to the landscape and introducing unsustainable transport patterns.
- 1.5.4.3 However, GSPSR Policy E.4 goes beyond 'the essential needs of agriculture' by also referring to 'forestry or other rural industries'; its reasoned justification points out that 'employment uses outside urban areas will need to demonstrate that there are specific reasons why a rural location is necessary'. Therefore I agree with the objectors that the restriction of uses not involving existing buildings to agriculture is unduly restrictive, and I see no reason why the uses referred to by the GSPSR should not be allowed.
- 1.5.4.4 An objection seeks to exclude Class B1 uses, except where well-served by public transport, because of the high levels of traffic generated. It also seeks the inclusion of guidance on the location of B8 uses. However, no evidence is provided that Class B1 or B8 uses would necessarily increase traffic; in any event traffic generation would be assessed as part of the impact of any proposed development on its local context. Moreover, locating small-scale employment premises in well-accessed areas would have the potential to reduce private car use by giving rural residents the opportunity to work nearer home.
- 1.5.4.5 One of the objections raises concerns about the location of employment uses in the countryside and seeks to amend the policy so that it would relate only to sites in or adjacent to villages. However, in my view the policy is generally consistent with GSPSR Policy E.4 (subject to my comments above), and the suggested amendment would not accord with the advice in PPG7 on rural diversification. A

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site in the countryside, especially where the re-use of existing buildings is involved, may be sustainable and criterion B would avoid unsustainable isolated locations.

- 1.5.4.6 Conversely, another objector fears that suitable sites may be rejected under the policy if they are not close to settlements, even though they could both diversify the rural economy and reduce commuting to work. PPG13 should not be interpreted in a way that would undermine policies for rural diversification. In my view the principles of Policy EMP4 balance the sustainability aims of PPG13 with PPG7's promotion of the rural economy, and there is no need for any modification in response to this objection.
- 1.5.4.7 One objector seeks to amend the policy by giving priority to schemes which meet criteria, rather than requiring them to do so, deleting the reference to appropriateness to local context, adding one requiring accessibility by public transport, and encouraging home/work schemes and tele-villages. These last are hybrid uses that in my view are more appropriately considered against the Plan's Housing policies and do not justify policy treatment in their own right. I also consider that to encourage schemes which may not respect their local context would be a retrograde step, especially in a rural area. It would add an unacceptable element of uncertainty if the requirement for schemes to accord with specified criteria were to be replaced by one that gives priority to those that do so. The objector does not seek that all sites should have access to good public transport but I agree that a reference to it would further encourage sustainable development.
- 1.5.4.8 In response to the request that the GSPSR's sustainability principles should be set out and a maximum size of use specified, I do not consider that there is any need to duplicate references from the GSPSR. The amended reasoned justification in the RDDLP states that individual units should be up to approximately 100sq m. However, I consider that this introduces an unnecessary element of inflexibility and that reference to a floorspace maximum should be deleted.
- 1.5.4.9 It is claimed that there is ambiguity as to whether some developments may be alternatively assessed under Policies AGR4 or AGR6, but these address farm diversification and the re-use of existing buildings. There is an inevitable overlap between these policies, which together address aspects of the rural economy, and the revised Policy EMP4 in the RDDLP sets out the circumstances in which AGR6, AGR7 and AGR8 would be relevant, but I see no conflict in their application.
- 1.5.4.10 The Council supports a suggested amendment to a criterion requiring access to be convenient as well as safe, so that proposals are adjacent to a highway of a reasonable standard. I consider that this is an appropriate amplification. Another objection argues that the criterion that sites should be located within walking or cycling distance of residential areas is restrictive, and that this should require only that sites are well-related to residential areas. However, in my view these principles are the same.
- 1.5.4.11 Objections because of lack of clarity in the application of the Deposit Draft's criteria, the definition of 'derelict' and the omission of reference to pollution have been addressed by the wording of the amended policy in the RDDLP. I do not consider that the term 'farm diversification' needs a specific definition.

***Recommendations***

- 1.5.4.12 (i) Policy EMP4 be modified by:
- a) re-wording of the first paragraph to read, '...agriculture, forestry or other rural industries, where it can be demonstrated that there are specific reasons why a rural location is necessary, or make use of ...';
  - b) amendment of criterion (A) to read, '... safe and convenient access by road ...';
  - c) amendment of criterion (B) to read, '... walking, cycling or public transport.'
- (ii) The reasoned justification for Policy EMP4 be modified by the deletion from the fourth paragraph of the words in brackets, 'up to approximately 100sq metres for individual units'.
- (iii) No other modification be made to the Plan in response to these objections

## **EMP5        Existing Employment Uses outside Settlements, Allocated Sites and Rural Business Centres**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *scope of policy*

### ***Inspector's Considerations and Conclusions***

- 1.5.5.1      This policy encourages the change of use or redevelopment of existing non-conforming employment uses outside settlements, allocated sites or RBCs where this would lead to a net environmental benefit. The sites would normally remain in employment use, but the opportunity would be taken to reduce adverse impacts on amenity. Conversely, new uses would be resisted where an adverse environmental impact would be either created or increased.
- 1.5.5.2      An objection seeks clarity about the type of uses which would be permitted, which should exclude Class B1 uses because of the high levels of traffic generated; it also seeks the inclusion of guidance on the location of B8 uses. However, no evidence is provided that Class B1 or B8 uses would necessarily increase traffic; in any event traffic generation would be assessed as part of the relative environmental impact of any proposed development.
- 1.5.5.3      In relation to the concern about potential ambiguity, I note that the policy seeks to mitigate uses with an adverse environmental impact and the amended reasoned justification in the RDDLP says that it does not apply to existing small-scale uses appropriate to a rural area. In my view this clarification addresses concern about ambiguity.
- 1.5.5.4      The policy states explicitly that it does not apply to proposals involving residential use and I consider that this is the correct approach. It would undermine the intent of the policy to protect the employment benefits of such sites, while addressing adverse impacts, if residential redevelopment were to be encouraged. It is also likely that provision for residential development on these sites would conflict with the key objectives of the Plan to encourage a more sustainable pattern of development.
- 1.5.5.5      The inclusion of a site at Elmbridge Court within the list given in the reasoned justification is sought in one of the objections, but there is no evidence that it concerns the type of non-conforming use covered by the policy. Moreover, the list only contains examples of the sites involved, so the omission of Elmbridge Court need not prevent it being considered under the policy.

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- 1.5.5.6 An operator of one of the quoted sites refers to the lack of scope to rationalise existing rural business sites, which could involve expansion onto adjacent land. Concern is also raised about the absence of policies for the relocation of existing uses, such as haulage businesses. However, the policy does not restrict redevelopment to existing footprints; proposals to rationalise existing uses could be considered within its terms, subject to the aim of reducing environmental impact. Relocation of existing uses could be addressed by other policies.
- 1.5.5.7 I do not agree that the reasoned justification should be modified in the manner requested to facilitate homeworking. The policy provides a context for the redevelopment of rural employment sites which are not allocated for this purpose. The requested change could undermine the protection of rural employment facilities, especially those which are small in scale. It is clear to me that homeworking schemes are essentially residential uses with ancillary employment, and so I agree that this issue would be more appropriately considered under the Housing policies. Another objector seeks to add 'pollution' to the list of examples of adverse environmental impact. While the list is not intended to be exhaustive, I consider that this would be a reasonable addition.

### ***Recommendations***

- 1.5.5.8 (i) The reasoned justification for Policy EMP5 be modified by the addition of the word 'pollution' to the list of adverse impacts in the first paragraph.
- (ii) No other modification be made to the Plan in response to these objections

## **EMP6                      North Fiddington**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need for additional employment land*

### ***Inspector's Considerations and Conclusions***

- 1.5.6.1      Policy EMP6 of the Deposit Draft is deleted from the RDDLP. It proposed the allocation of about 36ha of land at North Fiddington for employment purposes. Most of the objections to the policy are resolved by its proposed deletion. However, there are others that seek the reinstatement of the policy and the development of a mixed use scheme including a hotel at this location, in order to satisfy perceived needs.
- 1.5.6.2      My overall conclusions on the employment land supply issue, set out under Policy EMP1, are relevant to this matter. In brief, there is little to support the case for any significant increase in the supply over and above that provided for by Policy EMP1, and the need for any new Policy EC 4 type sites<sup>1</sup> is a matter for the ongoing review of the structure plan. I do not consider that any need to develop a more self-contained community in Tewkesbury/Ashchurch would justify the reinstatement of the North Fiddington site. The scale of the allocation would be likely to act as a significant counter-magnet to employment development within the CSV and it could undermine the CSV strategy. The site cannot be regarded as unconstrained since it is affected by the Tirl Brook floodplain, and it would entail a large and prominent encroachment into the open countryside. The site's proximity to the motorway network may be advantageous in some respects, but as objectors to the Deposit Draft have commented, it would tend to encourage car use, and I do not consider that it would have any other sustainability advantages that might outweigh this factor. Also, the proposal in another objection for the incorporation of an employment allocation on this site into a large, mixed use scheme is unacceptable in my view for strategy and sustainability reasons<sup>2</sup>. That proposal no longer includes a hotel, and I do not find any substantive evidence of a need for a hotel at this location or that it would comply with the sequential approach set out in PPG6.

### ***Recommendation***

- 1.5.6.3      No modification be made to the Plan in response to these objections.

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<sup>1</sup> This refers to Policy EC 4 of RPG10.

<sup>2</sup> See LPOLNP North Fiddington in Volume Three



**EMP7 Malvern View, Bishops Cleeve**

***Objections***

*See Appendix D for the list of objections to this policy*

***Inspector's Considerations and Conclusions***

- 1.5.7.1 Policy EMP7 of the Deposit Draft has been renumbered as Policy BC5 in the RDDLP. My consideration of the objections and my recommendation is set out under Policy BC5.

## **EMP8     Gloucester Business Park**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Inspector's Considerations and Conclusions***

- 1.5.8.1     Policy EMP8 of the Deposit Draft has been renumbered as Policy BR2 in the RDDLP. My consideration of the objections and my recommendation is set out under Policy BR2.

## **EMP9      Cowfield Farm South**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Inspector's Considerations and Conclusions***

- 1.5.9.1      Policy EMP9 of the Deposit Draft has been renumbered as Policy AS6 in the RDDLP. My consideration of the objections and my recommendation is set out under Policy AS6.

## **EMPNP                      Employment – New Policy**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issue***

- *need for a policy on live/work units*

### ***Inspector's Considerations and Conclusions***

- 1.5.10.1     An objection seeks the inclusion of a specific policy within the Employment chapter that would encourage the provision of live/work units in appropriate locations. However, I do not consider that the suggested policy would provide helpful guidance to potential applicants on how any such proposal would be considered. In some circumstances the use of existing dwellings as live/work units would not require planning permission. Proposals for new live/work units would be treated on their merits within the framework of the existing policies set out in the RDDLP. Any scheme for a large-scale 'televillage', for example, would by its nature be exceptional and I do not consider that there is sufficient evidence of a need for a policy to deal with this type of development in the Borough.

### ***Recommendation***

- 1.5.10.2     No modification be made to the Plan in response to this objection.

## **TRP      Transport Policies - General**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *clarity of overall strategy*
- *order of policies*
- *transport objective five*
- *reliance on private cars in rural areas*
- *responsibility for implementation*

### ***Inspector's Considerations and Conclusions***

- 1.6.1.1      PPG12, paragraph 5.5 states that the most appropriate development plan for the transport and land use strategy underpinning a local transport plan (LTP) will generally be the structure plan. Gloucestershire County Council is the highway authority for the Borough and is responsible for the preparation of the local transport plan (LTP). The local plan should translate the strategic approach of the County into development control policies that are consistent with the overall objectives and policies of the structure plan and the LTP. More detailed area strategies are also included in the LTP that provide a focused approach to transport matters in identified sub-areas such as the Severn Vale and the Tewkesbury/Ashchurch area. In accordance with my recommendations on specific policies, the finally adopted plan would accord more closely with the over-arching strategy of the structure plan and LTP, which is generally to encourage the use of public transport and non-car transport modes and to reduce reliance on private motor cars where practicable. Subject to that, I do not consider that there is any lack of clarity about the overall strategy of the Plan in respect of the interrelationships between transport and land use.
- 1.6.1.2      I agree with another objection that the rationale for the order in which the transport policies appear is not readily apparent. This does not aid understanding of the policies or the usability of the Plan. Subject to my recommendations on specific policies, a general re-ordering in accordance with the thematic pattern in the GSPSR Transport Chapter would be appropriate.
- 1.6.1.3      The fifth objective of the Transport policies, as set out in the introduction to the chapter, is to encourage the implementation of a high quality public transport system to link the centres and suburbs of Cheltenham and Gloucester and their surrounding areas. Policy TRP11 and the reasoned justification provide more detail in conjunction with the Proposals Map. The objective is clear and consistent with GSPSR policy and the LTP strategy and in my view the suggested re-wording by the objector is unnecessary.

- 1.6.1.4 The reliance of the rural population on cars should be balanced with the need to encourage a more sustainable approach to transport in the Borough. PPG13 states in paragraph 40 that while opportunities for public transport and non-recreational walking will be more limited in rural areas, the overall policy approach that applies to urban areas should be applied in rural areas. Access to employment, shops and services in the Borough's main population centres for those who live in the rural areas is the significant issue. Realistically, those who live in remote areas will be reliant on the car to serve their day-to-day transport needs, and parking standards in the Plan should reflect this. However, the need to provide adequate parking for rural dwellers should not compromise the primary aim of the Plan in encouraging those who can to use more sustainable forms of transport, other than the car. The LTP has taken this into consideration in setting down maximum car parking standards which reflect the circumstances in the more highly urbanised Central Severn Vale and the remaining rural areas of the County. In accordance with my recommendations on Policy TRP16 and Appendix 5, the Borough's parking standards would also reflect these differences. There is no other policy or proposal in the chapter that would affect rural dwellers in a disadvantageous way due to their reliance on motor cars. I therefore see no need to explicitly take this into account in relation to other policies in the chapter.
- 1.6.1.5 The implementation section of the introductory text is a statement of fact. The local planning authority is not responsible for motorways and trunk roads. The County Council is the highway authority and is responsible for other roads in the Borough. The private sector also has a role, as acknowledged in the text. No modification to this section is required.

### ***Recommendations***

- 1.6.1.6 (i) Subject to my recommendations on specific policies, the Plan be modified by the re-ordering of the policies within the Transport Chapter in accordance with the thematic pattern in the GSPSR.
- (ii) No other modification be made to the Plan in response to these objections.

## **TRP1 Access for Development**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *scope and detail of policy*
- *consultation with infrastructure providers*

### ***Inspector's Considerations and Conclusions***

- 1.6.2.1 Policy TRP1 requires that development proposals should include arrangements for safe access to and from the highway, and that access proposals should not cause an unacceptable loss of amenity to users of adjacent land.
- 1.6.2.2 With regard to the first issue, I support the comments made by the County Council concerning the need for a more coherent approach to accessibility at the start of the Chapter and recommend their proposed policy. This accords with guidance in PPG13, paragraph 19, which discusses accessibility standards in respect of all modes of transport, beyond the rather limited scope of Policy TRP1 that lacks depth and clarity. The resulting set of access policies is presented in such a way as to make the Chapter seem fragmented and ill-defined in its scope and intent. A single policy to deal with accessibility across all modes of transport would aid the production of a more concise Plan.
- 1.6.2.3 PPG13, paragraph 19, states that authorities should give emphasis to access arrangements in new developments so that they will offer realistic, safe and easy access by a range of modes of transport. The issue of safety should be tackled in the policy as well as in the reasoned justification because it is an intrinsically important factor in determining standards of access in new developments. In response to another objection, I do not recommend that the modified policy should include the term 'significant adverse effect on amenity'. An unacceptable loss of amenity is by definition unacceptable and the suggested re-wording would not improve the clarity of the policy.
- 1.6.2.3 In respect of the second issue, major service providers such as gas and water suppliers are statutory undertakers and as such they will be consulted as part of any major development, including transport schemes. There is no need to duplicate these provisions in the Plan.

### ***Recommendations***

- 1.6.2.4 (i) Policy TRP1 be replaced as follows:-

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Development will be permitted where:

- (a) provision is made for safe and convenient access to the development by pedestrians and cyclists;
- (b) an appropriate level of public transport service and infrastructure is available, or can be made available;
- (c) the traffic generated by and/or attracted to the development, together with that arising from other existing or planned development, would not impair the safety or satisfactory operation of the highway network, and
- (d) highway access can be provided to an appropriate standard which would not adversely affect the safety or satisfactory operation of the highway network, nor cause an unacceptable loss of amenity to users of adjacent land.

- (ii) The reasoned justification for Policy TRP1 be modified accordingly.
- (iii) No other modification be made to the Plan in response to these objections.



## **TRP2      Traffic Calming**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *pollution, vibration and noise impacts*
- *needs of wide-bodied agricultural vehicles*
- *emphasis on Tewkesbury Town Centre*

### ***Inspector's Considerations and Conclusions***

- 1.6.3.1      Traffic calming is generally a matter for the County Council as the highway authority. There is a limit to how far the Plan can influence the implementation and design of traffic calming schemes. However, it is important that the Plan deals effectively with transport proposals that inevitably affect the quality and appearance of the built and natural environment. PPG13, paragraph 64, clearly states that development plans should include any policies which are directly related to the management of traffic. Policy TRP2 complements section 4.7 of the Tewkesbury and Ashchurch Area Strategy of the LTP, which covers these matters in more detail. The policy states that traffic calming schemes should be sympathetic to the surrounding built environment.
- 1.6.3.2      In respect of the first issue, the policy sets down guidelines to ensure that traffic calming schemes are appropriate to their location and setting. It will encourage developers and the County Council as highway authority to work in conjunction with the local planning authority to ensure that schemes are implemented to meet the needs of residents and motorists. There is no evidence to suggest that traffic calming schemes detrimentally affect the environment due to increased pollution and vibration.
- 1.6.3.3      In rural areas the safe and convenient operation of farm machinery is important to the economy and therefore a reference to the needs of agricultural traffic is appropriate. The additional policy wording in the RDDLP appears to resolve the objection made to the Deposit Draft in this regard.
- 1.6.3.4      The addition of the word 'towns' in the reasoned justification has clearly established that the scope of the policy covers all of the urban areas in the Borough. Policy TRP24 deals specifically with traffic management measures to be implemented in Tewkesbury town centre. Therefore, no modification of the Plan is required in respect of the final issue.

### ***Recommendation***

- 1.6.3.5      No modification be made to the Plan in response to these objections.

**TRP3                      Footpaths and Bridleways Protection in the Implementation  
of                          Highway Schemes**

***Objections***

*See Appendix D for the list of objections to this policy*

***Main Issues***

- *adequate sign-posting*
- *reference to agricultural occupiers*

***Inspector's Considerations and Conclusions***

- 1.6.4.1      The policy requires that the integrity of the footpath and bridleway network be safeguarded in the design and implementation of highway projects.
- 1.6.4.2      With regard to the first issue, signposting is a matter for the County Council as the highway authority and therefore it would not be appropriate to include reference to this in a policy in the Plan.
- 1.6.4.3      The rights of way of agricultural occupiers is a matter for separate legislation as the Council has suggested in its response. The implementation of highway projects is solely a matter for the County Council, although the protection of the existing footpath and bridleway network is an important local matter that is rightly addressed in the Plan.

***Recommendation***

- 1.6.4.4      No modification be made to the Plan in response to this objection.

## **TRP4 Provision and Enhancement of Pedestrian Facilities**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *incorporation into Policy TRP1*
- *advance notice to major infrastructure providers*
- *pedestrian/vehicle separation*

### ***Inspector's Considerations and Conclusions***

- 1.6.5.1 The policy seeks to ensure that safe and convenient pedestrian access is achieved in new development.
- 1.6.5.2 With regard to the first issue, my recommended modification of Policy TRP1 makes this policy redundant. There is no specific reason why pedestrian access should be afforded separate treatment to other modes of transport when the issues of safety and convenience are the same. A combined access policy would not weaken the integration of pedestrian facilities in the design of new developments. Rather, it would provide clearer guidance to developers and encourage them to consider how all modes of transport can be integrated together.
- 1.6.5.3 Reference to timely notice for infrastructure providers is not an appropriate matter for inclusion in the Plan.
- 1.6.5.4 In respect of the third issue, it is not necessarily desirable to separate footpaths from vehicular routes. Activity in streets and informal surveillance from buildings provide a significant degree of safety to pedestrians. The design of new development and traffic management schemes create the best opportunities for increasing safety and amenity for pedestrians.

### ***Recommendations***

- 1.6.5.5 (i) The Plan be modified by the deletion of Policy TRP4.**
- (ii) No other modification be made to the Plan in response to these objections.

## **TRP5      Cycle Facilities**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *need for Borough-wide map of the full cycle network*
- *requirement for positive proposals for cycle routes or their safeguarding*
- *dangers from piecemeal development*
- *segregation of cycle routes from vehicular routes*

### ***Inspector's Considerations and Conclusions***

- 1.6.6.1      The policy encourages the increased use of cycles in the Borough and sets down three ways in which this will be achieved. They include the identification of an integrated network of routes, the implementation of the National Cycle Network and the introduction of cycle-friendly junctions and other measures in conjunction with new highway schemes.
- 1.6.6.2      The Tewkesbury/Ashchurch Area Strategy (CD29) and the Severn Vale Area Strategy (CD28) both contain detailed maps of proposed cycle routes in the main urban areas of the County and the Borough. These documents, together with other elements of the Local Transport Plan (LTP), set down a comprehensive cycling strategy for the County. It would be useful to show the national and local cycle route network on a Borough-wide map. This would help developers and local residents to understand the extent of the cycle route network and enable them to link new development to it. The Council has set down the national routes that are being investigated and implemented in the Borough in the reasoned justification to the policy in the RDDLP.
- 1.6.6.3      I agree that the Plan should take forward the proposed cycle route network in the LTP in a more pro-active way by including firm proposals and safeguarded routes where appropriate. The LTP was published in July 2000 and it is unfortunate that the Council has not grasped the opportunity to introduce its key elements into the RDDLP. The Council should re-assess Policy TRP5 in the light of the LTP and decide how the Plan can implement and improve the existing and planned cycle routes in the Borough through specific proposals. For example, Figure 4.2 of the Tewkesbury and Ashchurch Area Strategy shows a recommended cycle network for Tewkesbury Town that the Plan should seek to implement.
- 1.6.6.4      While the Council can and should introduce practical proposals to improve and consolidate the cycle route network in the Borough as detailed above, the piecemeal development of the network is unavoidable because it relies upon contributions from new development and the level of funding available. The development of the cycle route network is an on-going project, but the Council should target problem areas where safety is a concern and bring forward proposals to remedy the safety issues. The Tewkesbury and Ashchurch Area Strategy

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acknowledges in paragraph 3.6 that the cycle network in the area lacks coherence, but goes on to state that it should be possible to overcome the current limitations of the cycle routes in and around Tewkesbury. Clearly the Plan should be seeking to do this and the recommendation above incorporates this aspect.

- 1.6.6.5 Segregated cycle routes are generally desirable for safety reasons but are not always achievable, particularly in urban areas where there is greater competition for space. Therefore I do not consider that any specific modification of the policy or reasoned justification is appropriate in response to the final issue.

### ***Recommendations***

- 1.6.6.6 (i) The Plan be modified by a re-assessment of Policy TRP5 to bring forward specific proposals for the improvement or implementation of the existing or planned cycle routes in the Borough as set out in the LTP, and the Proposals Map be modified accordingly.
- (ii) No other modification be made to the Plan in response to these objections.

## **TRP6      Cycle Parking**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *appropriate standards for cycle parking*
- *standards for flats and maisonettes*
- *standards for supermarkets*
- *need for a clear cycle strategy*
- *need for a Borough-wide map of cycle routes*

### ***Inspector's Considerations and Conclusions***

- 1.6.7.1      Policy TRP6 seeks the provision of cycle parking spaces in relation to non-residential development and it links cycle parking standards to car parking provision.
- 1.6.7.2      With regard to the first issue, the inclusion of cycle parking standards in the reasoned justification is too detailed and the policy could be improved by expressing them in the form of a table. It is not appropriate to link cycle parking standards to maximum parking standards. PPG13 does not contain any specific guidelines for cycle parking standards. However it states clearly that development plans should contain policies that accord with the local cycling strategy, which should be produced in conjunction with the local transport plan. The LTP sets down a schedule of County-wide minimum cycle parking standards in Section 5.12.5 (Table C). The standards in the LTP should be regarded as the base level, and local authorities should seek to increase the amount of cycle parking. This is in accordance with the expectation of the LTP that the Council would adopt a cycle parking standard that would at least satisfy the minimum levels set out in the County-wide framework.
- 1.6.7.3      In respect of the standards for flats and maisonettes, residential cycle parking provision is dealt with under Policies HSG5 and HSG9. This is the most appropriate context in which to deal with this matter.
- 1.6.7.4      So far as supermarkets are concerned, there is no reason why they should be subject to a lower standard, given that they are generally one of the largest generators of car trips.
- 1.6.7.5      In respect of the penultimate and final issues, I refer to my recommendations under Policy TRP5.

***Recommendations***

- 1.6.7.6 (i) Policy TRP6 be modified by setting out standards for non-residential cycle parking that would at least satisfy the minimum levels of provision recommended in Section 5.12.5 (Table C) of the LTP.
- (ii) The reasoned justification for Policy TRP6 be modified accordingly.
- (iii) No other modification be made to the Plan in response to these objections.

## **TRP7      Promotion of Integrated Transport Network**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *definition of 'large new developments'*
- *generality of policy*
- *need for improved bus priority measures and quicker journey times*

### ***Inspector's Considerations and Conclusions***

- 1.6.8.1      The policy sets out the Council's intention to work with other agencies, authorities and service providers to encourage an integrated approach to a public/private transport network. It also states that in the case of large new developments, the Council will seek contributions from developers toward the provision of public transport access where appropriate.
- 1.6.8.2      Objectors are correct when they say that the term 'large new developments' is open to interpretation. Circular 1/97 requires that contributions are proportionate to the scale and nature of the development proposed, and therefore it is not necessary to have a policy that relates specifically to large developments. A more sensible approach is to negotiate contributions on an individual basis, having regard to the specific proposals set out in the Plan.
- 1.6.8.3      In respect of the second issue, the objections are justified. The policy is framed as a statement of intent and serves no useful development control function, nor does it contain specific proposals for development. The Council considers that the policy is needed to co-ordinate the Borough's private/public transport strategy with that of the County. However, this function is fulfilled by the LTP, and the policies in the Plan should complement these from a development control perspective, rather than duplicate them.
- 1.6.8.4      On the final issue, measures to improve the efficiency of public transport in the Borough are dealt with under Policy TRP11.

### ***Recommendations***

- 1.6.8.5      (i)      The Plan be modified by the deletion of Policy TRP7 and the supporting text.
- (ii)      No other modification be made to the Plan in response to these objections.



## **TRP8      Bus Priority**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *relevance of policy*
- *need for more bus shelters*
- *access to new housing development*

### ***Inspector's Considerations and Conclusions***

- 1.6.9.1      In accordance with Policy TRP8 the Council will identify bus priority routes and other priority measures in conjunction with new development.
- 1.6.9.2      PPG13, paragraph 74, advises that local authorities should identify the key routes for bus improvements and priority measures in their local plans. The policy is well intentioned, but it does not relate to any specific proposal or identified route. General statements of intent that relate to the implementation of highway improvements and public transport related matters should be included in the LTP.
- 1.6.9.3      In respect of the second issue, Policy TRP11 provides a more appropriate context for considering improved public transport facilities.
- 1.6.9.4      Policy TRP1, if modified in accordance with my recommendation, would deal with access to public transport from new developments under criterion (b). This is a more appropriate context for considering this matter in a way that is concise, clear and avoids duplication.

### ***Recommendations***

- 1.6.9.5      (i)      The Plan be modified by the deletion of Policy TRP8 and the reasoned justification.
- (ii)      No other modification be made to the Plan in response to these objections.

## **TRP10      Park and Ride Provision**

### ***Objections***

See Appendix D for the list of objections to this policy

### ***Main Issues***

- *inappropriate development in the Green Belt*
- *need to identify sites or set down appropriate criteria for proposals*
- *appropriateness of urban sites*
- *effect on public transport usage*
- *consultation with the Highways Agency*
- *site at Brockworth/Hucclecote*

### ***Inspector's Considerations and Conclusions***

- 1.6.10.1      The policy sets out the Council's intention to investigate and promote Park and Ride (P&R) sites in conjunction with the County Council and neighboring districts. The reasoned justification makes clear that brownfield or undeveloped land within urban areas would be the preferred locations for sites, but the policy sets out two criteria that would have to be satisfied to demonstrate 'very special circumstances' before any proposal for a P&R site in the Green Belt would be considered.
- 1.6.10.2      In accordance with PPG2, park and ride development is not inappropriate in the Green Belt, subject to certain conditions, and therefore I do not consider that the advice in paragraph 3.3 of PPG2 applies in this instance. However, the wording of the policy should be modified to reflect PPG2's advice more closely, by setting out the conditions on which such development would not be inappropriate.
- 1.6.10.3      In the absence of any specific proposals for P&R sites in the Borough, the policy sets out appropriate provisions for dealing with applications. These include such matters as landscaping and siting and criteria that would be applied in relation to proposals in the Green Belt. This is a comprehensive approach that complies with national guidance in paragraph 61 of PPG13, which states that schemes should take into consideration alternative sites, the impact on local amenity and traffic impacts. The policy complies with all of these requirements.
- 1.6.10.4      Given the rural nature of the County, access to public transport is restricted in some areas. Park and Ride schemes offer a practical way to reduce traffic in the County's urban areas by encouraging people not to take their cars into town centres and to use public transport instead. This does not mean that P&R facilities have to be located on greenfield sites in the Green Belt. The space requirements of P&R sites allow limited opportunities to locate them within the built-up areas of the Borough or elsewhere, but the preference must still be to develop brownfield sites before any greenfield sites are considered. In accordance with

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PPG2, non-Green Belt locations must be considered before Green Belt sites. And PPG13 states that schemes should be well designed and must promote the potential for walking or cycling. Therefore, the proximity of P&R sites to the urban areas they serve should be as close as reasonably practicable, without causing detriment to the amenity of the areas in which they are located. The policy reflects this intent and no modification is required in respect of this issue.

- 1.6.10.5 There is no evidence before me to suggest that P&R sites discourage the use of public transport. And it is relevant that the policy requires that proposals should not cause harm to the local highway network, which includes the public transport network.
- 1.6.10.6 The Highways Agency is a statutory consultee when determining applications for development that affect trunk roads or motorways, and so it is not necessary to add any reference to the Agency in the policy or reasoned justification.
- 1.6.10.7 With regard to the final issue, the site-specific case at Brockworth/Hucclecote is linked with objections to other transport policies, and the reader is referred to Policies TRP15 and TRP23. However, I find nothing in the evidence to support the advancement of the site for P&R. In accordance with the Gloucester Park and Ride Strategy, other sites should be brought forward in preference to this one, and I consider that the allocation of the site at this stage would be in conflict with national and local policies to protect the Green Belt.

### ***Recommendations***

- 1.6.10.8
  - (i) The third sentence of Policy TRP10 be modified by setting out the circumstances in which park and ride development would not be inappropriate in the Green Belt and the reasoned justification be modified accordingly.
  - (ii) No other modification be made to the Plan in response to these objections.

## **TRP11      Public Transport Corridor**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *relevance to planning*
- *need to identify key transport routes*
- *need for a light rail route in the Central Severn Vale*
- *policy title*
- *sustainability and opportunity for modal transfer*
- *use of word 'must'*
- *Park and Ride sites as improvements to public transport corridors*

### ***Inspector's Considerations and Conclusions***

- 1.6.11.1 Policy TRP11 identifies the main public transport corridors in the Borough and requires all new developments that have an impact on them to contribute towards sustainable transport measures.
- 1.6.11.2 The policy relates specifically to the identified main transport corridors. It effectively links the improvement and provision of public transport with new development along these corridors, and as such its relevance to planning is not in question. I consider that it accords with paragraph 74 of PPG13 which advises that development plans should identify key bus routes and priority measures.
- 1.6.11.3 The main transport routes are identified on the Proposals Map and are annotated in an appropriate way. Therefore, no modification to the Plan is required in this particular regard.
- 1.6.11.4 Turning to the third issue, the reasoned justification explains the outcome of studies into the viability of a light rail link between Cheltenham and Gloucester. It concluded that a light rail route would not be financially viable. I have no reason to conclude that this proposal has not been adequately researched and dismissed for sound reasons.
- 1.6.11.5 The title of the policy should be modified to 'Public Transport Corridors' so that it reflects the network of transport corridors in the Borough and not one in particular. I note that this modification was accepted by the Council at the Deposit Draft stage, but was not subsequently carried through to the RDDLP.
- 1.6.11.6 One of the objections points out that not all locations on public transport corridors are necessarily sustainable and that the emphasis should be placed on the

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opportunities they provide for modal choice and modal transfer. However, in my view the specific characteristics of sites is a matter best considered on an individual basis, and the policies in the Plan as a whole would deal adequately with modal choice and transfer issues.

1.6.11.7 I agree that the word 'must' does not reflect the need for negotiation in accordance with Circular 1/97 and therefore it should be deleted and replaced by the words 'may be required to contribute...'.

1.6.11.8 There is no need for a specific addition to the policy to deal with potential park and ride sites. The Plan should be read as a whole, and Policies TRP10 and TRP11 together would address park and ride sites along public transport corridors.

### ***Recommendations***

1.6.11.9(i) Policy TRP11 be modified by:

- a) changing its title to 'Public Transport Corridors', and
- b) deleting the words 'must contribute..' and replacing them by the words 'may be required to contribute..'.

(ii) No other modification be made to the Plan in response to these objections.

## **TRP12 Gloucestershire Airport**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *inappropriate development in the Green Belt*

### ***Inspector's Considerations and Conclusions***

- 1.6.12.1 The policy has been deleted in favour of Local Policies CH1 and CH2. While this resolves the objection to Policy TRP12, the outstanding objections in respect of Policies CH1 and CH2, including the issue of inappropriate development in the Green Belt, are considered in Volume Two of the report.

### ***Recommendation***

- 1.6.12.2 No modification be made to the Plan in response to this objection.

## **TRP13 New Petrol Filling Stations**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *preclusion of Green Belt sites*
- *definition of appropriate intervals*
- *provision for a new Motorway/Trunk Road Service Area at Junction 11A of the M5*

### ***Inspector's Considerations and Conclusions***

- 1.6.13.1 The policy seeks to control the development of new petrol filling stations and other roadside service facilities in the interests of road safety and so that they do not have an adverse visual impact, particularly in the AONB. It precludes new petrol filling stations and services from the Green Belt, encourages new developments to group together to form key sites, and requires new facilities to be spaced at appropriate intervals.
- 1.6.13.2 As the Council has stated in its response to the related objections, the policies in the Green Belt Chapter would apply to any proposals to develop a petrol station or related services in the Green Belt. It therefore makes little sense to preclude such development from the Green Belt in this policy if it is to be considered against other Green Belt policies in the Plan. The reference to the Green Belt should be deleted. In response to the request that the policy should allow for Green Belt sites, I do not consider that there is any justification for making an exception for this type of development in general in the Green Belt.
- 1.6.13.3 There is nothing to indicate that restricting the number of petrol filling stations would automatically lead to a reduction in the number of people using cars. Each application for a petrol filling station would be considered on its own merits, including proximity to other similar facilities, need and any other relevant matters.
- 1.6.13.4 The site-specific case in respect of the Junction 11a site is considered together with other linked objections under Policy TRP15.

### ***Recommendations***

- 1.6.13.5(i) Policy TRP13 be modified by the deletion of the words '...that they are not within the Green Belt...' from the policy.
- (ii) No other modification be made to the Plan in response to these objections.

## **TRP14      Refurbishment of Existing Petrol Filling Stations**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need for additional criterion*

### ***Inspector's Considerations and Conclusions***

- 1.6.14.1      As amended in the RDDLP, Policy TRP14 requires that proposals to refurbish and/or intensify the use of existing petrol stations should be appropriate to their setting and not have any adverse environmental, highway or safety impact. In my view the amended policy is a satisfactory response to the objection and a criteria-based approach would not enhance its clarity or conciseness.

### ***Recommendation***

- 1.6.14.2      No modification be made to the Plan in response to this objection.



## **TRP15      Motorway Service Areas**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *appropriateness in the Green Belt*
- *impact on traffic, crime, noise and pollution levels in Brockworth/Hucclecote*
- *need for the proposal*

### ***Inspector's Considerations and Conclusions***

- 1.6.15.1 Policies TRP15 and TRP23 of the Deposit Draft have been deleted from the RDDLP. The former provided for a new motorway service area (MSA) at the M5/A417 junction, while the latter stated that the Council would support proposals to improve the junction to provide full access to and from the motorway in both directions. Concurrently with the Inquiry, an appeal against the failure of the Council to determine an application for an MSA and trunk road service area (TRSA), park and ride (P&R) facility and an all-movements-junction (AMJ)<sup>1</sup> on the site was before the Secretary of State. His decision to refuse the application was issued in August 2002 (ref: APP/G1630/A/00/1051926). The Secretary of State's decision, together with the proposed deletion of the policies in the RDDLP, would effectively resolve the concerns raised under the first two issues.
- 1.6.15.2 In respect of the need for an MSA/TRSA at this location, this matter has been taken into account in the Secretary of State's decision. He concluded that in terms of environmental cost, this particular site was not bettered by any alternative sites in the locality for servicing both motorway and trunk road traffic, but that this did not outweigh the harm identified in the absence of a strong need argument. None of the evidence, including some new material on sleep-related accidents, that has been submitted in connection with the linked objections supporting the proposal would lead me to conclude differently from the Secretary of State on this matter. Nor has there been any material change in circumstances since the appeal was determined. And as far as the linked case for a P&R development on the site is concerned, nothing in the evidence before me leads me to a different conclusion from the Secretary of State on this matter. I have concluded in respect of the related Green Belt objection that there is insufficient justification for removing the proposal site from the Green Belt. The objections to Policy TRP23 are considered elsewhere in the report, but nothing in the MSA/TRSA case put forward in the objections alters my conclusion that this is a matter that is not appropriately included in the Plan. Any benefits that might flow from a developer-funded improvement of the junction would not outweigh the harm that would be caused to the Green Belt by the MSA/TRSA proposal.

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<sup>1</sup> The AMJ proposal was withdrawn.

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- 1.6.15.3 Another objection seeks the replacement of the policy by a criterion-based one, but I do not find enough evidence of any need for such a policy in the Plan.

### ***Recommendation***

- 1.6.15.4 No modification be made to the Plan in response to these objections.

## **TRP16    Parking Standards**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issues**

- *compliance with PPG13*
- *residential parking standards*
- *standards for locations well served by public transport*
- *reduced standard for affordable housing*

### **Inspector's Considerations and Conclusions**

- 1.6.16.1    In accordance with Policy TRP16, the provision of vehicle parking spaces would be required for new developments on the basis of maximum standards for various use classes set out in Appendix 5 of the Plan.
- 1.6.16.2    These standards accord with guidance in PPG13 so far as they are maximum standards. However, they are not consistent with Annex D of PPG13. For example, PPG13 states that the maximum standard for Food Retail (over 1000sq m) is 1 space per 14sq m, whereas the maximum standard in Appendix 5 of the Plan is 1 space per 10sq m. The PPG13 standards should be applied as maxima throughout England for developments above the relevant size thresholds. Also, Appendix 5 does not accord with the parking standards and strategy in the LTP and in particular, with the standards set out in section 5.12.5. The RDDLP should be modified so that it is consistent with the LTP's parking standards and strategy, and it should reflect the two distinct Strategy Areas of the Severn Vale and the remainder of the County in the LTP framework.
- 1.6.16.3    The proposed residential parking standards are too generous compared with the advice in paragraph 62 of PPG3. It states that standards that result, on average, in development with more than 1.5 off-street car parking spaces per dwelling are unlikely to reflect the Government's emphasis on securing sustainable residential environments. This is further supported by the LTP, which sets a standard of 1.5 spaces per dwelling, averaged out over a whole development. This standard should be reflected in the Plan.
- 1.6.16.4    The policy needs to reflect the rural nature of the Borough. But a more flexible approach to lower parking standards in areas well served by public transport, such as town centres, would accord with advice in PPG13 and should be included in the text of the policy. PPG13 allows authorities to use their discretion in setting levels of parking for small developments to reflect local circumstances. This would cover most development in the rural areas of the Borough.
- 1.6.16.5    In accordance with paragraph 14 of Circular 6/98 (Affordable Housing),

authorities should consider lower parking standards for affordable housing where car ownership rates are generally lower. However, this advice pre-dates PPG13 and the shift to maximum rather than minimum standards of provision. In any event, the rural nature of the Borough and the importance of access to employment and services for those living in affordable housing leads me to conclude that in general the standards applicable to general market housing should also apply to affordable housing. This should not preclude a more restrictive approach to parking standards being taken in town centres and locations with good access to public transport.

### ***Recommendations***

1.6.16.6 (i) Policy TRP16 and Appendix 5 of the Plan be modified so that:-

- a) they accord with the advice in PPG13 and the parking standards and parking strategy of the LTP. The standards in Appendix 5 of the Plan should be based on those in the LTP, Section 5.12.5, Tables A and B, in a way that is appropriate to the context of the Borough, and
  - b) the policy indicates that a more restrictive approach to parking standards would be taken in areas well served by public transport.
- (ii) The reasoned justification for Policy TRP16 be modified accordingly.
- (iii) No other modification be made to the Plan in response to these objections.

## **TRP17      Commuted Sums for Parking**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *use of commuted sums for car parking provision*

### ***Inspector's Considerations and Conclusions***

- 1.6.17.1      In accordance with paragraph 86 of PPG13, it is inappropriate for a local authority to seek commuted payments solely because of lack of parking on the site. Commuted sums could be used for provision of a park and ride facility, or to introduce parking controls in the vicinity of the site, but a policy is not required in this regard. Policy TRP17 should be deleted in favour of Policies GEN11 and TRP1, as proposed to be modified, which provide the policy framework for assessing proposals for new development, including the suitability of the proposed access arrangements.

### ***Recommendation***

- 1.6.17.2 (i)      Delete Policy TRP17 and the reasoned justification.
- (ii)      No other modification be made to the Plan in response to these objections.

**TRP19      Piffs Elm-M5 Junction 10 (A4019/Withybridge Lane Junction Improvement Proposals)**

***Objections***

*See Appendix D for the list of objections to this policy*

***Main Issues***

- *need for consultation with the Highways Agency*
- *need to upgrade to a full interchange*

***Inspector's Considerations and Conclusions***

- 1.6.18.1      The policy seeks to support the improvement of Junction 10 of the M5 and in the meantime advocates the improvement of the junction between the A4019 and the M5 and Withybridge Lane.
- 1.6.18.2      The Highways Agency is a statutory consultee and as such it would be consulted about any proposals affecting a trunk road or motorway. No modification is required in response to this issue.
- 1.6.18.3      Paragraph 5.21 of PPG12 states that local plans should elaborate the detail of transport proposals where a particular preferred proposal has been identified at the regional or strategic level. This is not the case here. Although the GSPSR includes a statement that the County Council will seek measures to overcome safety and other problems arising from the restricted access at Junction 10, the Highways Agency has no plans to upgrade this junction. The Council's obvious desire to seek improvements here is a matter for discussion with the County Council, but it does not constitute an appropriate local plan policy that is capable of implementation. Therefore, the policy should be deleted.

***Recommendations***

- 1.6.18.4 (i)      Delete Policy TRP19 and the reasoned justification from the Plan.
- (ii)      No other modification be made to the Plan in response to these objections.

## **TRP20      Pedestrian and Cycleway Networks**

### ***Objections***

*See Appendix D for the list of objections to this policy*

#### **Main Issues**

- *overlap with other policy*
- *means of implementation*

### ***Inspector's Considerations and Conclusions***

- 1.6.19.1      The policy seeks contributions from developers in respect of access to new developments from cycle and pedestrian routes.
- 1.6.19.2      Policy TRP20 duplicates the provisions of Policy TRP1 (as recommended for modification), which deals with access to new developments by pedestrians and cyclists, and it overlaps with specific local policy requirements for improvements to pedestrian and cycleway networks. The Plan should be read as a whole and there is nothing that could be achieved by Policy TRP20 which could not be achieved by Policy TRP1 and specific local policies. In the interests of a more concise Plan, the policy should be deleted.
- 1.6.19.3      The means of achieving the policy's objective has been questioned, given the absence from the Plan of identified pedestrian and cycleway networks. In accordance with my recommended modification to Policy TRP5, a clear set of proposals for the enhancement and development of cycleway networks in the Borough would be brought forward, thus addressing part of this concern. However, there remains a need to identify the main pedestrian networks in the Borough and to set out a policy for their protection and improvement. Without this, the development of the LTP strategy and the implementation of particular local policies could be frustrated, and the overall objective of encouraging walking would not be achieved. Accordingly, a new policy for the protection and enhancement of identified pedestrian networks is required.

### ***Recommendations***

- 1.6.19.4 (i)      Policy TRP20 and the reasoned justification be deleted.
- (ii)      The Plan be modified by the addition of a new policy entitled 'Pedestrian Networks' which safeguards the line of the main pedestrian networks as shown on the Proposals Map, identifies any areas of particular importance for protection or improvement (eg routes within town centres, routes to schools or employment areas, links into the countryside) and requires new development to respect the networks and provide links into them where appropriate.

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- (iii) The Proposals Map be modified accordingly.
- (iv) A reasoned justification for the new policy be included in the Plan which explains the role of the networks, including any differentiation between primary and secondary routes, and explains the contribution that can be made by new development to enhancing these facilities.
- (v) No other modification be made to the Plan in response to these objections.



## **TRP22 Tewkesbury Northern Bypass Corridor Protection**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for the NRR*
- *environmental damage*
- *need to protect the route*

### ***Inspector's Considerations and Conclusions***

- 1.6.20.1 The policy identifies the Northern Bypass Corridor (NRR) for protection against development that would prejudice any future development of the road scheme.
- 1.6.20.2 The majority of the objections are concerned with the first two issues. In my view these objections are satisfied by the amendment of the policy in the RDDLP, which recognises that the County Council has resolved not to proceed with construction of the by-pass. The outstanding matter therefore is whether there is a need to maintain the protection of the possible route.
- 1.6.20.3 It is clear from the Tewkesbury/Ashchurch Area Strategy of the LTP (CD29) that the public has been widely consulted about the NRR. The results of the consultation show that while there is support among some residents for all or part of the NRR scheme, significant reservations remain. The Council has decided to implement a traffic management scheme instead, to improve environmental conditions and safety in Tewkesbury Town Centre in the short to medium term. Policy TRP22 seeks to protect the route of Phases 1, 2 and 3 of the NRR in case they are needed in the long term to serve the future development needs of Tewkesbury and Ashchurch. This is a responsible approach that takes account of the potential economic, social and environmental needs of the town in the future. PPG13 Annex C, paragraph 4 requires that alternatives to new road schemes should be explored before any road scheme is considered. The protection of the road corridor, as provided for by the revised Policy TRP22, would not remove the need for suitable alternatives to be explored if and when required.

### ***Recommendation***

- 1.6.20.4 No modification be made to the Plan in response to these objections.

## **TRP23 M5 Junction 11a Improvement**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need to improve traffic flows on surrounding local roads*

### ***Inspector's Considerations and Conclusions***

- 1.6.21.1 The RDDLP deletes Policy TRP23 of the Deposit Draft. While the Council recognises the advantages of an all-movements junction, it notes that there is also a perception that these would be outweighed by the detriment caused to the local environment by attracting additional traffic onto the local highway network.
- 1.6.21.2 The Highways Agency has indicated that there are no current plans to upgrade this motorway junction. In these circumstances I consider that it would not be justified to re-instate the policy. I refer also to my comments under Policy TR19 about appropriate transport proposals in local plans, and to Policy TRP15 where linked objections in connection with a motorway service area, trunk road service area and park and ride proposal are considered. The deletion of Policy TRP23 would not prevent traffic management issues being addressed in consultation with the County Council, Gloucester City Council and the Highways Agency. Also, the evaluation of travel patterns and the need for any highway works can be addressed in the future as the development of Gloucester Business Park and the new residential area at Brockworth advances.

### ***Recommendation***

- 1.6.21.3 No modification be made to the Plan in response to these objections.

## **TRP24      Pedestrian Domination in Tewkesbury Main Streets**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *prematurity*

### ***Inspector's Considerations and Conclusions***

- 1.6.22.1      The policy sets out the Council's intention to implement a traffic management scheme in Tewkesbury town centre to secure a more pedestrian-friendly environment.
- 1.6.22.2      Both objections raise the need to await the outcome of the consultation exercise on the proposed Northern Bypass. Clearly these objections have been overtaken by events since they were lodged. The consultation exercise is now complete and the decision has been made not to proceed with by-pass and to implement traffic management measures in Tewkesbury town centre instead. The amended policy in the RDDLP reflects this outcome and no modification is required in response to the objections.

### ***Recommendation***

- 1.6.22.3      No modification be made to the Plan in response to these objections.

## **TRP25      Traffic Management**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *relationship with specific proposals*
- *implementation of phase 1 of the NRR as a prerequisite*
- *effect on passing trade for retailers*

### ***Inspector's Considerations and Conclusions***

- 1.6.23.1    The amended policy in the RDDLP sets out the Council's intention to identify and implement traffic management schemes in the Borough in conjunction with the County Council.
- 1.6.23.2    The policy is a general statement of intent that relates solely to highways, not planning matters. The LTP, section 5.13, sets out the County Council's objectives and strategy for traffic management in the County. This is a more appropriate context for dealing with generic Borough-wide issues concerning traffic management. The Plan should be read in conjunction with the GSPSR and the LTP and should include matters that relate to development control such as the extent, context and design of actual traffic management proposals. As advised by paragraph 5.7 of PPG12, local plans should contain precise details of implementation in a particular town centre. In the absence of a detailed traffic management proposal, the policy should be deleted.
- 1.6.23.3    The NRR proposal has been removed from the Plan and it has been decided to proceed with a traffic management scheme in Tewkesbury town centre. This accords with the broad intent of national transport policy to consider all plausible options before a new road is built. On this basis I do not consider that traffic management in the Borough can, or should be dependent upon the completion of phase 1 of the NRR. In any event, the deletion of the reference to the NRR in the reasoned justification in the RDDLP resolves this matter.
- 1.6.23.4    It is the stated policy of the County Council, as highway authority, to consult with all stakeholders in the design and implementation of traffic management schemes. This is detailed in Section 2.1 of the LTP. Retailers affected by proposed schemes would be consulted and would have the opportunity to raise their concerns at the appropriate time.

### ***Recommendation***

- 1.6.23.5    The Plan be modified by the deletion of Policy TRP25 and its reasoned justification.

**TRP26      A48(T) Minsterworth**

***Objections***

*See Appendix D for the list of objections to this policy*

***Main Issue***

- *relationship with specific proposals*

***Inspector's Considerations and Conclusions***

- 1.6.24.1      The policy is deleted in the RDDLP as a result of the implementation of a traffic calming scheme on the A48(T). The objection has effectively been resolved.

***Recommendation***

- 1.6.24.2      No modification be made to the Plan in response to this objection.

**TRP27      Support for Restoration of Gloucestershire Warwickshire  
Railway (formerly TSM12 - amended)**

***Objections***

**See Appendix D, under TSM12, for the list of objections to this policy**

***Main Issue***

- *justification for reference to the establishment of a long-distance footpath/cycleway*

***Inspector's Considerations and Conclusions***

- 1.6.25.1 The policy supports the restoration and safeguarding of the route of the Cheltenham to Stratford-upon-Avon railway line. It also states that the implementation of the scheme should not compromise the establishment of a long distance footpath/cycleway alongside the permanent way.
- 1.6.25.2 The Council considers that there is no compulsion in the policy for Gloucestershire Warwickshire Steam Railway PLC (GWSR) to co-operate with them in the implementation of a long-distance footpath/cycleway to run alongside the rail line. Nonetheless, the wording of the policy suggests that the Council might intervene to prevent development that could compromise the establishment of a footpath/cycleway, even though it has no power to control development along the route that is subject to the provisions of the 1983 Light Railway Order.
- 1.6.25.3 The likely proximity of the proposed footpath/cycleway to the rail line has not been established, but GWSR considers that it would be impractical to run it alongside the rail line and that it would compromise the operation of the railway. In accordance with paragraph 5.22 of PPG12, local authorities should consult with appropriate transport infrastructure authorities to ensure the feasibility of schemes commencing within the lifetime of the Plan. It is clear that GWSR as the operator and owner of the railway and route was not consulted about any plans for a footpath/cycleway prior to the Deposit Draft Plan. Also, there is no evidence that Sustrans has any definite proposal to use the route as part of the national cycle network. The fact remains that the GW Railway is a fully operational rail line and that opportunities to develop the footpath/cycleway alongside it are limited. The policy does not fully recognise this fact and the implications of such a scheme do not appear to have been properly explored.
- 1.6.25.4 Given that the Council has acknowledged that this element of the policy cannot be implemented through compulsion, I see little merit in retaining it in the Plan. I also refer to my recommendation on Policy TRP5 (Cycle Facilities) and recommend that any reference to the use of the route for a footpath/cycleway should be confined to the reasoned justification of Policy TRP5. The wording should explain that the Council, together with Sustrans, will explore opportunities to use the route for the development of a footpath/cycleway in a way

that would not compromise its operation as a rail line for through-running trains.

***Recommendations***

- 1.6.25.5 (i) Policy TRP27 be modified by the deletion of the final sentence.
- (ii) The reasoned justification for Policy TRP27 be modified by the deletion of the final two sentences.
- (iii) The reasoned justification for Policy TRP5 be modified to explain that opportunities to develop a footpath/cycleway along the route of the GW Railway in a way that would not compromise its operation for through-running trains will be explored by the Council and Sustrans in conjunction with the railway company.
- (iv) The Council should consider whether or not to include the proposed footpath/cycleway route on any map given the uncertainties surrounding its implementation and the fact that it is not able to safeguard the line for this use.
- (v) No other modification be made to the Plan in response to the objection.

## **TRP      Traffic – New Policy**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *protection of public transport facilities and infrastructure from development that would impair their function*
- *protection of facilities for the transport of freight by rail, pipeline or waterway, particularly in the Ashchurch area*
- *need for policy linkage with the Gloucestershire Lorry Strategy*
- *need for traffic reduction measures on the A46, A38 and around Junction 10 of the M5*

### ***Inspector's Considerations and Conclusions***

- 1.6.26.1 Policies T.4 and T.6 of the GSPSR already deal with the first issue. The Plan should include policies that relate to specific proposals or to specific measures. The new policy proposed by the County Council is strategic in nature and applies to all the districts generally, rather than relating specifically to the Borough. Following the advice in PPG12 I do not consider that it would be appropriate to include this proposed new policy in the Plan.
- 1.6.26.2 With regard to the need for a freight transport policy, Policy T.13 of the GSPSR seeks to encourage the development of facilities for freight carriage by rail, pipeline or waterway, while Policy T.6 requires the safeguarding of land for new or re-opened rail facilities, including those for freight handling. There is no need to repeat this broad policy framework in the local plan. However, the omission of a specific safeguarding policy for Ashchurch's freight handling facilities is subject to an objection lodged at the Deposit Draft stage. In response to this a new Policy TRP29 was brought forward for consideration by the Council but was not included in the RDDLP. In my view there is a need for a specific policy for Ashchurch that identifies the importance of its current and potential future roles in rail freight handling and transfer. This would give effect to the GSPSR's strategic policy framework, which reflects national policy to encourage the transfer of freight by sustainable modes, and it would help to ensure that future development proposals for the MoD site and adjacent lands take full account of rail freight matters. It would also accord with the County Council's Rail Freight Strategy which identifies the potential of Ashchurch in this regard. There is no reason to expect that the local road traffic impact of new rail freight development at this location could not be properly managed. I consider that the suggested wording of the draft policy TRP29 would be appropriate.
- 1.6.26.3 A separate but complementary proposal for the allocation of land at Aston Fields for housing, community and employment uses, including a new rail freight terminal, is brought forward in one of the objections to the Plan. This is



considered elsewhere<sup>2</sup> where I recommend that it should not be included as an allocation. But this is not to dismiss the potential for developing rail freight facilities at Ashchurch, whether by expanding the use of the existing MoD depot or in some other way.

- 1.6.26.4 Turning to the third issue, this matter is already dealt with in Policies T.11 and T.12 of the GSPSR and in my view these are sufficient to address the general issues concerned. If the Council had identified a particular location where lorry movements were a problem and tried to address this by specific measures, then it would have been appropriate to include this as a proposal in the Plan, with reference to the Gloucestershire Lorry Strategy. However this is not the case here.
- 1.6.26.5 In respect of the fourth issue, unless there are specific proposals to reduce traffic flows on these roads it would not be appropriate to include reference to them in the Plan. Although improvement works are on-going on the A46 at Ashchurch, no specific schemes for inclusion under this heading have been identified on these parts of the network. Nonetheless, the reduction of traffic flows and the promotion of alternative modes of travel to the car are County- and Borough-wide objectives that are promoted in the LTP. The potential for improvements at Junction 10 of the M5 is considered under Policy TRP19.

### ***Recommendations***

- 1.6.26.6(i) The Plan be modified by the inclusion of a new policy entitled 'Protection of Potential Freight Railheads' as follows:
- 'The railway siding at Ashchurch as identified on the Proposals Map will be protected from development which would prejudice its future use as the access for a road-rail interchange facility.'
- (ii) A reasoned justification for the new policy be added as follows:
- 'In furtherance of a sustainable transport network it is important to enable the transfer of freight traffic between road and rail. Apart from the requirement for rail access, potential sites must also be well located on the principal highway network. The Gloucestershire Structure Plan Second Review has indicated that there is one location within the Borough which could fulfill the role of a railhead; this is at Ashchurch. Whilst the development of such a facility is unlikely in the short term, it is important that the potential for such a use is protected. Any such proposal would be subject to the provision of appropriate highway and other infrastructure and environmental mitigation measures'.
- (iii) The Proposals Map be modified accordingly.
- (iv) No other modification be made to the Plan in response to these objections.

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<sup>2</sup> See LPOLNP Ashchurch - Aston Fields in Volume Three. .

## **CON      Conservation - General**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *reference to grant assistance*
- *chapter title*
- *need for tighter controls outside conservation areas*

### ***Inspector's Considerations and Conclusions***

- 1.7.1.1      The provision of grant assistance is not an objective in itself, although it can assist the Council to achieve its stated objectives with regard to the conservation and preservation of the historic built environment.
- 1.7.1.2      There is scope to change the title of the Chapter to avoid confusion with the Nature Conservation chapter. The current chapter content is not limited to the built environment and includes policies relating to archaeology and a designated battlefield, therefore the suggested chapter title is not appropriate. I recommend that the title should be changed to 'Historic Environment'.
- 1.7.1.3      In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), local authorities have a duty to preserve or enhance the setting of a conservation area and/or a listed building. Therefore to an extent there are controls on development outside conservation areas. Beyond these provisions in the LBCA the Council has no legislative powers to impose controls on development outside designated conservation areas in the manner suggested, but the policies of the Plan, in particular GEN1 and CON2, are relevant to such concerns.

### ***Recommendations***

- 1.7.1.4      (i)      The Plan be modified by changing the title of the Conservation Chapter to 'Historic Environment'.
- (ii)      No other modification be made to the Plan in response to these objections.

## **CON1      Conservation Areas - General**

### ***Objections***

*See Appendix D for the list of objections to this policy*

#### **Main Issue**

- *need to reflect statutory duty*

### ***Inspector's Considerations and Conclusions***

- 1.7.2.1      This is a general policy that explains that the Council has a duty, according to the Planning (Listed Buildings and Conservation Areas) Act 1990, to preserve or enhance conservation areas and also how it would deal with applications for development in the Borough's conservation areas.
- 1.7.2.2      The amended policy in the RDDLP does not respond adequately to the objection. The current text of the first paragraph is confusing because it does not differentiate clearly enough between the Council's general duty under Section 71 of the Act and more specific requirements relating to the exercise of the Council's planning functions, under Section 72. The policy should be modified accordingly.
- 1.7.2.3      As I conclude in respect of Policy CON2 there is overlap between the provisions of Policies CON1 and CON2. This does not aid the understanding of the policies. As a consequence of my recommendations in respect of Policy CON2, the second paragraph of Policy CON1 should be deleted.

### ***Recommendation***

- 1.7.2.4 (i)      Policy CON1 be re-worded as follows:

'Within conservation areas special attention will be paid to the desirability of preserving or enhancing their character or appearance. Proposals which preserve or enhance the character or appearance of conservation areas will be supported. In appropriate cases environmental enhancement schemes within conservation areas will be implemented.'

## **CON2      Conservation Area: Setting and Impact**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *overlap with Policy CON1*
- *inappropriate reference to changes of use*
- *compatibility with statutory duty*

### ***Inspector's Considerations and Conclusions***

- 1.7.3.1      The policy seeks to control the impact of development within or in close proximity to a conservation area in the interests of protecting its setting. The second part of the policy is concerned with ensuring development in conservation areas respects their character and appearance in terms of scale and materials used. It also sets down the standard of application the Council would expect. The third part of the policy states a preference for retaining traditional building lines and features of townscape merit.
- 1.7.3.2      There is some overlap between Policies CON1 and CON2. In my view this should be resolved by deleting the second paragraph of Policy CON1 and modifying and expanding Policy CON2 and its reasoned justification to incorporate elements of Policy CON1. Procedural details in the second paragraph of the policy concerning the standard of planning applications that would be required should be included in the reasoned justification, rather than in the text of the policy.
- 1.7.3.3      With regard to the second and third issues, the amended policy in the RDDLP responds to the objections by deleting the reference to the change of use of buildings in conservation areas and amending the wording to refer to 'preserve or enhance'. The modified policy recommended above would incorporate these points.

### ***Recommendations***

- 1.7.3.4 (i)      Policy CON2 be re-worded as follows:

'In proposals for development within or in close proximity to a conservation area, particular attention should be paid to the development's impact on the conservation area and its setting including any existing trees. Full details of design and materials to be used will normally be required in such cases. Thus, planning applications in outline form will only be accepted in exceptional circumstances.

Where new development or redevelopment is proposed within a conservation area it must be of a high standard of design and preserve or enhance the character or the appearance of the conservation area in terms of scale, form, materials and quality.

Proposals retaining traditional building lines within designated conservation areas will be favoured. Special attention should be given to the protection and enhancement of historic features which contribute to the townscape and historic character. Particular importance will be attached to the retention of traditional materials in the repair and refurbishment of existing buildings and in the construction of new buildings and other works.

Approved policies and standards will be relaxed where this would be in the interests of preserving or enhancing the character or the appearance of the conservation area.'

- (ii) The reasoned justification for Policy CON2 be modified by the addition of a reference to the standard of drawings or explanatory models that would be required.
- (iii) No other modification be made to the Plan in response to these objections.

**CON3            Visual Impact of Parking Provision, Street Furniture and the Re-introduction of Lost Features and Introduction of New Features in Conservation Areas**

**Objections**

*See Appendix D for the list of objections to this policy*

***Main Issues***

- *compatibility with statutory requirements*
- *circumstances in which parking restrictions would be relaxed*

**Inspector's Considerations and Conclusions**

- 1.7.4.1      The policy requires that parking areas and street furniture must preserve or enhance the character and appearance of the conservation area in which they are situated. It goes on to say that parking standards may be relaxed in conservation areas if features of particular townscape merit under threat can be retained. The final paragraph states that the reintroduction of lost historical features or the introduction of new well-designed features would be encouraged.
- 1.7.4.2      In respect of the first issue, I refer to my response to Policy CON1 and note from Document TBC40 that the Council has agreed to modify the policy accordingly.
- 1.7.4.3      With regard to the second issue, the text of the policy is ambiguous. In essence the policy advocates the relaxation of parking and access standards where this would be in the interests of preservation or enhancement of the conservation area. This should be made clearer in a modified policy.

***Recommendation***

- 1.7.4.4            Policy CON3 be modified by:
- a) the re-wording of the first paragraph as follows:-
- `Within designated conservation areas the materials used and the design and layout of parking areas and the provision of vehicular accesses and street furniture must minimise the adverse visual impact which could arise from such development. Parking and access standards will be relaxed where this would be in the interests of preserving or enhancing the character or the appearance of the conservation area.', and
- b) the replacement of the word `and' by the word `or' in the third line of the second paragraph.

## **CON4     Development Involving Demolition within a Conservation Area**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *clarity of policy*
- *needs of protected species*

### ***Inspector's Considerations and Conclusions***

- 1.7.5.1     With regard to the first issue, the amended policy in the RDDLP responds to the objection. This resolves the matter.
- 1.7.5.2     In respect of the second issue, Policy NAT7 deals with protected species. The Plan should be read as a whole and there is no need to duplicate references in other policies.

### ***Recommendation***

- 1.7.5.3     No modification be made to the Plan in response to these objections.

**CON5            Open Spaces, Water Features, Hedgerows and Trees within Conservation Areas**

***Objections***

*See Appendix D for the list of objections to this policy*

***Main Issue***

- *use of 'adversely' and 'open spaces'*

***Inspector's Considerations and Conclusions***

- 1.7.6.1        The policy seeks to protect important open spaces, water features, hedgerows or trees within designated conservation areas.
- 1.7.6.2        In my view the policy is clear and succinct. Its use of the terms 'adversely' and 'open spaces' does not imply any undue restriction or confusion with Green Belt policy. The text proposed by the objector is ambiguous in its use of the term 'environment' and it is difficult to determine how it relates specifically to the subject matter.

***Recommendation***

- 1.7.6.3        No modification be made to the Plan in response to the objection.



## **CON9      Advertisement Signs and Notice Boards in Conservation Areas**

### ***Objections***

*See Appendix D for the list of objections to this policy*

#### **Main Issue**

- *negativity*

### ***Inspector's Considerations and Conclusions***

- 1.7.7.1      In accordance with Policy CON9, proposals for advertisements of various kinds would not be permitted within conservation areas unless certain criteria would be satisfied.
- 1.7.7.2      In general the policy accords with the advice in paragraph 4.31 of PPG15 that more exacting standards may reasonably be applied in conservation areas, compared with non-designated areas. However, I agree with the objection that the wording of the policy implies that certain types of advertisement are inherently harmful in conservation areas. The policy should be modified so that its intent is expressed positively, and the reasoned justification should provide explanation of the approach that is likely to be taken to proposals for illuminated signs and advertisements attached to a building.

### ***Recommendations***

- 1.7.7.3 (i)      Policy CON9 be re-worded as follows:
- ‘Proposals for advertisements, signs and notice boards including blinds and canopies within designated conservation areas will not be permitted unless they are well sited, harmonise with their setting and, if attached to a building, will respect its form, architectural composition and proportions. Any proposals for illuminated signs must demonstrate that their design will preserve or enhance the character or the appearance of the conservation area.’
- (ii)      The reasoned justification for Policy CON9 be modified by the addition of text that explains that where illuminated signs are proposed, externally-illuminated signs that are discretely located and designed are likely to be preferred, and that signs mounted on buildings should avoid obscuring any architectural features.

## **CON11      Repair of Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

#### **Main Issues**

- *reference to 'Listed Buildings'*
- *prohibitive costs and possible grant assistance*
- *need to accommodate protected species*

### ***Inspector's Considerations and Conclusions***

- 1.7.8.1      Policy CON11 encourages the repair and restoration of buildings listed as being of special architectural and historic interest by encouraging schemes through design and planning advice which lead to their repair and restoration.
- 1.7.8.2      The deletion of the reference to 'buildings of special architectural and historic interest' and its replacement simply by 'listed buildings' is not necessary and it does not enhance understanding of the basis on which buildings are listed. However, the statutory definition should be used correctly and therefore 'and' should be replaced by 'or'. The provision of grant assistance is a matter for negotiation between the parties and is outside the remit of the Plan. The amended reasoned justification in the RDDLP includes a reference to protected species and I consider that this resolves the concern underlying the third issue.

### ***Recommendations***

- 1.7.8.3      (i)      Policy CON11 be modified by the replacement of the words 'special architectural and historic interest' by the words 'special architectural or historic interest'.
- (ii)      No other modification be made to the Plan in response to these objections.

## **CON12      Alterations/Extensions to Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *clarity of text*
- *statutory basis*
- *need to accommodate protected species*

### ***Inspector's Considerations and Conclusions***

- 1.7.9.1      Policy CON12 seeks to control development involving works to listed buildings so that they would not adversely affect the scale, proportions, character and detailing of the building, internally and externally.
- 1.7.9.2      The amended policy in the RDDLP incorporates a number of textual changes directed towards the objection that is concerned with clarity. On this basis I consider that the matter has been resolved satisfactorily. Similarly, the re-wording and clarification in the amended policy and reasoned justification resolve the concern raised originally about the relationship between the policy and the statutory basis for control over works to listed buildings. In respect of the third issue, the amendments to the policy in the RDDLP do not address the point, but since the Plan should be read as a whole, there is no need to duplicate the policy protection afforded by NAT7.
- 1.7.9.3      In response to the objection to Policy CON14, consequential modifications are required to Policy CON12 and its reasoned justification.

### ***Recommendation***

- 1.7.9.4 (i)      No modification be made to the Plan in response to these objections, but consequential modifications be made to the policy and reasoned justification as set out under Policy CON14.

## **CON13      Survey Drawings and Photographs where Works are Proposed to Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *reference to Listed Building Consent*

### ***Inspector's Considerations and Conclusions***

- 1.7.10.1      Policy CON13 sets down the standard of planning application that the Council will expect when considering works to a listed building.
- 1.7.10.2      The amended policy in the RDDLP seeks to address the concern that the policy controls matters that are subject to listed building consent. But in my view it still blurs the distinction that should be maintained between development proposals that are subject to Section 54A of the Act and works that are controlled by listed building consent. This could be resolved by deletion of the reference to replacement, which is a matter for listed building consent. The policy should be modified accordingly.

### ***Recommendations***

- 1.7.10.3 (i)      Policy CON13 be modified by the deletion of the word 'replace,' from the second line.
- (ii)      No other modification be made to the Plan in response to the objection.

## **CON14      Change of Use of Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *restrictive nature of policy*

### ***Inspector's Considerations and Conclusions***

1.7.11.1 The RDDLP deletes Policy CON14 of the Deposit Draft. This policy stated that planning permission for the change of use of a listed building would only be granted where it could be shown that it is no longer economically viable to use the building for the use for which it was originally designed and where the alternative use is compatible with and will preserve the character of the building and its setting. While this might appear to resolve the objection, I note that the text of the policy has been incorporated into the reasoned justification for Policy CON12, and the title of the latter has been altered to include reference to change of use. In my view this does not properly address the nub of the objection that the Plan fails to accord with the advice in paragraph 2.18 of PPG15. Also, it is not appropriate to include a statement of policy on how planning applications will be determined within the reasoned justification, as in this case. The title of Policy CON12 should be modified to delete the reference to change of use, and the reasoned justification modified to reflect the spirit of the advice in PPG15.

### ***Recommendations***

- 1.7.11.2 (i) Policy CON12 be modified by deleting the words ' , and change of use of,' from its title.
- (ii) The final paragraph of the reasoned justification for Policy CON12 be deleted and replaced as follows:
- 'The Council will encourage the change of use of listed buildings provided that the original use is no longer viable and where the alternative use is compatible with and will preserve the character and appearance of the building and its setting'.

## **CON15      Setting of Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *potential interference with agricultural needs*

### ***Inspector's Considerations and Conclusions***

- 1.7.12.1      Policy CON15 states that development that would adversely affect the setting of a listed building would not be permitted. The objector's concern that this might constrain the location of new agriculture buildings to the detriment of farming operations is understood, but the statutory duty to have special regard to the desirability of preserving the setting of a listed building applies regardless of its location or use. It would not be appropriate to make any reference to the requirements of agricultural operations in the policy.

### ***Recommendation***

- 1.7.12.2      No modification be made to the Plan in response to this objection.

## **CON16      Demolition of Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need to reflect the significance of listed buildings*
- *re-iteration of PPG15*
- *circumstances in which an exception would apply*
- *general presumption in favour of retaining listed buildings*
- *needs of protected species*

### ***Inspector's Considerations and Conclusions***

- 1.7.13.1    The amended Policy CON16 in the RDDLP states a presumption in favour of retaining listed buildings and sets down the exceptional criteria that must be satisfied in order to gain consent for the demolition of listed buildings.
- 1.7.13.2    With regard to the first three issues, complete demolition of a listed building requires planning permission as well as listed building consent. In determining planning applications for the demolition of listed buildings, local authorities must have regard to the desirability of preserving the building. As such the criteria set down in PPG15 in paragraph 3.19 are material considerations in the decision whether to grant planning permission for the demolition of a listed building. It is unnecessary to repeat these criteria in the Plan as a policy. But the criteria expressed in Policy CON16 apply national guidance to the local development control decision-making process and should be retained.
- 1.7.13.3    Turning to the fourth issue, the amended policy clearly establishes a general presumption in favour of retaining listed buildings and this satisfies the relevant concern.
- 1.7.13.4    On the final matter, the amended reasoned justification contains a new paragraph that addresses the objection.
- 1.7.13.5    The Council may wish to replace the word 'consent' in the text of the policy by the word 'permission', since the policy is concerned with applications for planning permission and not for listed building consent.

### ***Recommendation***

- 1.7.13.6    No modification be made to the Plan in response to these objections.

## **CON18      Protection of Unlisted Historic Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *absence of statutory basis*

### ***Inspector's Considerations and Conclusions***

- 1.7.14.1      The policy seeks to encourage the protection of unlisted historic buildings. In response to objections to the Deposit Draft Plan, the RDDLP incorporates an amended policy that amalgamates Policies CON18 and CON23 into one policy, dealing with unlisted historic buildings generally, including groups of farm buildings.
- 1.7.14.2      The changes made to the policy do not appear to satisfy all of the objections. Nonetheless, I consider that the policy generally accords with the advice in paragraph 6.16 of PPG15 about buildings of local interest. It is important that some policy protection is afforded to buildings that are valued for their contribution to the local scene or for local historical associations, even though statutory listing would not be appropriate. Subject to a modification of the reasoned justification that makes clear how the Council would maintain a list of such buildings and keep their owners informed, I consider that the policy should be retained in the Plan. In this regard it would also assist understanding of the policy if its title were to be modified to 'Protection of Buildings of Local Interest'.
- 1.7.14.3      In response to objections seeking the inclusion of new policies in the Plan on certain matters I recommend under CONNP that consequential alterations should be made to the reasoned justification for Policy CON18.

### ***Recommendations***

- 1.7.14.4 (i)      The title of Policy CON18 be modified to 'Protection of Buildings of Local Interest'.
- (ii)      The reasoned justification for Policy CON18 be modified by the addition of statements that:
- a) the list of Buildings of Local Interest is available for inspection at the Council's offices and will be kept under review, and
  - b) the Council will inform all the owners of the properties that are included on the list about the policy for the protection of the buildings and will give advice about their sympathetic repair and restoration.
- (iii)      No other modification be made to the Plan in response to these objections.



## **CON19      Advertisements on Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- consistency with PPG19

### ***Inspector's Considerations and Conclusions***

- 1.7.15.1      The policy seeks to control advertisements on listed buildings so that they do not detract from the character or appearance of the building. It sets out the types of advertisement that would and would not be acceptable.
- 1.7.15.2      PPG19 explains the basis for the control of advertisements and the role that is played by design guidance and development plan policies in this matter. Policy CON19 goes beyond this advice by setting out the basis on which consent would be granted and in terms that do not fully reflect the advice in PPG19. The policy should be re-drafted to explain how the criterion of 'amenity' would be applied to proposals for advertisements on listed buildings. Since buildings from the modern era could also be listed, it should not rule out proposals for illuminated signs and other features that could contribute to the character and appearance of certain listed buildings. The objection raises concern about the interpretation of the word 'design', but I do not consider that there is any reason why the Council should seek to interpret this in the narrow sense to control the subject matter of the advertisement.

### ***Recommendations***

- 1.7.15.3 (i)      Policy CON19 be re-worded as follows:

'Proposals for the display of advertisements on listed buildings will be permitted only where:

1. the advertisement is appropriate in terms of its scale, design and materials and will not detract from the character or appearance of the building, and
2. if it is proposed that the advertisement is illuminated, the design and method of illumination will not detract from the character or the appearance of the building.

- (ii)      No other modification be made to the Plan in response to this objection.

## **CON20      Shopfronts on Listed Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *prohibition on external roller shutters on listed buildings*

### ***Inspector's Considerations and Conclusions***

- 1.7.16.1      Policy CON20 seeks to control the alteration and installation of shop fronts on listed buildings. The policy sets down the standard of drawings that must be submitted by applicants and states that external roller shutters will not be granted consent.
- 1.7.16.2      Since buildings from the modern era could be listed, this policy may be too restrictive in prohibiting the use of external roller shutters in every case. The Council must judge every development proposal for a listed building according to its effect on the character and appearance of the building. While there may not be any listed buildings in the Borough on which external roller shutters would be appropriate, this situation may change in the future. The advice that external roller shutters are unlikely to be appropriate on shop fronts of listed buildings within the Borough, given their historic character, could be inserted in the reasoned justification.

### ***Recommendations***

- 1.7.16.3 (i)      Policy CON20 be modified by the deletion of the final sentence.
- (ii)      The reasoned justification for Policy CON20 be modified by the addition of a sentence as follows:
- 'The installation of external roller shutters is unlikely to be appropriate on shop fronts of listed buildings in the Borough, given the historic character of these buildings.'

## **CON21 Reclaimed Architectural Features**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *appropriateness of policy*

### ***Inspector's Considerations and Conclusions***

- 1.7.17.1 Policy CON21 of the Deposit Draft required documentation to be submitted proving the legality of the removal of architectural features before their re-use is permitted. In response to the objection that it is not the responsibility of the local planning authority to police the law in respect of any criminal removal of features and materials from a listed building, the policy has been deleted from the RDDLP. This resolves the objection.

### ***Recommendation***

- 1.7.17.2 No modification be made to the Plan in response to this objection.

## **CON22      Conservation of Industrial Archaeology**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *needs of protected species*

### ***Inspector's Considerations and Conclusions***

- 1.7.18.1      Policy CON22 seeks to encourage the re-use and conservation and interpretation of buildings and features of industrial archaeological significance. In response to the objection, the amended reasoned justification in the RDDLP includes a sentence acknowledging the needs of protected species. I consider that this addresses the objector's concern.

### ***Recommendation***

- 1.7.18.2      No modification be made to the Plan in response to this objection.

**CON23      Conservation of Important Groups of Unlisted Historic Farm Buildings**

***Objections***

*See Appendix D for the list of objections to this policy*

***Inspector's Considerations and Conclusions***

- 1.7.19.1      Policy CON23 has been deleted from the RDDLP and its content incorporated into an amended Policy CON18. My consideration of the objections and my recommendation are set out under Policy CON18.

## **CON26      Archaeological Assessment**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *compatibility with PPG16*

### ***Inspector's Considerations and Conclusions***

- 1.17.20.1 In accordance with Policy CON26, applicants should submit an assessment of the archaeological implications of their proposals as part of a planning application, wherever archaeological remains may be affected. An indication of how the impact of the proposals on the archaeological remains would be mitigated would also be required.
- 1.17.20.2 Paragraph 21 of PPG16 advises that it is reasonable for local planning authorities to request developers to arrange an archaeological field evaluation in the first instance. Paragraph 22 states that where developers will not supply information on a voluntary basis the Council can direct them to do so under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations. In my view the wording of the policy is not incompatible with this advice, and by stating that developers 'should' submit an assessment of archaeological implications it does not compel them to do so. No modification of the policy is recommended.

### ***Recommendation***

- 1.17.20.3 No modification be made to the Plan in response to this objection.

## **CON29      Historic Battlefields**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *weight given to listing on Battlefields Register*
- *need to refer to management and interpretation aspects*

### **Inspector's Considerations and Conclusions**

- 1.7.21.1 In accordance with Policy CON29, the conservation of the historic landscape would be taken into account in the assessment of development proposals within the registered site of the Battle of Tewkesbury.
- 1.7.21.2 The reasoned justification explains that the non-statutory Battlefields Register has the status of a material consideration. The weight to be attached to a material consideration depends upon the particular circumstances, since each case must be treated on its merits. Therefore it would be neither appropriate nor possible to seek to ascribe in advance in the Plan the measure of weight that would apply in any particular case.
- 1.7.21.3 Turning to the second issue, it is not clear that the objection raised to the RDDLP has been accepted by the Council as a duly made objection. The Council's response in TBC40 would suggest that it is not duly made, although it is recorded as an outstanding objection. In these circumstances I simply record my view that a reference to the effect of proposals on the potential for management and interpretation of the battlefield would be appropriate in the policy.

### ***Recommendation***

- 1.7.21.4 No modification be made to the Plan in response to the objections.





## ENVGEN

## Environment - General

### *Objections*

*See Appendix D for the list of objections on this matter*

### *Main Issues*

- *need for mains sewerage in Minsterworth*
- *need to minimise light and noise pollution at Gloucester Business Park*

### *Inspector's Considerations and Conclusions*

- 1.8.1.1 With regard to the first issue, the provision of mains sewerage is a matter for statutory undertakers and is outside the control of the Plan. No modification is required.
- 1.8.1.2 On the second issue, specific concern about noise and light pollution at Gloucester Business Park would be appropriately taken forward either through the use of planning conditions for new development or by means of enforcement action if there is a breach of environmental legislation or planning control. It is not a matter for a specific policy in the Plan.

### *Recommendation*

- 1.8.1.3 No modification be made to the Plan in response to these objections.

## ENV1

## Energy

### *Objections*

*See Appendix D for the list of objections to this policy*

### *Main Issues*

- *impact on AONB*
- *distinction between single wind turbines and wind farms*
- *Environment Agency's role*

### *Inspector's Considerations and Conclusions*

- 1.8.2.1 The policy seeks to control the development of renewable energy installations and sets down five criteria that must be satisfied before planning permission would be granted. The criteria include matters such as noise pollution, public health and safety, and the effect on designated areas and wildlife.
- 1.8.2.2 With regard to the concern about the impact of wind turbines on the AONB, each proposal should be considered upon its own merits. To preclude wind turbines from the AONB would be unduly restrictive and would not comply with government advice in PPG22 or PPG7 which permits development in an AONB if it would be in the national interest and no other suitable sites are available. Given the limited number of locations that are suitable for wind turbines and the importance of encouraging the development of renewable energy resources in the national interest, the specific impact of any proposal upon the landscape of the AONB would have to be weighed against these factors. Paragraphs 59 to 69 of the Wind Energy Annex in PPG22 set out this approach and detail some of the material considerations that would have to be taken into account by the Council in determining such applications.
- 1.8.2.3 In respect of the second issue, the development of wind farms would have to be considered in the same way as a single turbine. Above all else the impact of the wind farm on the landscape of the AONB would have to be weighed against the national interest and the availability of appropriate sites. Policy LAN1, which seeks to control development in the AONB, is relevant in this matter. The concern expressed about gradual expansion of wind turbine sites into wind farm developments is unfounded in my view. The policy allows for the impact of a proposal as part of a wider grouping of turbines to be taken into consideration.
- 1.8.2.4 Turning to the third issue, I consider that the amended reasoned justification in the RDDLP adequately addresses the concerns of the Environment Agency with regard to hydro-power, and therefore no modification is required.

***Recommendation***

1.8.2.5 No modification be made to the Plan in response to these objections.

## **ENV2          Light Pollution**

### **Objections**

*See Appendix D for the list of objections to this policy*

#### ***Main Issue***

- *duplication of other controls*

#### ***Inspector's Considerations and Conclusions***

**1.8.3.1**      *The policy seeks to minimise light pollution and requires applicants to demonstrate that they have taken steps to reduce light pollution.*

**1.8.3.2**      The Codes of Practice and standards the objector refers to do not directly relate to planning, and they offer reduced opportunities to control the lighting of developments in a way that takes account of the needs of neighbouring land users. It is beneficial to have this issue highlighted in the Plan.

#### ***Recommendation***

**1.8.3.3**      No modification be made to the Plan in response to the objection.

## **ENV5            Flooding**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *active management of storm water*
- *flexibility in regard to the floodplain*

### ***Inspector's Considerations and Conclusions***

- 1.8.4.1        The policy, as amended in the RDDLP, seeks to control development by requiring proposals to fully safeguard the overall capacity of the floodplain. However, at the Inquiry the Council proposed to substantially modify the policy to take account of PPG25 (Development and Flood Risk) that was published in July 2001. The proposed modification is set out in TBC82, Appendix D.
- 1.8.4.2        With regard to the first issue, Policy ENV11 deals with surface water run-off. The measures referred to by the objector such as the inclusion of porous surfaces are promoted under Policy ENV11 - Sustainable Urban Drainage Systems, which is a new policy in the RDDLP. It is therefore not necessary to refer to the matter in Policy ENV5.
- 1.8.4.3        In respect of the second issue, the RDDLP policy does not deal with the issue of flood risk in the way that PPG25 (July 2001) requires. This expects Councils to adopt a risk-based approach, and planning authorities and developers should have regard to a sequential test based on potential flood risk in selecting sites for development. However, the proposed modified policy set out in TBC82 reflects the risk-based approach of PPG25. While this may not constitute the type of technical modeling that one of the objectors has in mind, it is a more comprehensive and considered approach than the RDDLP policy. It also affords the opportunity to consolidate the rather fragmented approach to flooding in the RDDLP, by dealing with all of the matters that are currently spread across Policies ENV5, ENV6 and ENV7. The Council has indicated that the Environment Agency has informally approved the new policy. The RDDLP policy should be deleted and replaced by the new policy and text set out in TBC82, Appendix D.
- 1.8.4.4        Matters concerning compensation for flood damage as a result of development on the floodplain are beyond the remit of the Plan.

### ***Recommendations***

- 1.8.4.5 (i)        The Plan be modified by the deletion of Policy ENV5 and its reasoned justification and its replacement by the new policy, introductory text and

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reasoned justification set out in TBC82, Appendix D, but subject also to the recommendation under Policy ENV7.

- (ii) No other modification be made to the Plan in response to these objections.

## **ENV6 Floodplain**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *policy title*
- *extent of identified floodplain*
- *need to prohibit any development in the floodplain*
- *historic likelihood and severity of flooding in the Borough*
- *ecological considerations in the floodplain*
- *need to allow appropriate agricultural development*

### ***Inspector's Considerations and Conclusions***

- 1.8.5.1 Policy ENV6, as amended in the RDDLP, seeks to protect the floodplain against development that might reduce its capacity for all water levels. It also states that the broad extent of the floodplain is defined on the Proposals Map.
- 1.8.5.2 In accordance with my recommendation on the objections to Policy ENV5, the Plan should be modified by the inclusion of a new policy that would replace Policies ENV5, ENV6 and ENV7 of the RDDLP. I deal with the issues raised in the objections to Policy ENV6 by reference to the recommended new policy.
- 1.8.5.3 The title of the new policy would be 'Development in High and Low-to-Medium Flood Risk Areas'. In my view this is a more up-to-date and meaningful title for a comprehensive policy on flood-related issues. Therefore I do not recommend that the term 'washlands' should be re-instated.
- 1.8.5.4 With regard to questions of delineation, the floodplain shown on the Proposals Map is to be replaced by the Environment Agency's Indicative Floodplain Mapping. This is in accordance with the new policy approach and it would comply with national guidance in PPG25.
- 1.8.5.5 It would not be appropriate to preclude development from the floodplain altogether. PPG25 states that flooding is a material consideration in determining planning applications and preparing development plans. The risk-based approach advocated in PPG25 and incorporated into the new policy would allow the Council to attach appropriate weight to the issue of flooding, depending on the location and the level of risk attached to the site of the proposal. In this way each application could be determined on its own merits.
- 1.8.5.6 The recommended new policy is accompanied by substantive new text that would provide the background to and reasoned justification for the policy. Reference to

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historic trends and the likely severity of flooding have been removed in favour of a risk-based approach, based upon up-to-date data provided by the Environment Agency. In my view this should be the preferred strategy.

- 1.8.5.7 Reference to the protection of ecological interests and biodiversity is adequately covered elsewhere in the Plan and would apply with equal force to any development in the floodplain. The Plan should be read as a whole and it is not necessary to make specific reference to this issue in the policy.
- 1.8.5.8 Nothing in the new policy would prevent agricultural development from taking place in the floodplain if it did not compromise the function of the floodplain and was consistent with the policy criteria. The new policy would not prohibit all development in the floodplain.

### ***Recommendations***

- 1.8.5.9 (i) The Plan be modified by the deletion of Policy ENV6 and its replacement by a new policy and reasoned justification as set out in TBC82, Appendix D.
- (ii) No other modification be made to the Plan in response to these objections.



## **ENV7 Minimum Floor Levels**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *duplication of Building Regulations*
- *restraint on acceptable agricultural development*

### ***Inspector's Considerations and Conclusions***

- 1.8.6.1 In accordance with Policy ENV7, the ground floor level of any building proposed to be erected within the Plan area should be a minimum of 600mm above the designated flood level for that particular locality (i.e. the highest recorded flood level or an event of a return frequency of 1 in 100 years, whichever is the greater). Given my recommendation under Policy ENV5 that a new policy should be included in the Plan that would replace Policies ENV5, ENV6 and ENV7, I deal with the objections in the light of the proposed new policy.
- 1.8.6.2 In respect of the first issue, the Government has published interim guidance on development and flooding in 'Preparing for Floods' (February 2002). This refers to the role of planning authorities in ensuring that flooding is taken into consideration in the design and construction of proposals in flood risk areas. The guidance advises that local planning authorities have power to impose conditions on planning permissions by specifying a minimum ground floor level. Criterion 10 of the new policy, which incorporates the requirement of Policy ENV7, is however too prescriptive in my view. The Council should be free to impose conditions relating to ground floor and access levels based upon the merits of each case in accordance with advice in Circular 11/95. There is also some duplication between criteria 2, 4 and 10. For these reasons, I recommend that criterion 10 should be deleted and replaced by additional text in the reasoned justification. This should explain that the Council would seek to impose conditions requiring a minimum ground floor and access level, appropriate to the level of risk in the locality in which the development is situated.
- 1.8.6.3 With regard to the second issue, I refer to my response under Policy ENV6 to a similar objection.

### ***Recommendations***

- 1.8.6.4 (i) The Plan be modified by the deletion of Policy ENV7 and its replacement by the new policy and supporting text set out in TBC82, Appendix D, but subject to the deletion of criterion 10. In place of this criterion the reasoned justification should be expanded to explain that the Council would seek to impose conditions requiring a minimum ground floor and access level,

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appropriate to the level of risk in the locality in which the development is situated.

- (ii) No other modification be made to the Plan in response to these objections.

## **ENV8      Ground Water Protection**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *protection for sites of wildlife importance*
- *reference to Policy and Practice for the Protection of Groundwater*
- *use of reed beds*

### ***Inspector's Considerations and Conclusions***

- 1.8.7.1      Policy ENV8 seeks to protect groundwater resources from new development that could damage them or prevent their use.
- 1.8.7.2      With regard to the first issue, the reasoned justification has been amended in the RDDLP to refer to wildlife sites of significance. This amendment satisfies the related objection and no further modification is required.
- 1.8.7.3      On the second issue, the reasoned justification should not refer directly to the publication by the Environment Agency because of the possibility that it could be revised or replaced over the lifetime of the Plan. This could compromise the effectiveness of the policy and significantly reduce its weight as a material consideration in the determination of planning applications. The reasoned justification should be modified to refer to 'current Environment Agency guidance on the protection of groundwater'.
- 1.8.7.4      Turning to the third issue, the use of reed beds is referred to in the reasoned justification to Policy ENV11 and there is no need to duplicate a reference in another policy.

### ***Recommendations***

- 1.8.7.5      (i)      The reasoned justification for Policy ENV8 be modified by deletion of the final sentence that refers to the Environment Agency's 'Policy and Practice for the Protection of Groundwater (1998)' and its replacement by a sentence that reads, 'The Council will have regard to current Environment Agency guidance on the protection of groundwater'.
- (ii)      No other modification be made to the Plan in response to these objections.

## **ENV9      Water Pollution**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *incorrect reference in the policy to 'sewage'*

### ***Inspector's Considerations and Conclusions***

- 1.8.8.1      Policy ENV9 seeks to protect rivers, watercourses and other bodies of water from pollution by requiring adequate sewerage infrastructure to be included in new development.
- 1.8.8.2      In response to the objection, the policy in the RDDLP has been corrected to refer to 'sewage disposal infrastructure'. This resolves the matter.

### ***Recommendation***

- 1.8.8.3      No modification be made to the Plan in response to the objection.

## **ENV10      Development Near Sewage Treatment Works**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *reference to odour pollution*

### ***Inspector's Considerations and Conclusions***

- 1.8.9.1      The policy prohibits development within the defined 'cordons sanitaires' in the interests of preventing odour pollution affecting new development.
- 1.8.9.2      The amended policy in the RDDLP incorporates the text suggested by the objector. This resolves the matter.

### ***Recommendation***

- 1.8.9.3      No modification be made to the Plan in response to the objection.

## **ENV11       Sustainable Urban Drainage Systems**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *reference to specific SUDS methods*
- *reference to sewage treatment*
- *potential problems of implementation and maintenance of SUDS*

### ***Inspector's Considerations and Conclusions***

- 1.8.10.1     Policy ENV11 has been introduced at the Revised Deposit stage and requires that proposals include appropriate provision for water run-off in accordance with Environment Agency standards. The reasoned justification includes reference to the three main Sustainable Urban Drainage System (SUDS) techniques.
- 1.8.10.2     With regard to the first issue, the Council accepts that a modification of the reasoned justification to provide information on the main techniques would be helpful. I agree with the proposed replacement text.
- 1.8.10.3     On the second issue, the policy and reasoned justification clearly express the need for surface water run-off to be treated. Policy ENV9 deals specifically with sewerage. The Plan should be read as a whole and therefore it is not necessary to duplicate matters or insert a cross-reference to Policy ENV9.
- 1.8.10.4     On the final matter, the Council and applicants could discuss any potential problems of implementation and maintenance of SUDS on a site by site basis at the planning application stage. There is no need for the policy or reasoned justification to refer to these matters in a general way. .

### ***Recommendations***

- 1.8.10.5         (i)     The reasoned justification for Policy ENV11 be modified by the deletion of the final paragraph and its replacement as follows:
- ‘Three main techniques form the core of this approach: (a) the reduction in the volume of water to be discharged from the site by the use of permeable surfacing, swales, soakaways etc; (b) the attenuation and initial treatment of the remainder in a way that reduces the level of pollution and controls the rate of discharge, and as required (c) the installation of further treatment and environmental facilities (such as reed beds etc) which can provide a final polish to the water quality and enhance habitat provision’.
- (ii)     No other modification be made to the Plan in response to these

objections.

## **ENVNP      Environment - New Policy**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *need to ensure adequate water supply and infrastructure capacity for new development and to protect existing supplies*
- *need for policy on land drainage and surface water disposal in the General Policies Chapter*

### ***Inspector's Considerations and Conclusions***

- 1.8.11.1      With regard to the first issue, as the Council has stated GSPSR Policy W.1 deals with this issue at the strategic level. So far as the Plan is concerned, the objectives of the General and Housing Policies, as amended in the RDDLP, include the provision of appropriate infrastructure for new development, and to ensure that new development takes place in locations where existing and planned services can accommodate additional growth. In my view these objectives, together with Policy GEN11 and GSPSR Policy W.1 deal adequately with the matter and there is no need for duplication within the Plan.
- 1.8.11.2      In respect of the second issue, this matter is dealt with under Policy ENV11 (Sustainable Urban Drainage Systems). There is no need to make any further reference to it in the General Policy Chapter.

### ***Recommendation***

- 1.8.11.3      No modification be made to the Plan in response to these objections.



## **LAN      Landscaping General**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issue***

- *application of the Countryside Agency's Character Map approach*

### ***Inspector's Considerations and Conclusions***

- 1.9.1.1      Policy NHE.5 of the GSPSR sets down the broad locations of Special Landscape Areas (SLAs) and it states that the precise boundaries of the SLAs should be identified in local plans. The Council has sought to comply with this policy by defining the detailed boundaries of the SLA within the Plan. The main issues with regard to the Plan are how the detailed boundaries of the SLA were defined and the relevance of the designated Landscape Protection Zone (LPZ), given the advice in PPG7 on local landscape designations. With this in mind, the specific objection that the Countryside Agency's Character Map approach should be used in preference to the SLA and LPZ approach is considered under Policies LAN2 (Special Landscape Area) and LAN3 (Landscape Protection Zone).

### ***Recommendation***

- 1.9.1.2      No modification be made to the Plan in response to this objection but see my recommendations under Policies LAN2 and LAN3.

## **LAN1      Area of Outstanding Natural Beauty**

### **Objections**

**See Appendix D for the list of objections to this policy**

#### ***Main Issues***

- *compatibility with PPG7*
- *need for policy reference to economic and social considerations*
- *needs of agriculture and forestry*
- *treatment of proposals for major development*
- *cumulative impact and environmental impact statements*
- *replacement and retention of dry stone walls*
- *proposals for detailed boundary changes or refinements*

#### ***Inspector's Considerations and Conclusions***

- 1.9.2.1      Policy LAN1 seeks to control development in the AONB in the interests of protecting and enhancing the landscape. It requires that proposals must not adversely affect the quality of the natural and built environment, its visual attractiveness, wildlife and ecology, or detract from the quiet enjoyment of the countryside in the AONB. Major development would only be permitted if it would be the national interest and no other suitable sites are available.
- 1.9.2.2      With regard to the first issue, the policy wrongly defines the primary objective of the AONB as 'protection and enhancement'. As set out in paragraph 4.7 of PPG7, the primary objective of AONB designation is the conservation of the natural beauty of the landscape. The policy is too onerous and should be modified accordingly. It also goes beyond PPG7's advice by requiring that proposals would have regard to matters such as the built environment, wildlife, ecology and quiet enjoyment of the countryside. None of these are purposes of AONB designation and they should be deleted from the policy.
- 1.9.2.3      Turning to the second and third issues, reference to social and economic considerations should not be confined to the reasoned justification since these are material considerations that would be taken into account in determining planning applications. Therefore some of the fourth paragraph of the reasoned justification should instead form part of the policy, and be re-worded to provide clearer guidance on the circumstances in which small-scale development might be permitted. And while the needs of agriculture and forestry may be encompassed within social and economic considerations, I consider that they merit a specific reference in the policy. The policy and reasoned justification should be amended accordingly. On this basis the fourth paragraph of the reasoned justification should be deleted since it would re-iterate the policy. There is no need, however, for cross-references to other matters such as the conversion of agricultural

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buildings to new economic uses, since this is covered adequately by other policies of the Plan.

- 1.9.2.4 With regard to the fourth issue, the Ministerial Statement on 13 June 2000 announced that the protection given to AONBs by the land use planning system should be equivalent to that for National Parks. Accordingly, the last two sentences of paragraph 4.8 of PPG7 have been replaced by the guidance in paragraph 4.5. I consider that the third paragraph of the amended policy in the RDDLP is an acceptable reflection of the advice in PPG7. It would not be appropriate to depart from this advice by allowing policy exceptions for development that might enhance the environment. Sustainability considerations would be taken into account in accordance with paragraph 4.5 of PPG7 and there is no need for specific reference to these in connection with major development proposals.
- 1.9.2.5 On the fifth issue, I do not consider that a specific policy reference to the need for assessment of cumulative impact or for the submission of Environmental Statements is required. The requirement for Environmental Impact Assessment is the subject of statutory regulation, although developers may choose to submit an Environmental Statement in any event. In the assessment of proposals in general the effect of existing and planned development would normally be taken into account. The fifth paragraph of the reasoned justification already advises that applicants may be asked to submit landscaping schemes in support of their proposals. These schemes are required to demonstrate the impact of the proposal on the surrounding landscape. In the light of these matters I do not consider that any additional text in the policy or reasoned justification is required to ensure that proper evaluation of environmental impact would be undertaken.
- 1.9.2.6 With regard to the sixth issue, it may not always be necessary or appropriate to retain or replace a dry stone wall, and therefore I do not agree that 'wherever practicable' should be deleted from the final paragraph of the policy. Moreover, this is a detailed matter that does not merit inclusion in the policy and it should be confined to a reference in the reasoned justification.
- 1.9.2.7 It is not for the Council to review the boundaries of the AONB or include/delete particular areas in response to objections. The Countryside Agency is responsible for defining the boundaries of AONBs in accordance with particular criteria. In respect of an objection to the use of the term 'adversely affect', I consider that this is an appropriate measure of whether or not there would be a harmful impact on the landscape.

### ***Recommendations***

- 1.9.2.8 (i) Policy LAN1 be re-worded as follows:

'The extent of the Area of Outstanding Natural Beauty is shown on the Proposals Map. In the assessment of proposals for development within the AONB, overriding priority will be accorded to the conservation of the natural beauty of the landscape. Development proposals should not adversely affect the quality of the natural environment or its visual attractiveness. The Borough Council will also have regard to the needs of agriculture, forestry,

other rural industries and to the economic and social well-being of local communities. Small-scale development may be acceptable within the AONB where it is essential to meet local community needs and where it would be within or adjacent to existing towns and villages and in sympathy with the landscape character of the area.

Major development proposals will only be permitted in the AONB in exceptional circumstances where there is a proven national interest and an absence of suitable alternative sites.'

(ii) The reasoned justification for Policy LAN1 be modified by:

a) the replacement of the second sentence as follows:-

'The primary objective of the designation is to conserve the natural beauty of the landscape. In pursuing this primary objective, account will also be taken of the economic and social needs of local communities for sustainable development. Demands for recreation within the AONB will be met where it is consistent with the conservation of natural beauty and the needs of agriculture and forestry;

b) deletion of the fourth paragraph, and

c) the insertion of a sentence referring to the desirability of retaining or replacing dry-stone walling where practicable.

(iii) No other modification be made to the Plan in response to these objections.

## **LAN2     Special Landscape Area (SLA)**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *justification for designation*
- *lands at Woodmancote, Bishops Cleeve and Gotherington*

### ***Inspector's Considerations and Conclusions***

- 1.9.3.1     The GSPSR identifies SLAs as being high quality countryside of local significance and indicates their broad locations. These are shown on the Key Diagram and Policy NHE.5 seeks to protect and enhance them. Policy LAN2 of the RDDLP follows these broad locations, identifies precise boundaries and seeks to protect the character and appearance of SLAs.
- 1.9.3.2     PPG7 advises that local landscape designations require special justification. Paragraph 4.16 sets out clearly the factors that should be taken into account in defining SLAs and drawing up appropriate policies for their protection. Paragraph 14.2.27 of the GSPSR repeats some of this advice and states that the SLA designation should not be used to restrict development without identifying the particular features to be protected or enhanced. It goes on to explain that the County's SLAs, together with other local and national landscape designations, will form important components in the identification of natural areas as part of the development of the characterisation approach. In my view Policy LAN2 does not properly reflect this background because it is unclear which particular features of the SLA as designated require special protection or enhancement. References in the reasoned justification to the foreground setting of the AONB and to topography, vegetation and associated features that are characteristic of the AONB may be intended to address this matter. But these are not incorporated in the policy and in any event, it has not been demonstrated that the other policies of the Plan could not provide the necessary protection. Other objections to the scope and wording of the policy and suggestions that it be combined with Policy LAN3 are outweighed by the need to address this fundamental issue.
- 1.9.3.3     For this reason Policy LAN2 requires fundamental re-evaluation. Modifications to the policy and reasoned justification and if necessary to the extent of the SLA as defined on the Proposals Map should be brought forward on the basis of explicit identification of the particular features of the SLA that require special protection or enhancement. The modified Plan should make clear why other planning policies could not provide the necessary protection. Failing this, Policy LAN2 should be deleted.
- 1.9.3.4     The objections concerned with the inclusion or exclusion from the SLA of lands around Bishops Cleeve, Gotherington and Woodmancote should be seen in this light. Suffice to say that the triangular area north of Woodmancote, and that to south of Gotherington, between the village and Dean Brook, are in my view

different in landscape terms from the lands that are not included within the SLA. To this extent I agree with the boundary of the SLA as shown on the Proposals Map.

- 1.9.3.5 Other objections seek to add the area to the west of the AONB to the SLA; it would adjoin the SLA to the south of Gotherington and extend southwards to Bishops Cleeve's built-up area. The objectors had proposed the A435 as the western boundary of the SLA but at the Inquiry suggested that it be formed by Gotherington Lane. If there is a need to retain the SLA designation, it seems to me that the railway embankment is an obvious boundary part of the way down a slope from higher land to the east. Flatter land on either side of Gotherington Lane is part of the foreground of the AONB but it does not continue its topography, possess similar features, nor is it of high landscape quality. Therefore it does not appear suitable for inclusion in any re-defined SLA. In a more general sense, policy protection of the open countryside between Gotherington and Bishops Cleeve, which is the concern of some objectors, is provided by Policy LAN4.

### ***Recommendations***

- 1.9.3.6 (i) Policy LAN2 and, as appropriate, the Proposals Map be modified in the light of a re-appraisal of the particular features of the proposed designation that require special protection or enhancement, and the reasoned justification be modified to make clear why other planning policies could not provide the necessary protection for the identified features. Failing this, Policy LAN2 be deleted from the Plan.
- (ii) No other modification be made to the Plan in response to these objections.

## **LAN3     Landscape Protection Zone (LPZ)**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *justification for designation*
- *inclusion of certain areas within LPZ*

### ***Inspector's Considerations and Conclusions***

- 1.9.4.1     In accordance with Policy LAN3, a Landscape Protection Zone (LPZ) is identified where special protection is to be given to the ecology and visual amenity of the river environments of the Severn, Avon and other rivers.
- 1.9.4.2     PPG7 advises that local countryside designations require special justification and it should be made clear why normal planning policies would not provide the necessary protection. The LPZ designation is well-established in earlier plans and it goes beyond the aims of countryside protection, by including matters of ecology as well as landscape. Nonetheless, these factors do not exempt Policy LAN3 from evaluation in the terms of paragraph 4.16 of PPG7.
- 1.9.4.3     Paragraph 14.2.3 of the GSPSR says that local character and distinctiveness may be defined in detail in local plans following the approach of the Countryside Agency and English Nature of identifying broad character areas. One of these is the Severn and Avon Vales. The reasoned justification for Policy LAN3 identifies the characteristics of the riverine environment that contribute to the overall landscape quality and character of the area and are worthy of protection. To the extent that changes to some of these features are subject to planning control, a number of them fall within the remit of other Plan policies. Nonetheless, the reasoned justification does not show why the other policies of the Plan would not provide the necessary protection for these features.
- 1.9.4.4     For this reason, as in the case of Policy LAN2, Policy LAN3 requires fundamental re-evaluation. Modifications to the policy and reasoned justification, and if necessary to the extent of the LPZ as defined on the Proposals Map, should be brought forward on the basis of explicit identification of the particular features of the LPZ that require special protection or enhancement. The modified Plan should make clear why other planning policies could not provide the necessary protection. Failing this, Policy LAN3 should be deleted.
- 1.9.4.5     As referred to under LAN2, some objectors suggest that the two policies be combined, but this is outweighed by the need to establish the justification for the policies. On a point of detail, an objector argues that landscaping schemes should be negotiated with developers and should not be a requirement of the policy. But if the policy is to be retained in a modified form, it would almost certainly be appropriate to seek landscaping schemes to enhance the environment.

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- 1.9.4.6 The objections concerned with the inclusion or exclusion of certain lands from the LPZ should be seen in the above light. One seeks the inclusion of the Carrant floodplain and land to the south, including Aston on Carrant, but with its southern boundary to be determined by the Council. The ecological, landscape, archaeological and historical interest of the area is said to justify its inclusion. However, a 3km length of the Carrant between the Avon and the nearest part of the proposed new designation would be outside the LPZ. Moreover, the Carrant forms the northern boundary of the Borough, and it is understood that the emerging Wychavon Local Plan is unlikely to include any local landscape designations. It would be illogical to have a protective designation on only one side of the brook and divorced from the remainder of the LPZ. The objectors are actively seeking to conserve and enhance their land to the north of the Carrant. Despite their considerable evidence on ecological and other matters, no part of the suggested addition to the LPZ has been designated as being of special interest. In my view Policies LAN4, NAT8 and ENV9 would adequately protect this area from harmful development in the context of GSPSR Policy S.6.
- 1.9.4.7 Another objector promotes the inclusion of Minsterworth Ham in the LPZ in recognition of its contribution to the landscape of the Severn and of the setting of Gloucester. This would harmonise with adjacent designations in Gloucester. The Council has agreed to this addition, but has not amended the revised Proposals Map. If there is a need to retain the LPZ designation, it would appear that this area could reasonably be included within it.
- 1.9.4.8 In response to an objection to the inclusion of land at Bredon Road, Tewkesbury, the Council has deleted housing allocation TE6, but not the rest of the land, from the LPZ. This remaining area is not one of small fields and only has hedgerows on boundaries, so does not have features which characterise some other parts of the LPZ. However, it is part of the riparian landscape of the Severn, which the policy seeks to protect, and is open to public view from the adjacent main road. Subject to my conclusion above about the need for the policy in principle, the inclusion of this land within the LPZ would be appropriate.
- 1.9.4.9 In the Twynning area an objection seeks the re-drawing of the LPZ boundary between Twynning Green and Church End so that it follows the 100ft contour line or better still, the road that links the Green with Church End. However, I agree with the Council that the existing boundary line is well related to the riparian landscape and it follows defined boundaries, and therefore the suggested amendment is not recommended.
- 1.9.4.10 Finally, an objection seeks the deletion of an area to the north of Sandhurst by moving the LPZ boundary by up to 1km westwards. This land is similar in character to the adjacent parts of the LPZ and is part of the Severn's riparian landscape, which includes the low hills next to the floodplain. I see no reason to distinguish it from adjacent land which, subject to my recommendations, would still lie within the LPZ. A linked objection on this matter is dealt with under Policy HSG3.

### ***Recommendations***

- 1.9.4.10 (i) Policy LAN3 and, as appropriate, the Proposals Map be modified in the light of a re-appraisal of the particular features of the proposed designation that require special protection or enhancement, and the reasoned justification be modified to make clear why other planning policies could not provide the



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necessary protection for the identified features. Failing this, Policy LAN3 be deleted from the Plan.

- (ii) If a need to retain the LPZ designation is demonstrated, the Proposals Map be modified to include Minsterworth Ham in the LPZ.
- (iii) No other modification be made to the Plan in response to these objections

## **LAN4            Landscape - Countryside Protection**

### **Objections**

**See Appendix D for the list of objections to this policy**

#### ***Main Issues***

- *justification for policy*
- *need for reference to the Green Belt*
- *adoption of character approach to protecting the countryside*
- *need for reference to biodiversity*

#### ***Inspector's Considerations and Conclusions***

- 1.9.5.1      Policy LAN4 requires proposals in non-designated rural areas to have regard to the protection of the character and appearance of the rural landscape.
- 1.9.5.2      Policy LAN4 does not constitute a landscape designation because it does not relate to defined homogeneous areas. Given the significant areas of the Borough with national and local designations it would be remiss of the Council not to include a policy relating to the rural landscape in general terms. This accords with the advice in paragraph 2.14 of PPG7 that the countryside should be protected for its own sake. Therefore, no modification is required on the first issue.
- 1.9.5.3      In respect of the second issue, as the Council has pointed out in its response, the Green Belt is not a landscape designation. Matters concerning the Green Belt are dealt with elsewhere in the Plan. No modification is required in response to this issue.
- 1.9.5.4      Turning to the third issue, the policy refers to protecting the character of the rural landscape. The policy is therefore compatible with the 'character approach' referred to in PPG7, although it should ideally be supported by work and initiatives of the type advocated in paragraph 5.6.33 of the GSPSR. This is something that the Council may seek to address in the future. I do not consider that any modification is required in this regard.
- 1.9.5.5      On the final issue, biodiversity is dealt with in the Nature Conservation chapter. The Plan should be read as a whole and there is no need to duplicate references in this policy.

#### ***Recommendation***

- 1.9.5.6      No modification be made to the Plan in response to these objections.

**LAN5     Area of Special Advertisement Control**  
**Objections**

**See Appendix D for the list of objections to this policy**

***Main Issue***

- *relevance to planning decisions*

***Inspector's Considerations and Conclusions***

- 1.9.6.1     Policy LAN5 of the Deposit Draft has been deleted from the RDDLP. This appears to resolve the outstanding objection. No modification to the Plan in respect of the issue is required.

***Recommendation***

- 1.9.6.2     No modification be made to the Plan in response to the objection.

## **LAN6            Important Open Spaces**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *criteria for inclusion and need for positive intent*
- *need for a more objective, criteria-based approach*
- *case for including various new sites*
- *case for excluding designated sites*

### ***Inspector's Considerations and Conclusions***

- 1.9.7.1      The policy seeks to protect the character and appearance of defined Important Open Spaces (IOS) in the Borough's settlements. The reasoned justification explains that these areas should be of amenity value to the public, clearly visible and important to the character of the settlement and the street scene. An amendment to the reasoned justification in the RDDLP advises that a summary of the reasons for the designation of the particular open spaces is set out in Appendix 4 to the Plan.
- 1.9.7.2      With regard to the first issue, the reasoned justification in the Deposit Draft could have come from any local plan and it provided insufficient explanation of why the Council sought to protect these spaces. This no doubt led to the confusion and lack of understanding evident in the objections about the nature of land that the Council considers as IOS. While the amendment to the RDDLP helps to address this matter, the reasoned justification needs to explain in more detail how IOS contributes to the character of the Borough's settlements. It should provide a clear local context to the policy and in so doing, link the policy more closely to the generic character of the Borough's settlements. This would help to guide development in a more positive way while respecting the character and purpose of the designations.
- 1.9.7.3      On the second issue, policies such as LAN6 are inevitably based on an element of subjectivity, because the selection of the sites requires value judgements about quality. Nonetheless, the process of selection could be made more transparent and acceptable to local residents if they were involved more closely in the identification process. It is evident from at least one objection that there is dismay that local people were not involved in the re-survey of the IOS during the Plan preparation period. PPG7 advocates the production of Village Design Statements, which are prepared by local communities under the guidance of the local planning authority. The Council should consider the role that could be played by Village Design Statements in guiding development in a way that responds to local wishes. The process of producing the statements would be beneficial for the Council and the local communities involved. Village Design Statements would also contribute

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towards a more robust Plan and assist in its implementation. I do not agree that the policy should contain a proviso that open space elsewhere could be provided in lieu of IOS, since this would undermine the objective of the policy to retain spaces that make a special contribution to the street scene or local character.

- 1.9.7.4 Moving on to the case for the inclusion of additional sites within LAN6, my view on each of the proposals is as follows:-
- 1.9.7.5 IOS in Sandhurst: The land in question is farmland and does not contribute in any significant way to the character of the settlement. This does not diminish the protection that could be afforded to it under other policies of the Plan.
- 1.9.7.6 Meadoway, Bishops Cleeve: These are small grassed areas on corner plots. Their amenity value and importance to the character of the settlement or the street scene are not such as to justify designation as IOS. The threat of enclosure is not in itself a reason to designate these plots as IOS.
- 1.9.7.7 Charington Court, Winchcombe: The land is not clearly visible to the public and contributes little to the character of the settlement.
- 1.9.7.8 School Playing Fields, Winchcombe; Mill Lane Playing Fields, Brockworth; rear of Cross Hands Public House, Brockworth: These pieces of land are playing fields that are already protected by Policy REC1. As such there is no need to designate them as IOS.
- 1.9.7.9 Allotments, Winchcombe: Allotments are dealt with under Policy REC12. There is no need to include them under this policy.
- 1.9.7.10 Land between Bishops Cleeve and Gotherington: This land is part of a swathe of open countryside that has policy protection under Policy LAN4. Its agricultural nature does not contribute in any significant way to the character of either settlement or the street scene.
- 1.9.7.11 The Flying Machine Field, Brockworth: This land has recently been developed for housing and therefore cannot be considered as IOS.
- 1.9.7.12 Field Opposite Castle Hill School, Brockworth, and field Opposite Rowan Gardens, Brockworth; These pieces of land do not contribute towards the character of the settlement or the appearance of the street scene, contrary to the aims of the policy.
- 1.9.7.13 In respect of objections to particular areas that are designated under LAN6, my recommendations on the three identified sites are as follows:-
- 1.9.7.14 Firstly, the Dupont Land at Brockworth forms an important buffer between the adjacent employment land and the AONB that adds much to the character of the settlement and as such it should be retained as IOS.
- 1.9.7.15 Secondly, in respect of the garden at Barebones Farm, North Street, Winchcombe, the question as to whether this site falls within the definition of IOS cited in the policy is the main thrust of the objection. The site is formed by a private garden over which there are very limited views. The policy covers both private and public

land and so public access to the site in terms of its amenity value is not at issue. However, even if the fencing/trellis that has been erected along the street frontage were to be removed, there would still be insufficient views of the site from public vantage points to bring it within the scope of Policy LAN6. The Conservation Area that includes Barebones Farm is subject to an Article 4 Direction. This limits permitted development rights within the curtilage of a dwelling house, but it would not prevent many of the normal uses of private gardens for domestic paraphernalia that reduce even further the public amenity value of this private space. In my view the site does not constitute IOS and it should be deleted from Appendix 4 and the Proposals Map.

- 1.9.7.16 Thirdly, with regard to Lawrences Meadow, Gotherington, I consider that this land is visually prominent and makes an important contribution to the street scene. Therefore it should be retained as IOS.

### ***Recommendations***

- 1.9.7.17 (i) The Plan, including the Proposals Map be modified by the deletion of the site at Barebones Farm, Winchcombe from Policy LAN6.
- (ii) The reasoned justification for Policy LAN6 be modified by the inclusion of a more detailed explanation of the local context and the particular importance of IOS to the character and appearance of the Borough's settlements.
- (iii) The Council give consideration to working with local communities on the production of Village Design Statements.
- (iv) No other modification be made to the Plan in response to these objections.

## **LAN7 Historic Parks and Gardens**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issues**

- *relative importance of local and national interests*
- *reasonableness of seeking improvement/management/restoration schemes*
- *protection of biodiversity*

### **Inspector's Considerations and Conclusions**

- 1.9.8.1 The policy seeks to protect historic parks and gardens from development that would adversely affect their character or setting. It also encourages restoration of historic parks and gardens and requires new development that affects historic parks and gardens to contribute to their restoration or management. The reasoned justification lists six historic parks and gardens in the Borough to which the policy applies. Reference to a locally produced schedule of sites has been deleted from the reasoned justification in the RDDLP.
- 1.9.8.2 The Council has deleted reference to the locally prepared schedule. However reference is made to supplementary research carried out by the Gardens and Landscape Trust and it is not entirely clear to what this refers. The policy should not confuse the protection of historic parks and gardens that are included on the English Heritage Register with others that are not protected in this way. Paragraph 2.24 of PPG15 advises that local planning authorities should protect registered parks and gardens in preparing development plans. If the Council intends to protect other locally important historic parks and gardens then it should do so in a separate policy, or include them under another local designation such as IOS (Policy LAN6), in a way that reflects their local, rather than national importance.
- 1.9.8.3 The third criterion of the policy states that schemes to improve, restore and manage an historic park or garden would normally be required in connection with any new development which affects the historic park or garden. I agree with the objection that this may be an unreasonable or unrelated requirement and that this criterion should be deleted from the policy.
- 1.9.8.4 The main purpose of the policy is to protect the character, appearance and setting of historic parks and gardens. It includes a reference to wildlife interests, which is appropriate since flora and fauna contribute to the character of parks and gardens. In my view it is not necessary to refer directly to biodiversity, since this is not the main purpose of the policy and biodiversity interests are protected by other policies in the Plan.

***Recommendations***

- 1.9.8.5 (i) Policy LAN7 be modified by:
- a) deleting the first sentence that refers to supplementary research carried out by the Gardens and Landscape Trust, if it refers to additional locally designated historic parks and gardens that are not included on the English Heritage Register. If this is not the case, modify the reasoned justification to explain the relevance of the research to the policy, and
  - b) deleting criterion C).
- (ii) No other modification be made to the Plan in response to these objections.



## **LAN8      Landscaping of New Development**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issues**

- *control over maintenance of landscaped areas*
- *policy reference to new tree planting*
- *need for second paragraph of policy*

### **Inspector's Considerations and Conclusions**

- 1.9.9.1      The policy requires developers to submit a high quality landscaping scheme as an integral part of a proposal. Policy LAN9 (Strategic Planting) of the Deposit Draft has been incorporated into Policy LAN8 in the RDDLP and forms the second paragraph of the policy and reasoned justification. As a result, the amended policy also requires strategic planting to be in place on allocated or redeveloped sites, prior to the start of development or during the first available planting season. Objections to Policy LAN9 are taken into account under this policy.
- 1.9.9.2      Control over the maintenance of landscaping schemes is normally achieved by the imposition of planning conditions or by entering into planning obligations. There is no need to refer to this in the policy.
- 1.9.9.3      The planting of new trees and their appropriateness to the location are detailed explanatory matters that are more appropriately dealt with in the reasoned justification. No modification to the Plan is required in response to the objection on this matter.
- 1.9.9.4      In respect of the final issue, the second paragraph of the policy concerns matters that can be controlled by planning conditions. There is no need to set these out in a policy. The corresponding part of the reasoned justification should be retained to explain why the Council would apply conditions relating to strategic planting. It should be expanded to state that in such circumstances the Council would impose planning conditions.

### **Recommendations**

- 1.9.9.5 (i)      Policy LAN8 be modified by the deletion of the second paragraph.
- (ii)      The reasoned justification for Policy LAN8 be modified by the addition of a new final sentence that states that in appropriate circumstances the Council would normally attach conditions to planning permissions in order to secure the provision of structural planting.
- (iii)      No other modification be made to the Plan in response to these objections.

## **LAN9     Strategic Planting**

### ***Objections***

See Appendix D for the list of objections to this policy

### ***Inspector's Considerations and Conclusions***

- 1.9.10.1     Policy LAN9 of the Deposit Plan has been incorporated into Policy LAN8 of the RDDLP. My considerations and recommendations on the amended Policy LAN8 take account of the objections to Policy LAN9.

## **LAN10        Trees/Woodlands**

### **Objections**

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *wording of policy*
- *reference to the Forestry Commission*

### ***Inspector's Considerations and Conclusions***

- 1.9.11.1 Policy LAN10 seeks the retention of trees, woodlands and good quality hedgerows on development sites, where practicable. Where protected trees would be lost the Council would require appropriate replacements.
- 1.9.11.2 The amended policy in the RDDLP seeks to respond to concerns that its wording required improvement. In my view the amended wording resolves most of the outstanding objections. However, it would not be appropriate to remove the phrase, 'where possible and practicable', since this would make the policy inflexible. The current wording allows for the benefits of the proposed development to be weighed against the conservation and amenity value of trees, woodland and hedgerows.
- 1.9.11.3 The amended text in the RDDLP includes more references to woodlands and one to the Forestry Commission. The alternative text proposed by the Forestry Commission does not improve on the clarity and explanation provided in the reasoned justification. No modification of the Plan is recommended in response to the outstanding objection.

### ***Recommendation***

- 1.9.11.4 No modification be made to the Plan in response to these objections.

## **TSM1     Tourism General Policy**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for specific cross-references to all other relevant policies*
- *protection of the environment and biodiversity*
- *public transport accessibility*
- *effect on innovation*
- *reference to water resources and infrastructure*

### ***Inspector's Considerations and Conclusions***

- 1.10.1.1     The policy sets down a number of criteria against which the Council would judge proposals for tourist-related development, where appropriate.
- 1.10.1.2     There is no need for the policy to cross-refer to other policies or objectives because the Plan should be read as a whole. However, in response to concerns about the absence of references to the environment and biodiversity in the policy, I consider that the fourth criterion should have such references in order to reflect the Plan's overall objectives in a more balanced way.
- 1.10.1.3     In consideration of objections to the criterion on public transport accessibility in the Deposit Draft, it appears from CD34 that the Council intended to delete the criterion, although an amended form of wording appears in the RDDLP. In my view it is important to retain a criterion on this matter, given the advice in PPG13. There is no need for a definition of 'substantial numbers of visitors' since the criterion would only be applied where it would be appropriate. There is an error in the wording of the amended criterion in the RDDLP and this should be corrected in modifications to the Plan.
- 1.10.1.4     The requirement that the proposal should be well related to tourism demands is unnecessarily restrictive in my view, and the deletion of the word 'recognised' does not overcome the objection. This criterion could stifle new and innovative proposals that could generate new types of tourist activity and it should be deleted.
- 1.10.1.5     In respect of the final issue, matters relating to water supply and other infrastructure are dealt with elsewhere in the Plan and there is no need to refer to them in this policy.

***Recommendations***

1.10.1.6 (i) Policy TSM1 be modified by:

- a) deletion of the second criterion;
- b) expansion of the fourth criterion to include a reference to the environment and nature conservation, and
- c) re-wording of the seventh criterion as follows:

`a proposal that would attract substantial numbers of visitors should be accessible by public transport as well as by car`.

- (ii) No other modification be made to the Plan in response to these objections.

## **TSM2 Visitor Attractions**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *overlap with Policy TSM1*
- *need to encourage re-use of modern farm buildings*
- *definition of main tourist routes*
- *need for reference to water resources and infrastructure*
- *justification for public transport accessibility criterion*
- *need for reference to impact on the highway network*

### ***Inspector's Considerations and Conclusions***

- 1.10.2.1 The policy seeks to control the development of new visitor attractions so that they are well related to the main tourist routes and have no detrimental impact upon the historic built environment or the highway network. It also prohibits the development of new visitor attractions in the open countryside, unless they re-use existing buildings.
- 1.10.2.2 I agree with the objections that contend that the policy is superfluous. Policies TSM1 and TSM2 deal with substantially the same matters, albeit that the latter is slightly more detailed. Policy TSM2 should be deleted in the interests of a clear and succinct Plan.
- 1.10.2.3 With regard to the remaining issues, my conclusions in respect of public transport accessibility and infrastructure provision under Policy TSM1 deal with these matters. Given the advice in PPG13 and PPG21, it is appropriate to make reference to highway considerations in a general policy on tourism development. On the basis that Policy TSM1 would replace Policy TSM2, there is no specific need for a definition of main tourist routes. Policy TSM1 encourages the re-use of buildings in general, and therefore it would include modern farm buildings. Nonetheless, it would be appropriate to incorporate the final sentence of the reasoned justification for Policy TSM2 into the reasoned justification for Policy TSM1, in order to explain the particular contribution that can be made by tourism to sustaining old and historic buildings.

### ***Recommendations***

- 1.10.2.4 (i) The Plan be modified by the deletion of Policy TSM2.
- (ii) The final sentence of the reasoned justification for Policy TSM2 be

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incorporated into the reasoned justification for Policy TSM1.

- (iii) No other modification be made to the Plan in response to these objections.

### **TSM3      Serviced/Self Catering Accommodation**

#### ***Objections***

*See Appendix D for the list of objections to this policy*

#### ***Main Issue***

- *need for cross-references to all other relevant policies*

#### ***Inspector's Considerations and Conclusions***

- 1.10.3.1      The policy prohibits the development of new serviced and self-catering accommodation outside Residential Development Boundaries, except where it would involve the renovation or improved use of existing buildings.
- 1.10.3.2      As I have concluded in respect of similar objections to other policies, the Plan should be read as a whole. Therefore it is generally inappropriate to burden individual policies with a series of cross-references to other specific policies, and I see no reason to conclude differently in this case.

#### ***Recommendation***

- 1.10.3.3      No modification be made to the Plan in response to the objection.



## **TSM4 Extensions to Hotels/Accommodation**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *drafting error*

### ***Inspector's Considerations and Conclusions***

- 1.10.4.1 The policy seeks to control the development of extensions to hotel and other tourist accommodation in the interests of protecting the environment and landscape character of the surroundings.
- 1.10.4.2 The corrected wording of the policy in the RDDLP addresses the objection. No further action is required.

### ***Recommendation***

- 1.10.4.3 No modification be made to the Plan in response to the objection.

## **TSM5     New Static Caravan/Log Cabin/Chalet Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *prohibition on development in AONB*

### ***Inspector's Considerations and Conclusions***

- 1.10.5.1     The policy prohibits the development of static caravans, chalets or log cabins in the AONB and Special Landscape Areas. Elsewhere the overriding consideration will be the protection of the landscape.
- 1.10.5.2     Paragraph 4.7 of PPG7 states that AONBs should be used to meet the demand for recreation if it is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses. Clearly there should be some limited scope for the consideration of this type of development in the AONB. The policy should be modified by the deletion of the first paragraph, which refers to AONBs and Special Landscape Areas.

### ***Recommendation***

1.10.5.3 Policy TSM5 be re-worded as follows:

‘In considering proposals for new static caravan, log cabin or chalet sites, overriding protection will be afforded to the landscape, particularly with regard to siting and landscape design and impact on local amenity. Any proposal must be well related to main routes. Details of site layout and landscaping will be required as part of any application.

Particular regard will be had to the protection of the natural landscape in the Area of Outstanding Natural Beauty and the Special Landscape Area.’

## **TSM6     Touring Caravan and Camping Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *acknowledgement of Woodmancote Touring Caravan Park*

### ***Inspector's Considerations and Conclusions***

- 1.10.6.1     The policy seeks to control the development of touring caravan and campsites in the interests of protecting the landscape.
- 1.10.6.2     It would not be appropriate to mention specific caravan parks by name in the Plan. The individual circumstances of one site cannot form the basis for determining all planning applications for touring caravan sites and campsites across the Borough.
- 1.10.6.3     The Council may wish to consider combining this policy with Policy TSM5 given my recommendation on the latter.

### ***Recommendation***

- 1.10.6.4     No modification be made to the Plan in response to the objection.

## **TSM8     Farm Diversification**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *role of non-farmers in farm diversification*

### ***Inspector's Considerations and Conclusions***

- 1.10.7.1     The policy seeks to control the development of tourism proposals on farms in the interests of safeguarding the quality of the environment through the use of existing buildings.
- 1.10.7.2     The policy and reasoned justification do not draw any distinction between the roles of particular occupations or groups in the rural economy. Non-farmers are not put at a disadvantage by this policy and are free to engage fully in the rural economy and contribute towards farm diversification. There is no need to specifically acknowledge non-farmers in the way suggested by the objector.
- 1.10.7.3     The Council may wish to consolidate this policy into Policy AGR4 (Agricultural Diversification) in the interests of a clearer and more succinct Plan.

### ***Recommendation***

- 1.10.7.4     No modification be made to the Plan in response to the objection.

## **TSM10 Short and Long Stay Moorings**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issue***

- *role in promotion of farm diversification and recreation in the countryside*

### ***Inspector's Considerations and Conclusions***

- 1.10.8.1 Policy TSM10 of the Deposit Draft sought to investigate the possibility of increasing short and long-term moorings along the river network and it set out the criteria that would be used to assess suitability. It has been deleted from the RDDLP on the basis that its content is not a land use planning matter. The policy is in effect a statement of intent and I agree that it should be deleted from the Plan. The promotion of farm diversification and recreation in the countryside would not be hindered by the deletion and there are other policies in the Plan that encourage such proposals.

### ***Recommendation***

- 1.10.8.2 No modification be made to the Plan in response to this objection.

## **TSM11 Moorings in Tewkesbury**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *need to promote farm diversification and recreation in the countryside*
- *reference to Coombe Hill Canal Key Wildlife Site*

### ***Inspector's Considerations and Conclusions***

- 1.10.9.1 In general, Policy TSM11 of the Deposit Draft sought to safeguard, maintain and improve rights of navigation along the river network. The policy has been deleted from the RDDLP on the basis that its content does not relate to a land use planning matter. In my view the policy is in effect a statement of intent and it does not merit retention in the Plan. Farm diversification and recreation in the countryside can be promoted without reference to this policy and there are other policies in the Plan that deal with these issues. Also, policy protection for the Coombe Hill Key Wildlife Site or other nature conservation interests can be achieved through the application of other Plan policies.

### ***Recommendation***

- 1.10.9.2 No modification be made to the Plan in response to these objections.

**TSM12 Support for Restoration of Gloucestershire Warwickshire Railway (now TRP27)**

***Objections***

**See Appendix D for the list of objections to this policy**

***Inspector's Considerations and Conclusions***

- 1.10.10.1 Policy TSM12 of the Deposit Draft has been renumbered as Policy TRP27 of the RDDLP. My consideration of the objections and my recommendation is set out under Policy TRP27.

## **TSM13 Herefordshire and Gloucestershire Canal**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *potential for planning blight*
- *need to protect biodiversity*

### ***Inspector's Considerations and Conclusions***

- 1.10.11.1 The policy supports the restoration of the Herefordshire and Gloucestershire Canal and safeguards the route of the canal.
- 1.10.11.2 With regard to the first issue, there is no evidence that the restoration or the safeguarding of the route would necessarily blight land. No modification to the policy or reasoned justification is required in response to this issue.
- 1.10.11.3 In respect of the second issue, the amended reasoned justification in the RDDLP includes reference to the protection of biodiversity. The Nature Conservation policies of the Plan also provide protection for biodiversity along the route of the canal and the Plan must be read as a whole. The amended reasoned justification adequately highlights the issue and no modification is required in response to the objection.

### ***Recommendation***

- 1.10.11.4 No modification be made to the Plan in response to these objections.





## **SHP      Shopping - General**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issue***

- consistency with PPG6

### ***Inspector's Considerations and Conclusions***

- 1.11.1.1 PPG6, paragraph 1.11, sets out the sequential approach that should be followed in the selection of sites for new retail development. Policy TC.1 of the GSPSR reflects this approach. In this context the Council has accepted that the Deposit Draft's reference in the final sentence of the fifth paragraph of the introduction to the retail policies misrepresents national and structure plan policies and does not reflect the priority for town centre retail development. The reference has been deleted from the RDDLP. In my view this partially resolves the concern expressed in the objection.
- 1.11.1.2 The inclusion in the Objectives of an explicit reference to the sequential approach is also sought. I agree that this is a vital element that is not properly reflected in the fourth objective, which should be modified accordingly. It would also be better placed as the first objective of the policies.

### ***Recommendations***

- 1.11.1.3 (i) The Plan be modified by the re-wording of fourth objective of the Shopping Policies as follows:
- ‘In accordance with the sequential approach, to accord priority to the location of new retail development within existing town centres, given their relatively convenient access by public transport and scale of investment in existing facilities.’
- (ii) The order of the objectives of the Shopping Policies be changed so that the fourth objective (as I have recommended that it be modified) becomes the first objective.

## **SHP1      Tewkesbury Town Centre Primary Shopping Frontages**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *justification for restrictive approach*
- *relevance to historic mix of uses on the High Street*
- *application to retail centres identified in Policy SHP3*

### ***Inspector's Considerations and Conclusions***

- 1.11.2.1      In accordance with Policy SHP1, the change of use of Class A1 retail uses at ground floor level within the defined primary shopping frontage of Tewkesbury town centre would not be permitted.
- 1.11.2.2      In accordance with PPG6 and the GSPSR policy framework, the Council rightly seeks to sustain and enhance the vitality and viability of town centres. Local planning authorities should recognise and support the shopping function of the primary shopping area of town centres. The practice of defining a primary shopping frontage is not unusual and it is to be expected that within such designations the primary focus of ground floor uses should be retail (Class A1). Paragraph 2.25 of PPG6 acknowledges that changes of use in town centres can have cumulative effects that cause local problems. Issues such as loss of retail outlets should be assessed on the cumulative effects and any positive contribution to diversification. Against this background, Policy SHP1 appears to be particularly restrictive and it is not justified by a retail survey or town centre health check along the lines advised in PPG6, Annex B.
- 1.11.2.3      The policy would not allow any movement between uses within the primary shopping frontage in a way that would allow this area of the town centre to respond to market forces and take account of the operational needs of businesses. As such there is a danger that the policy could lead to empty retail units, which would have a negative impact on the viability and vitality of the town centre. In order to permit some flexibility, the policy should be based on a minimum percentage threshold of Class A1 uses that the Council considers is necessary to sustain the vitality and viability of the primary shopping frontage. The policy should also set out a minimum threshold of the number of Class A1 outlets in a continuous row to prevent the fragmentation of the shopping frontage, appropriate to the size and role of Tewkesbury town centre. In this way the core retail function could be sustained, while allowing an element of flexibility to respond to market forces. In setting the thresholds, the Council should have regard to the advice in paragraph 2.12 of PPG6, the current proportion of Class A1 uses and their location in the town centre, and the number of vacant units, currently and historically.
- 1.11.2.4      The relevance of the policy to the historic mix of uses on the High Street is queried in a number of the objections. It appears that housing and a mix of uses was a feature of the

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town centre in the past. The policy would not prevent residential, office, restaurant, and professional service uses on upper floors. The historic development of uses in Tewkesbury town centre is not in my view central to its vitality and viability today. It would be wrong to tie its future to an idea of what it was like in the past. There is no evidence to suggest that a balanced and flexible approach to use of the ground floors of primary shopping frontage outlets, which favours Class A1, would be detrimental to the vitality and viability of the town centre.

- 1.11.2.5 Two recent appeal decisions have been brought to my attention. In both cases the size, format and location of the respective properties were determining factors in the decision, and in neither instance did the Inspector suggest that a primary shopping frontage policy restricting ground floor uses to Class A1 was flawed. But with a more flexible policy approach that seeks to maintain a concentration of Class A1 uses on the primary shopping frontages, the circumstances and nature of individual buildings and proposals could be considered in a more positive manner.
- 1.11.2.6 In respect of the third issue, the policy reflects the importance of Tewkesbury town centre in the retail hierarchy of the Borough. As the main town in the Borough, it fulfills an essential shopping function which other centres do not because of their size and other factors such as accessibility. It would not be appropriate to restrict changes of use in smaller centres in the same way as Policy SHP1 (as modified). As set out in paragraph 3.18 of PPG6, local planning authorities should encourage a wide range of facilities in district and local shopping centres, and I do not consider that this would be facilitated by the application of Policy SHP1 to the smaller centres of the Borough.

### ***Recommendations***

- 1.11.2.7 (i) Policy SHP1 be modified by the deletion of the final sentence and its replacement by a set of criteria that:
- a) defines the minimum percentage threshold for the proportion of Class A1 ground floor units that should be maintained in Tewkesbury town centre's designated primary shopping frontage;
  - b) sets down a minimum threshold of the number of Class A1 units that should be maintained in a continuous row in the primary shopping frontage, and
  - c) defines other classes of use that might be appropriate in the primary shopping frontage and states that changes of use from Class A1 retail use at ground floor level to these other uses would only be acceptable where the criteria set out at a) and b) above would be satisfied.
- (ii) The reasoned justification for Policy SHP1 be modified accordingly.
- (iii) No other modification be made to the Plan in response to these objections.

## **SHP3      Retail Areas**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *overlap with Policies SHP1 and SHP2*
- *compatibility with scale and function of centres*
- *need for greater flexibility*
- *need for protection of primary shopping frontages*

### ***Inspector's Considerations and Conclusions***

- 1.11.3.1 Policy SHP3 defines the uses that would be appropriate within the retail areas of the other town centres in the Borough and within the areas of Tewkesbury that are not covered by Policies SHP1 and SHP2.
- 1.11.3.2 Policy SHP1 (as I have recommended that it be modified) would deal only with the defined primary shopping frontages in Tewkesbury town centre. Policy SHP2 deals only with defined mixed-use frontages in Tewkesbury town centre. The difference between Policy SHP2 and Policy SHP3 is that residential and office use at ground floor level is not permitted under Policy SHP3, whereas it is under Policy SHP2. Given these differences there is no overlap between the policies in question. However, I agree that in order to avoid any apparent inconsistency between the policy and the reasoned justification, the latter should be re-worded to state at the outset of the second sentence that the priority is to maintain Class A uses at ground floor level in these locations.
- 1.11.3.3 Paragraph 3.18 of PPG6 refers to the need for development in district and local centres to be consistent with their scale and function. I agree that this is an important element that is missing from Policy SHP3 and the policy should be modified accordingly.
- 1.11.3.4 In my view the roles of the mixed-use frontages as defined in Policy SHP2 and the centres defined in Policy SHP are distinct. The more relaxed approach taken in Policy SHP2 is a corollary to Policy SHP1 which seeks to protect the prime shopping frontages. If a more relaxed approach were to be permitted in the Policy SHP3 centres there would be a danger that shops and services essential to their viability and vitality would be lost. This could increase the need to travel further to shops in other towns and villages, contrary to the Council's transport objectives that seek to reduce reliance on the use of the private car.
- 1.11.3.5 The concern referred to under the fourth issue is dealt with under Policy SHP1 and I do not consider that any modification of Policy SHP3 would be appropriate

in response to the relevant objection.

***Recommendations***

- 1.11.3.6.1 (i) Policy SHP3 be modified by the addition of a new sentence as follows:
- ‘In each case, proposals for new development will be expected to be consistent with the scale and function of the centre’.
- (ii) The reasoned justification for Policy SHP3 be modified accordingly.
- (iii) The second sentence of the reasoned justification for Policy SHP3 be modified by stating at the outset that the priority is to maintain Class A1 uses in these locations.
- (iv) No other modification be made to the Plan in response to these objections.

## **SHP4      New Local Facilities**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *amalgamation of criteria in the interests of clarity*
- *need for adequate infrastructure*

### ***Inspector's Considerations and Conclusions***

1.11.4.1      Policy SHP4 sets out criteria in accordance with which small new retail facilities would be permitted in certain locations. I agree that the first two criteria are inter-linked and should be expressed as one in the interests of a clearer and more concise Plan.

1.11.4.2      Matters relating to the provision of adequate water supply and infrastructure are dealt with elsewhere in the Plan and there is no need to refer to them in this Chapter.

### ***Recommendations***

- 1.11.4.3            (i)      Policy SHP4 be modified by the amalgamation of the first two criteria into one.
- (ii)      No other modification be made to the Plan in response to these objections.

## **SHP5 Village Shops and Public Houses**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issues**

- *relevance to land-use planning*
- *importance to the local community*
- *need for a positive approach to the conversion or extension of village shops*
- *provision for farm shops*

### **Inspector's Considerations and Conclusions**

- 1.11.5.1 Policy SHP5 seeks to prohibit the loss of village shops and public houses where this would have an adverse effect on the community they serve.
- 1.11.5.2 The loss of village shops and public houses is a land use planning matter because it requires planning permission if it constitutes a change of use. However, I agree that the policy needs a more positive approach that takes account of market forces and therefore it should not seek to retain shops or public houses that are no longer financially viable or serve an important purpose for the local community.
- 1.11.5.3 Subject to my recommendations for modification of the policy, I consider that the Plan would provide a positive approach to proposals for the conversion of village shops, while proposals for extensions could be dealt with under other policies of the Plan.
- 1.11.5.4 Policy SHP10 deals with new farm shops and there is no need to duplicate its provisions elsewhere in the Plan.

### **Recommendations**

- 1.11.5.5 (i) Policy SHP5 be re-worded as follows:

‘The change of use of village shops and public houses will not be permitted unless:

- a) evidence is provided that shows that the existing use is no longer financially viable and that it has been adequately marketed as an going-concern, or
- b) it can be demonstrated that the community that it serves can be provided for adequately by facilities elsewhere.’



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- (ii) The reasoned justification for Policy SHP5 be modified accordingly, including an explanation of the nature of the evidence that would be expected on the financial viability and marketing criterion.
- (iii) No other modification be made to the Plan in response to these objections.

## **SHP6 Large Retail Stores**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *potential role of out-of-centre locations*
- *key tests for development outside existing centres*
- *lack of assessment of needs/capacity*
- *position of Gloucester and Cheltenham in the retail hierarchy*
- *provision for access by pedestrians and cyclists*
- *compatibility with the sequential approach*

### ***Inspector's Considerations and Conclusions***

- 1.11.6.1 Policy SHP6 requires that a sequential approach is taken to site selection when considering proposals for large new retail proposals, favouring town centres, then edge-of-centre locations and district and local centres, followed by out-of-centre locations accessible by a choice of means of transport.
- 1.11.6.2 The Deposit Draft policy has been amended in the RDDLP to make reference to out-of-centre locations in the retail hierarchy, and I do not consider that any modification is required in response to the outstanding objections on this issue. However, the amended policy is an inadequate reflection of the advice in Section 4 of PPG6 on the key tests for proposed development outside existing centres. In particular, it does not refer to the impact on the development strategy or to the impact on travel and car use. The policy should be modified accordingly.
- 1.11.6.3 The issue of need should be addressed by the Council in determining proposals for large retail stores. Ideally the Council would have carried out a retail study that could have informed the Plan, in accordance with paragraph 1.10 of PPG6. In the present circumstances it is unclear to what extent any need for future retail development can be accommodated in the Borough's town centres. In the absence of any such work, the policy should make clear firstly that the need for the proposed development must be established. This could be achieved by inserting this proviso in the first paragraph of the policy.
- 1.11.6.4 The close proximity of Cheltenham and Gloucester to the Borough means that proposals would have to take account of their impact on town, district and local centres beyond the Borough boundary. This would be expected to be included in a retail assessment of any proposal, subject to the recommended modifications to the policy set out below. Policy TC.1 of the GSPSR also sets down the wider context of the retail hierarchy in the County and forms part of the development

plan for the Borough. The RDDLP contains an amended reasoned justification to make reference to this issue and as such no modification is required.

- 1.11.6.5 With regard to provision for access by pedestrians and cyclists, the amended policy in the RDDLP makes clear that out-of-centre sites must be accessible by a choice of means of transport, which includes walking and cycling. Also, access standards for development are dealt with in Policy TRP1. The Plan should be read as a whole and I do not consider that there is a need to specifically address this issue in Policy SHP6.
- 1.11.6.6 In respect of the final issue, the amended policy in the RDDLP is a closer reflection of the sequential approach advised in PPG6. However, an objection proposes a number of text changes to the policy to take account of the availability and viability of sites and to acknowledge that new centres may be proposed in the retail hierarchy. In my view the additional words relating to site suitability would not improve the clarity or understanding of the policy. The use of the word 'suitable' complies with paragraph 1.11 of PPG6. Issues regarding the availability and viability of sites are dealt with in the second paragraph of the reasoned justification. No presumption or distinction is made in the policy regarding existing or proposed district or local centres. It would apply to both in my view and no modification is therefore required.
- 1.11.6.7 Finally, I draw the Council's attention to the Ministerial Statement made on 10 April 2003 which clarifies government policy on town centres and retail development. In particular, the statement clarifies the test of need and the application of the sequential approach. With regard to the latter, it re-iterates that the relevant centres in which to search for sites will depend on the nature and scale of the proposed development and the catchment that the development seeks to serve. It goes on to state that the scale of such proposals should also be appropriately related to the centre and the catchment that the development seeks to serve. Therefore development that would serve a wide catchment area should be located in a centre that serves a similar catchment area. While this is not a matter that is specifically raised in the objections, the Council will no doubt wish to take this statement into account in bringing forward modifications to the Plan.

## ***Recommendations***

- 1.11.6.8 (i) The first sentence of Policy SHP6 be modified as follows:

'When assessing proposals for large retail stores for which a need has been established, the Borough Council will apply....'.

- (ii) The second paragraph of Policy SHP6 be deleted and replaced as follows:

'Where developments are proposed outside existing centres, they will be assessed against the following criteria:

- a) the impact on the development plan strategy;
- b) the impact on the vitality and viability of existing centres;
- c) the accessibility of the proposed development by a choice of means of transport, and

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- d) the impact on travel and car use. Proposals should not result in an adverse environmental or traffic impact.'
- (iii) The reasoned justification be modified accordingly.
- (iv) No other modification be made to the Plan in response to these objections.

## **SHP8 Security Devices**

### **Objections**

***See Appendix D for the list of objections to this policy***

### **Main Issues**

- *requirement to demonstrate need*
- *duplication of provisions relating to Conservation Areas and Listed Buildings*

### ***Inspector's Considerations and Conclusions***

- 1.11.7.1 In accordance with Policy SHP8, external security grilles, shutters and other security measures which have an adverse visual impact on the street scene would not be permitted unless the need for them could not be provided for in a less visually damaging way.
- 1.11.7.2 There is no requirement in planning law or national guidance for applicants to provide proof of need for security devices and I recommend that all references to this should be deleted. The subject matter could be dealt with just as effectively in an expanded Policy SHP7. In the interests of a more succinct Plan, I consider that Policy SHP8 should be deleted and consideration be given to expanding Policy SHP7 to deal with alterations to existing shopfronts as well as the installation of new shopfronts. The modified Policy SHP7 should stress that in assessing proposals for external security devices the Council will have particular regard to their visual impact.
- 1.11.7.3 With regard to the second issue, this matter is already dealt with under Policy CON6. The Plan should be read as a whole and therefore I do not consider that there is any need to duplicate these provisions in the respective policies. As a consequence, the reference to Conservation Areas should be deleted from the first paragraph of Policy SHP7, subject to the recommended modifications set out below.

### ***Recommendations***

- 1.11.7.4 (i) The Plan be modified by the deletion of Policy SHP8.
- (ii) Consequential modifications be made to Policy SHP7 by its re-wording as follows:
- ‘Proposals for new shop fronts or for alterations to existing shop fronts should be of a design, colour and materials that are visually appropriate both to the buildings to which they relate and the character of the surrounding area. The Council will have particular regard to the visual impact of any proposals for the installation of external security devices on shopfronts.’
- (iii) The reasoned justification for Policy SHP7 be modified accordingly.

## **SHP9      Garden Centres**

### ***Objections***

**See Appendix D for the list of objections to this policy**

### ***Main Issues***

- *accessibility by a choice of means of transport*
- *internal consistency and degree of restriction*

### ***Inspector's Considerations and Conclusions***

- 1.11.8.1 In accordance with Policy SHP9, the construction of new or the extension/improvement of existing garden centres located in the countryside would not be permitted unless four criteria would be satisfied. One of these stipulates that the proposal must be directly related and ancillary to an existing agricultural or horticultural business operated from the site. The range of goods that could be sold would also be subject to control.
- 1.11.8.2 Given that the policy relates only to garden centres in the countryside, and taking account also of the nature of the products that may be sold, it is not realistic to require that all proposals should be accessible by a choice of means of transport. However the policy should encourage development in locations which can be served by a choice of means of transport, in accordance with PPG13, paragraph 43. The policy should be modified accordingly.
- 1.11.8.3 There is a certain lack of consistency between the policy and the reasoned justification so far as the definition of a garden centre and its relationship with any existing agricultural or horticultural use is concerned. However, I consider that there is merit in drawing a distinction between garden centres which are ancillary to an agricultural or horticultural operation and those which are not. The latter do not require locations in the countryside whereas the former would be expected to require a substantial area of land. The reasoned justification requires modification to clarify that this policy applies to the former case.
- 1.11.8.4 An objection is made to the requirement that the existing agricultural or horticultural business should be operated from the site. I agree that this would be unnecessarily restrictive in the case of large operations and it might also diminish the opportunities for sensitive re-use of existing buildings off-site from the main horticultural or agricultural centre of the business. So far as the need for extensions into open land is concerned, I do not consider that the policy is unduly restrictive in this regard. It clearly seeks to focus development on an existing built or derelict site but would not preclude the erection of new structures, subject to compliance with the other requirements of the policy.

***Recommendations***

- 1.11.8.5
- (i) Policy SHP9 be modified by:
    - a) deletion of the words 'operated from the site' from the first criterion, and
    - b) the addition of a new sentence at the end of the policy as follows:

'Proposals that would facilitate access by a choice of means of transport will be encouraged'.
  - (ii) The reasoned justification for the policy be modified by the deletion of the third and fourth sentences of the first paragraph and the addition of a new sentence at the end of the second paragraph as follows:

'This policy seeks to restrict the scale and nature of garden centre development in the countryside so that it would be compatible with its rural location.'
  - (iii) No other modification be made to the Plan in response to these objections.

## **SHP10 Farmshops/Pick Your Own**

### ***Objections***

See Appendix D for the list of objections to this policy

### ***Main Issues***

- *overlap with permitted development rights*
- *undue restriction on the sale of products produced off-site*

### ***Inspector's Considerations and Conclusions***

- 1.11.9.1 This policy seeks to control the development of farmshops and pick-your-own enterprises by requiring that they should be directly related or ancillary to an existing agricultural or horticultural operation on the site.
- 1.11.9.2 With regard to both issues, the policy appears to relate to permitted development and as such it is unnecessary and should be modified to clarify its scope. Both PPG6 and PPG7 set out the key considerations where planning permission may be required. These are the desirability for the farmer to provide a service throughout the year, which may require bringing in non-local produce to overcome the problems of seasonality, the potential impact on nearby village shops, and the likely impact of the traffic generated. These considerations should provide the basis for a modified policy.

### ***Recommendations***

- 1.11.9.3 (i) Policy SHP10 be re-worded as follows:

‘Proposals for farm shops that require planning permission will be permitted where the potential effect on the viability of nearby local centres, local amenity and local traffic conditions is acceptable. In particular,

- a) priority should be given to the re-use of any existing suitable buildings or structures which could be converted or adapted to provide accommodation for the proposed use;
- b) any new buildings or structures should be strictly ancillary to the agricultural/horticultural use and of a design and siting that would minimise their landscape impact, and
- c) safe access arrangements and adequate parking areas should be provided.’

- (ii) The reasoned justification for the policy be modified by the deletion of the penultimate sentence.





## **REC1 Outdoor Playing Space**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *provision of suitable replacement playing facilities*
- *elimination of existing shortfalls in provision*
- *need for local assessments to inform standards*
- *appropriateness of the ten dwelling threshold*
- *relevance to sheltered housing schemes*

### ***Inspector's Considerations and Conclusions***

- 1.12.1.1 Policy REC1 aims to ensure the provision of outdoor playing space for new residential development. It applies the National Playing Fields Association's Six Acre Standard and a threshold of 10 dwellings before new developments will be required to meet this standard.
- 1.12.1.2 The Deposit Draft policy has been amended in the RDDLP to make clear that the provision of suitable alternative sites could be accepted in compensation for the loss of existing playing fields. Also, the amended text of the RDDLP deletes the reference to making good existing deficiencies. In my view these changes resolve the concerns raised about these matters.
- 1.12.1.3 The Council has directly adopted the National Playing Fields Association's Six Acre Standard. However, this is a broad standard and it is not necessarily applicable to any specific locality. PPG17, as revised in July 2002, advises that open space standards are best set locally. This is not new advice, but there is no evidence that the Council has carried out any such assessment or audit and it would be appropriate to undertake one as soon as possible. Until a robust assessment of local needs is conducted that can inform a Borough-wide standard, the existing standards in the Plan will have to be relied upon even though this is far from ideal.
- 1.12.1.4 The policy applies to allocated sites or other proposed sites of ten dwellings or more. In response to objections I note that the ten dwellings threshold is not based upon any formal local needs assessment and I agree that this is less than satisfactory. However, in the interim period until an assessment is completed I consider that the policy should be applied as proposed, in order to guard against the under-provision of open space in new development. In this context I do not agree that it is unclear when the policy would be applied.

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- 1.12.1.5 The open-air recreational space standards proposed in the Plan are designed to serve the population of the Borough as a whole. The amount of recreation space that is required in any identified community would take into account the needs of the elderly population. Therefore, I do not consider that there is any justification for making an exception for sheltered housing.

### ***Recommendations***

- 1.12.1.6 (i) The Plan be modified to make clear that the NPFA standard is adopted as an interim measure, pending the completion of an assessment of the existing and future needs for open space, sports and recreational facilities in the Borough that will inform the review of the standards.
- (ii) No other modification be made to the Plan in response to these objections

## **REC2 Provision of Sports Facilities**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *accessibility by a choice of transport modes*
- *degree of restriction*

### ***Inspector's Considerations and Conclusions***

- 1.12.2.1 In accordance with Policy REC2, the Council would support the provision of new open air and indoor recreational facilities, and it sets out a number of criteria that are designed to minimise the environmental impact of such development.
- 1.12.2.2 The amended policy in the RDDLP reflects the need for new facilities to be accessible by a choice of modes of transport and therefore I consider that the first concern has been addressed in principle. However I do not agree that the word 'conveniently' would add anything to the meaning of the policy. The adequacy of public transport access is a matter that is best addressed on its merits.
- 1.12.2.3 In response to the objection that the policy is unduly restrictive, I do not consider that the word 'significant' should be inserted before the words 'adverse impact' or 'adverse' as the case may be. There is no reason why the original wording would entail an unduly restrictive approach or a failure to balance impacts that are 'de minimis' with positive benefits. The additional wording would reduce the clarity and precision of the policy. In my view the term 'quiet enjoyment of the countryside' does not imply that an excessive restriction on sporting opportunities would be imposed. It would permit each case to be considered on its merits.

### ***Recommendation***

- 1.12.2.4 No modification be made to the Plan in response to these objections.

## **REC4     New Arts, Entertainment and Leisure Facilities**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compatibility with the sequential approach*
- *effect on traffic generation*
- *reference to non-land use matters*

### ***Inspector's Considerations and Conclusions***

- 1.12.3.1     Policy REC4 has been amended substantially in the RDDLP. As a result, I consider that it addresses each of the outstanding objections satisfactorily, although for the sake of correctness the term 'sequential approach', not 'sequential test' should be used.

### ***Recommendations***

- 1.12.3.2 (i)     Policy REC4 be modified by the deletion of the term 'sequential test' and its replacement by the term 'sequential approach'.
- (ii)     No other modification be made to the Plan in response to these objections.

## **REC5 Recreation in AONB/SLA/LPZ**

### ***Objections***

*See Appendix D for the list of objections to this Policy*

### ***Main Issues***

- *accessibility by a choice of transport modes*
- *degree of restriction*

### ***Inspector's Considerations and Conclusions***

- 1.12.4.1 In accordance with Policy REC5, development for open air recreational purposes in AONBs, SLAs and LPZs would be acceptable in principle, subject to certain conditions.
- 1.12.4.2 The amended policy in the RDDLP addresses the concern that provision should not be made in unsustainable locations by adding a requirement that facilities should be accessible by a choice of means of transport. As set out under Policy REC2, I do not consider that the addition of the word 'conveniently' is necessary or appropriate.
- 1.12.4.3 The concern that the policy wording is overly restrictive mirrors an objection made to Policy REC2. For the same reasons, I do not agree that any modification is required.

### ***Recommendation***

- 1.12.4.4 No modification be made to the Plan in response to these objections.

## **REC6      Public Rights of Way**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *provision of additional rights of way*
- *application to bridleways*

### ***Inspector's Considerations and Conclusions***

- 1.12.5.1 Policy REC6 seeks to protect and enhance the existing public rights of way network and to create new routes; it also sets out the priorities in this matter.
- 1.12.5.2 The third priority makes adequate reference to safety and improving access to the countryside for town dwellers. The policy's aim to 'seek improvements to the network' would also address any safety issues that may arise. Therefore I do not consider that any modification is required to address this concern.
- 1.12.5.3 In response to the request for clarification of the term 'improvements', the Council has included a reference to 'the creation of new routes' in the RDDLP.
- 1.12.5.4 One of the supporting representations raises a concern about the application of the policy to bridleways. A new policy title, 'Recreational Rights of Way' would accord with PPG17, paragraph 32, and would provide a more generic and easily understood description of the scope of the policy in relation to bridleways. The second sentence of the reasoned justification makes clear that bridleways are included within the scope of the policy. There is no need for any other modification of the policy in this respect.

### ***Recommendations***

- 1.12.5.5 (i) Policy REC6 be modified by changing its title to 'Recreational Rights of Way'.
- (ii) No other modification be made to the Plan in response to these objections.

## **REC7      Long Distance Footpath and Cycle Route in association with Gloucestershire Warwickshire Railway**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need to retain the policy*

### ***Inspector's Considerations and Conclusions***

1.12.6.1 Policy REC7, which expresses support for a long-distance footpath/cycleway route, is deleted from the RDDLP. However, in accordance with my recommendations on Policy TRP27, which also refers to this matter, the reasoned justification for Policy TRP5 should be modified to explain that opportunities to develop this route will be explored in conjunction with Sustrans and the railway company. For the reasons I have set out under Policy TRP27, this would be the most appropriate way of acknowledging the potential of this route. Also, Policy REC6 is a general policy that supports the creation and enhancement of new long-distance recreational rights of way. Should particular opportunities arise during the lifetime of the Plan, Policy REC6 would enable the Council to complement the existing network with new routes. Taking all of the circumstances into account, it would not be appropriate to re-instate Policy REC7.

### ***Recommendation***

*1.12.6.2 No modification be made to the Plan in response to these objections.*



## **REC8 Horse Riding Facilities**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need for flexibility*

### ***Inspector's Considerations and Conclusions***

- 1.12.7.1 Policy REC8 sets out a number of requirements for the development of horse riding facilities, including that they should be well related to the bridleway network. Proposals would also be required to control associated nuisances and not have an adverse impact on the landscape or create local traffic problems.
- 1.12.7.2 The amended policy in the RDDLP seeks to introduce greater flexibility by requiring that facilities must generally be well related to the existing bridleway network. Clearly it is desirable for horse riders to make full use of the Borough's bridleways in the interests of safety and amenity, but the policy should allow for exceptions where they can be justified. I consider that the amended policy wording addresses the original concern about undue prescription in relation to proximity to bridleways.
- 1.12.7.3 I do not agree that the word 'significant' should be inserted before the words 'adverse impact'. There is no reason why the original wording would entail an unduly restrictive approach and the additional wording would not increase the precision of the policy.

### ***Recommendation***

- 1.12.7.4 No modification be made to the Plan in response to these objections.

## **REC9      Golf Courses**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *facilities not directly related to playing golf*
- *assessment of potential loss of agricultural land*
- *strength of policy and consistency with REC2, 4 & 5*

### ***Inspector's Considerations and Conclusions***

- 1.12.8.1      In accordance with Policy REC9, all proposals for golf courses and driving ranges should include details of course design and topography. In addition, proposals in protected areas would be required to include an environmental impact assessment. Developments should be accessible by a choice of means of transport and not have a detrimental effect on passers-by and adjacent properties.
- 1.12.8.2      In my view the third sentence of the reasoned justification makes it sufficiently clear that proposals such as hotels or sports centres that are not directly related to playing golf would be resisted in the open countryside. Also, other policies of the Plan direct such development to settlements.
- 1.12.8.3      In response to the second issue, the amended policy wording in the RDDLP accords with the objector's request. This resolves the matter.
- 1.12.8.4      For the reasons set out under Policy REC2 I do not consider that the word 'conveniently' should be inserted before 'accessible' in the policy. This would not enhance the clarity or precision of the policy.

### ***Recommendation***

- 1.12.8.5      No modification be made to the Plan in response to these objections.

## **REC10 Recreational and Commercial Use of Ponds and Lakes**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for an Environmental Impact Assessment*
- *acceptability of any adverse environmental impact*
- *need to protect archaeological interests*

### ***Inspector's Considerations and Conclusions***

- 1.12.9.1 In accordance with Policy REC10, the recreational and/or commercial use of new or existing ponds and lakes would be permitted, subject to the proposed use not giving rise to an unacceptably adverse environmental impact. The policy also requires that any other related developments must be on a small scale and ancillary to the primary use. Proposals for such uses should include details of any associated landscape design.
- 1.12.9.2 The requirement for all proposals to be accompanied by an Environmental Impact Assessment (EIA) would make the policy too restrictive and it would be inappropriate to seek to compel developers to carry out an EIA in every case, beyond the remit of the statutory regulations.
- 1.12.9.3 I consider that the word 'unacceptably' should be deleted from the policy. It detracts from the clarity and precision of the policy and its deletion would not imply that a minor adverse impact would lead to the refusal of a proposal.
- 1.12.9.4 A new sentence has been added to the end of the reasoned justification to highlight the need to protect ponds that have archaeological or historic interest. This is supported and is in accordance with the amendment sought by the objector.

### ***Recommendations***

- 1.12.9.5 (i) Policy REC10 be modified by the deletion of the word 'unacceptably' from the third line of the policy.
- (ii) No other modification be made to the Plan in response to these objections.

## **REC11 Noise Nuisance Caused by Sports in the Countryside**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *guidance on noise nuisance*
- *removal of permitted development rights*

### ***Inspector's Considerations and Conclusions***

1.12.10.1 Policy REC11 sets out the circumstances in which facilities for sports likely to generate noise might be acceptable. One of the objections seeks additional guidance within the policy about what might constitute an unacceptable level of noise, but I do not consider that the suggested re-wording would produce a more clear or concise policy. On the second issue, the amended reasoned justification in the RDDLP deletes the reference to the Council seeking Article 4 Directions in certain circumstances. In my view this amendment would resolve the concern about the matter.

### ***Recommendation***

1.12.10.2 No modification be made to the Plan in response to these objections.

## **REC12 Allotments**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *effect of relocating topsoil*
- *provision for standpipes, greenhouses and other ancillary equipment*

### ***Inspector's Considerations and Conclusions***

- 1.12.11.1 In accordance with Policy REC12, allotments would generally be protected from development. But where development of allotment land is proposed, it is expected that topsoil and other amenities associated with working the land would be translocated to comparable land in the local area.
- 1.12.11.2 It is unlikely that the translocation of topsoil would be sought where this would lead to a reduction in agricultural land quality in the new location, but in any event I consider that this eventuality could be covered by inserting the words 'where appropriate' in the policy.
- 1.12.11.3 The amended policy in the RDDLP resolves the concern raised in the objection about the proximity of standpipes. The policy allows for the provision of a shed with each allotment on the new site but it does not take account of the need for relocation of existing greenhouses and other ancillary equipment. The policy should be modified accordingly.

### ***Recommendations***

- 1.12.11.4 (i) The final sentence of Policy REC12 be modified as follows:

'This provision must include the translocation of the allotment topsoil, where appropriate, the provision of water standpipes within 20 metres of each allotment, the provision of a shed for each allotment, the relocation of existing greenhouses and other ancillary equipment to the new site where required, and the provision of car parking'.

- (ii) No other modification be made to the Plan in response to these objections.

## **RECNP      Recreation – New Policy**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issue***

- *need to address the shortfall of open space*

### ***Inspector's Considerations and Conclusions***

- 1.12.12.1 Sport England has put forward a proposal for a new policy to address a potential deficiency in open space for youth and adult open playing space. The request is based on the 1997 Tewkesbury Borough Council Leisure Strategy. The Council's position in response to this objection has not been made clear. I recommend under Policy REC1 that the Plan be modified to make clear that the NPFA standard is adopted as an interim measure, pending the completion of an assessment of the existing and future needs for open space, sports and recreational facilities in the Borough that will inform the review of the standard. This assessment would form the basis for any new policy that is brought forward to seek to address any deficiencies.

### ***Recommendation***

- 1.12.12.2 No modification be made to the Plan in response to the objection.

## **NAT      Nature Conservation - General**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issue***

- *reference to biodiversity*

### ***Inspector's Considerations and Conclusions***

- 1.13.1.1      The amendments to the introductory statement and Policy NAT8 in the RDDLP include a number of references to biodiversity within the Borough. In my view these amendments resolve the concerns raised in the objections.

### ***Recommendation***

- 1.13.1.2      No modification be made to the Plan in response to these objections.

## **NAT1            Protection of Internationally Important Nature Conservation Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *clarity and succinctness*

### ***Inspector's Considerations and Conclusions***

- 1.13.2.1    Policy NAT1 seeks to protect internationally important nature conservation sites from development that would have a significant adverse effect on their integrity.
- 1.13.2.2    The amended policy in the RDDLP responds to earlier objections. In my view it is a significant improvement in terms of its clarity and succinctness and it strikes the right balance between flexibility and control. The additional text proposed by HBF would weaken the policy beyond the flexibility that is advised in PPG9, Annex C. The amended policy allows for the possibility of development on internationally protected sites, but would not permit development that would fundamentally degrade the site in terms of its nature conservation value.

### ***Recommendation***

- 1.13.2.3    No modification be made to the Plan in response to these objections.



## **NAT2            Protection of Sites of Special Scientific Interest**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issue**

- *compliance with PPG9, paragraph 27*

### **Inspector's Considerations and Conclusions**

- 1.13.3.1    In accordance with Policy NAT2, development would not be permitted if it would adversely affect a proposed or designated Site of Special Scientific Interest (SSSI).
- 1.13.3.2    As a result of the amendments made to the Deposit Draft policy and reasoned justification, the policy now rules out development that is likely to adversely affect an SSSI, while the reasoned justification sets down circumstances in which development would be permitted. In my view the amendment to the reasoned justification constitutes policy that is crucial for decision makers in determining proposals for development within SSSIs, and as such it should be included in the policy. The reasoned justification should be modified to include an explanation of the circumstances where material considerations may override nature conservation considerations and the broad nature of the types of conditions that may be imposed. Subject to this modification the policy and reasoned justification would more fully reflect the advice in PPG9.

### **Recommendations**

- 1.13.3.3 (i)    Policy NAT2 be modified as follows:
- ‘Sites of Special Scientific Interest are identified on the Proposals Map. Development will not be permitted which is likely to adversely affect a designated or proposed Site of Special Scientific Interest, either directly or indirectly, unless:
- a) the development can be subject to conditions that will prevent damaging impacts on wildlife habitats or important physical features, or
- b) if other material factors are sufficient to override nature conservation considerations.’
- (ii)    The reasoned justification for Policy NAT2 be modified by the replacement of the second paragraph with one that explains the circumstances where material considerations might override nature conservation considerations and the types of conditions that might be imposed.
- (iii)    No other modification be made to the Plan in response to these objections.

## **NAT3                      Key Wildlife Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compliance with PPG9*
- *conflicts with the Northern Relief Road proposal (TRP22)*
- *correct definition of the extent of Key Wildlife Sites*
- *conflict with statutory duty under Schedule 9 of the Electricity Act*

### ***Inspector's Considerations and Conclusions***

- 1.13.4.1 Policy NAT3 states that development which is likely to damage or destroy directly or indirectly the nature conservation importance of a Key Wildlife Site would not normally be permitted. The sites are defined on the Proposals Map.
- 1.13.4.2 In my view the policy goes beyond the provisions stated in PPG9, paragraph 18, because it does not take account of the relative importance of the sites concerned. The use of the word 'normally' in the text of the policy also does not help its interpretation or provide any certainty for readers of the Plan. The policy should be re-worded so that it more closely reflects the advice in PPG9, and the reasoned justification should be modified accordingly. A more general policy would protect wildlife and habitats and geological interests generally, including those that are not locally designated, and together with the recommended deletion of Policy NAT6 it would contribute to a more concise, easily understood Plan. In these circumstances it would be appropriate to re-title the policy as 'Protection of Other Sites of Nature Conservation or Geological Interest'. Nonetheless, there is merit in retaining the notation for Key Wildlife Sites and Regionally Important Geological Sites on the Proposals Map in order that the Plan is as informative as possible.
- 1.13.4.3 There is no conflict between the designation of a Key Wildlife Site on the land that is safeguarded for the route of phases two and three of the Northern Relief Road. The continued designation of the site in question is dependent on its nature conservation value only. If the road scheme is implemented at some point in the future, then the designation would be instrumental in weighing up the impact of the development on the wildlife of the area against the benefits that the new road would bring. This is consistent with guidance in PPG9, paragraph 27.
- 1.13.4.4 The Council has indicated that Gloucestershire Wildlife Trust designates the Key Wildlife Sites. It would not be appropriate to lobby for a wider survey through the Plan and for practical reasons the designations must be based upon the most up-to-date information that is available at the time. No modification is required in response to the concern raised in the third issue.

- 1.13.4.5 With regard to the final matter, my recommended modification of the policy would not prevent the National Grid carrying out essential works to its infrastructure in compliance with its statutory duties, and I consider that there is no need to remove the designation from part of the Walham sub-station site.

***Recommendations***

- 1.13.4.6 (i) Policy NAT3 be re-titled 'Protection of Other Sites of Nature Conservation or Geological Interest' and be replaced by the following wording:

'Planning permission will not be granted for development which has an adverse effect on regional or local nature conservation or geological interests unless the importance of the development outweighs the value of the substantive interests present.'

- (ii) The reasoned justification for Policy NAT3 be modified by the re-wording of the first sentence as follows:

'In addition to nationally important designations such as SSSIs, there are a considerable number of sites of regional or local nature conservation or geological importance, including those designated by the Gloucestershire Wildlife Trust as Key Wildlife Sites or Regionally Important Geological Sites and indicated on the Proposals Map.'

- (ii) No other modification be made to the Plan in response to these objections.

## **NAT4      Protection of Statutory Local Nature Reserves**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need for policy*

### ***Inspector's Considerations and Conclusions***

- 1.13.5.1      Policy NAT4 presumes against development that would destroy or damage a designated or proposed Local Nature Reserve.
- 1.13.5.2      The Council agrees that the policy is surplus to requirements and has deleted it from the RDDLP. Policy NAT3 already deals with local nature conservation interests. I concur with the deletion of Policy NAT4.

### ***Recommendation***

- 1.13.5.3      No modification be made to the Plan in response to the objection.

## **NAT6      Regionally Important Geological Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for policy*
- *compatibility with PPG9*

### ***Inspector's Considerations and Conclusions***

- 1.13.6.1      In accordance with Policy NAT6, development that is likely to damage or destroy, directly or indirectly, the geological interest of regionally important sites would not be permitted.
- 1.13.6.2      In accordance with my recommendations, Policy NAT3 would be modified to take account of geological interests, other than those designated as SSSIs. On this basis Policy NAT6 would be redundant. The policy and reasoned justification should be deleted.

### ***Recommendation***

- 1.13.6.3      The Plan be modified by the deletion of Policy NAT6 and its reasoned justification.

## **NAT7      Development Affecting Protected Species**

### **Objections**

*See Appendix D for the list of objections to this policy*

#### ***Main Issue***

- *need for a balanced approach*

#### ***Inspector's Considerations and Conclusions***

- 1.13.7.1      Policy NAT7 seeks to protect the habitats of protected species from development that might have an adverse effect on them.
- 1.13.7.2      In response to the objection, I consider that the policy advocates a balanced approach whereby the potential for mitigation is acknowledged. This accords with the statutory requirements for the protection of certain species. The policy therefore reflects the advice in paragraph 47 of PPG9 and no modification is required.

#### ***Recommendation***

- 1.13.7.3      No modification be made to the Plan in response to the objection.

## **NAT8      Protection of Important Natural Features**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for a balanced approach*
- *historical or archaeological value of environmental features*
- *local, regional and national biodiversity targets*
- *requirement for enhancement*

### ***Inspector's Considerations and Conclusions***

- 1.13.8.1 Policy NAT8, as amended in the RDDLP, seeks to protect and enhance biodiversity and important natural features such as marshes, orchards and ponds.
- 1.13.8.2 The policy allows for development and requires developers to replace lost features. This is a sensible and standard practice and it is a balanced approach to the need for development. No modification is required in respect of the first issue.
- 1.13.8.3 In my view the term 'natural' is an adequate summary description of the features referred to in the policy. In any event the policy acknowledges that some features have resulted from human activity by the inclusion of terms such as 'semi-natural woodlands' and 'semi-natural grasslands'. The proposed term, 'environmental features' has a much wider definition that could be misinterpreted. However, I accept that the reasoned justification would benefit from the insertion of a reference to the historical and archaeological value of such features.
- 1.13.8.4 The amended policy and reasoned justification in the RDDLP provide much improved policy guidance on biodiversity. But I consider that the reasoned justification should be further expanded to provide background information about the Gloucestershire Biodiversity Action Plan and the implications for development in the Borough. While it should not be necessary to mention the specific targets, more information about the biodiversity context would aid understanding of the wider issues relating to this matter.
- 1.13.8.5 On the final issue, the Rural White Paper published in November 2000 refers to setting targets for re-creation and enhancement of the main habitats which are being lost, when setting down what will be included in the Biodiversity Strategy for England. In this context it is entirely appropriate for the Council to seek to protect and enhance biodiversity in the Borough, and I note that the policy does not 'require' enhancement of biodiversity.

***Recommendations***

- 1.13.8.6 (i) The reasoned justification for Policy NAT8 be modified by:
- a) the inclusion of an additional sentence after the second sentence as follows:  
‘They may also have archaeological or historical interest by providing evidence of human activity in the past’, and
  - b) the inclusion of a reference to the Gloucestershire Biodiversity Action Plan, its setting of local biodiversity targets, and their implications for development in the Borough.
- (ii) No other modification be made to the Plan in response to these objections.



## **NAT10 Wildlife Corridors**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issues**

- *need for stronger policy*
- *conflict with the Northern Relief Road proposal (TRP22)*

### **Inspector's Considerations and Conclusions**

1.13.9.1 Policy NAT10 seeks to protect wildlife corridors between existing areas of development and where major new development is proposed. No specific wildlife corridors are designated but the reasoned justification sets down the types of areas that are covered by the policy. In practical terms the policy is only designed to highlight the need for developers and other agencies take wildlife corridors into consideration in their proposals. This also applies to the development of the Northern Relief Road. I do not consider that there is any appropriate means of strengthening the policy, but I have no doubt that its inclusion in the Plan emphasises the importance of wildlife corridors as a material consideration in the determination of planning applications. My conclusion in respect of a linked objection to Policy NAT3 is also relevant.

### **Recommendation**

1.13.9.2 No modification be made to the Plan in response to the objection.

## **AGR      Agriculture General**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *extent of diversification in the rural economy*
- *references to ADAS and to 'redundant'*

### ***Inspector's Considerations and Conclusions***

- 1.14.1.1 With regard to the first issue, the Introduction to the Chapter refers to the 'agricultural sector'. This is not limited only to farmers but covers a wide range of agricultural services and support industries. Diversification is a term that applies primarily to farming, although not exclusively as the objection suggests, and the Introduction reflects this. No modification is required.
- 1.14.1.2 In respect of the second issue, the Council accepts in CD34 that corresponding amendments should be made to the Plan in accordance with the objection, although these do not appear in the Introduction to the chapter in the RDDLP.

### ***Recommendations***

- 1.14.1.3 (i) The Plan be modified by the deletion of the word 'redundant' from the third paragraph of the Introduction to the Agriculture Chapter and by the replacement of the reference to ADAS by FRCA in the Implementation section of the Introduction.
- (ii) No other modification be made to the Plan in response to the objection.

## **AGR1     Agricultural Land Protection**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compliance with PPG7*
- *strength of policy*

### ***Inspector's Considerations and Conclusions***

- 1.14.2.1     Policy AGR1 seeks to protect the best and most versatile land from development and sets down criteria that must be satisfied before the development of higher-grade agricultural land would be considered.
- 1.14.2.2     With regard to the first issue, the text proposed in one of the objections and incorporated as the RDDLP policy satisfied the related concerns, but it does not fully reflect the amendment to PPG7 made in the 21 March 2001 Ministerial Statement. As a result I consider that the policy and the reasoned justification should be modified to accord with the amended paragraph 2.17 of PPG7.
- 1.14.2.3     With regard to the second issue, the shortened text requested by some objectors would make the policy too rigid by prohibiting the use of land (Grades 1,2 and 3), whereas national guidance states that development of higher-grade agricultural land may be permitted if alternative lower-grade land is not suitable or available.

### ***Recommendations***

#### **1.14.2.4 (i)     Policy AGR1 be modified as follows:**

'Greenfield land, including the best and most versatile agricultural land (Grades 1,2 and 3A) will be protected from development. Planning permission for development affecting such land will only be granted exceptionally if there is an overriding need for the development and either:

a) sufficient suitable alternative land of a lower grade (grades 3B, 4 and 5) is unavailable; or

b) other sustainability considerations outweigh the agricultural considerations. The other sustainability considerations that would be taken into account include the importance of the land for biodiversity, the quality and character of the landscape, its amenity value or heritage interest, accessibility to infrastructure, workforce and markets, and the protection of natural resources, including soil quality.

If best and most versatile agricultural land needs to be developed and there is a choice between sites in different grades, land of the lowest grade available should be used.'

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- (ii) The reasoned justification for Policy AGR1 be modified to explain the broad context for protecting and managing greenfield land as set out in PPG7 (as amended).
- (iii) No other modification be made to the Plan in response to these objections.

## **AGR2     Agricultural Dwellings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compliance with PPG7 re design and siting*
- *use of occupancy conditions*
- *price suitability*
- *application to forestry*

### ***Inspector's Considerations and Conclusions***

- 1.14.3.1     The policy seeks to control the development of dwellings for agricultural workers in the open countryside and it provides a list of requirements that applicants would need to satisfy before planning permission would be granted. The second part of the policy sets down how the Council would apply occupancy conditions in certain circumstances.
- 1.14.3.2     The amended wording of the second paragraph of the policy in the RDDLP accords with national guidance in PPG7, and in my view it addresses the concern about design and siting. Similarly, the amended text on occupancy conditions now accords with the advice in Annex 1 to PPG7, and therefore I consider that it resolves the second issue about the need to apply an occupancy condition when the retention in agricultural use of all dwellings on the holding is required.
- 1.14.3.3     The cost of housing in the locality is not referred to explicitly in paragraph I5 of PPG7 as a material consideration in determining applications, merely whether there is alternative accommodation in the area that is suitable and available (my underlining). Paragraph I2 states clearly that the personal preferences or circumstances of the individuals involved are not a justification for granting planning permission, and that it is solely the needs of the farm or forestry enterprise concerned that will be taken into consideration. In my view it would not be appropriate to modify the policy to refer to price suitability; the weight that should be attached to this or any other aspect of suitability or availability would best be considered on its merits.
- 1.14.3.4     With regard to the final issue, the amended policy in the RDDLP incorporates references to forestry and as such the related objection is satisfied.

### ***Recommendation***

- 1.14.3.5     No modification be made to the Plan in response to these objections.

## **AGR4    Agricultural Diversification**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *restriction to small-scale development*
- *capability of conversion to general agricultural use*
- *role of non-farmers in farm diversification*
- *proposals for housing sites*
- *appropriateness of haulage use*

### ***Inspector's Considerations and Conclusions***

- 1.14.4.1    The policy seeks to ensure that development related to farm diversification would be appropriate in scale and nature to the rural environment. Any new buildings or extensions to existing buildings should be small scale; the reasoned justification defines this as 100sq m or less.
- 1.14.4.2    The insistence in the policy that new buildings or extensions required for the purposes of farm diversification should be small-scale is unreasonable and does not comply with guidance in the amendment to PPG7 made in a Ministerial Statement by Nick Raynesford on 21<sup>st</sup> March 2001. New paragraph 3.4B states that new buildings or extensions should satisfy sustainable development objectives and be of a design and scale appropriate to their rural surroundings. The current text of the policy and reasoned justification goes beyond this in imposing a universal limit to the size of proposed new buildings and extensions. The term 'small scale' should be deleted from the policy and the definition of 'small scale' should be deleted from the reasoned justification. The remaining policy wording would adequately convey the need to consider the scale of development associated with farm diversification and the rural context, without being prescriptive.
- 1.14.4.3    There is no requirement in national planning guidance to require new buildings related to farm diversification to be capable of conversion to a purely agricultural use. Therefore no modification should be made in response to the objection on the second issue.
- 1.14.4.4    The policy and reasoned justification do not draw any distinction between, or highlight the role of any particular group involved in the rural economy, such as farmers. Non-farmers are not put at a disadvantage by this policy and are free to fully engage in the rural economy and contribute towards agricultural diversification. There is no need to specifically acknowledge non-farmers in the way suggested by one of the objections.

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- 1.14.4.5 With regard to the fourth issue, housing development does not constitute farm diversification. Therefore I do not accept that the policy should be modified in response to the call for the identification of particular housing sites.
- 1.14.4.6 Turning to the objection about the exclusion of haulage uses, I consider that in general they would not be an appropriate form of diversification since they would be better located in urban areas with good accessibility to the main road network. Therefore, no modification should be made in response to this objection.

### ***Recommendations***

- 1.14.4.7 (i) Policy AGR4 be modified by the deletion of the words 'small scale'.
- (ii) The reasoned justification for Policy AGR4 be modified by the deletion of the final sentence that defines 'small scale' development.
- (iii) No other modification be made to the Plan in response to these objections.

## **AGR5        New Agricultural Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *clarity and precision of policy*
- *appropriate siting of new buildings in relation to existing buildings*

### ***Inspector's Considerations and Conclusions***

- 1.14.5.1    The policy seeks to control the siting, design and impact of new agricultural buildings on existing farm buildings and the wider rural environment and it sets out four criteria to guide new development proposals.
- 1.14.5.2    I do not consider that the expression 'minimise adverse impact on the visual amenity of the locality' is unclear. The alternative wording proposed by the objector does not improve the flow of the policy or its clarity. However, the Council accepts and I agree that specific identification of the designated areas to which the policy would apply is important in the interests of clarity and precision. I consider that the amended wording in the RDDLP resolves the concern in the original objection.
- 1.14.5.3    The policy does not require development to cluster around existing buildings, only that it should be well sited in relation to them. Where development might affect listed buildings or other such interests it would be subject to the provisions of the relevant legislation and to the Conservation policies set out elsewhere in the Plan. Therefore no modification is required in response to this concern.

### ***Recommendation***

- 1.14.5.4    No modification be made to the Plan in response to these objections.



## **AGR6 Re-use and Adaptation of Rural Buildings - General**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *use of the terms 'redundant', 'unused' and 'underused'*
- *use of the term 'adversely affect'*
- *preference for business re-use and compliance with PPG7 regarding residential conversions*
- *restriction on size of business uses to 100sq m or less*
- *need for a reference to protected species*
- *objectives for designated areas*

### ***Inspector's Considerations and Conclusions***

- 1.14.6.1 The policy seeks to control the re-use of rural buildings. Small-scale employment uses would be permitted unless they would be impractical because of the building's design and location, or where the proposal is for a dwelling to support the operational needs of the rural enterprise. The second part of the policy deals with the burden of proof that is required before residential conversions would be considered and with the protection of designated areas.
- 1.14.6.2 With regard to the first issue, the amended policy wording in the RDDLP omits the terms referred to and therefore I consider that this objection has been resolved.
- 1.14.6.3 In respect of the second issue, this terminology is clear and consistent with established planning practice and no modification is required.
- 1.14.6.4 PPG7, paragraph 3.15 states that local planning authorities can state a preference in favour of business re-use, rather than residential conversion, after due consideration of the economic and social needs of the area. The policy is consistent with this guidance, although reference to the benefits of residential conversions in meeting identified local needs for new market or affordable housing should be made in the reasoned justification. The amended wording in the RDDLP is a clearer statement of policy on residential conversions, but a re-ordering of the criteria would create a more coherent and structured policy.
- 1.14.6.5 With respect to the reference to 100sq m, I refer to my recommendation on this matter under Policy AGR4. The term 'small scale' and its definition should be deleted from the policy and supporting text.
- 1.14.6.6 The amended reasoned justification in the RDDLP includes a reference to

protected species. I consider that this addresses the concern raised under the penultimate issue.

- 1.14.6.7 Finally, I agree that it should be made clear that the objective of protecting openness does not apply to all of the designations referred to in the policy.

### ***Recommendations***

- 1.14.6.8 (i) Policy AGR6 be modified as follows:

‘The conversion of rural buildings for employment uses, short stay low-key holiday accommodation or community uses will be permitted unless it can be demonstrated that the proposed use is not practical or viable within the building(s), or that it is unsuitable due to amenity, environmental or highway reasons.

Residential re-use will only be permitted where the applicant has made every reasonable attempt to secure suitable business re-use or where residential conversion is a subordinate part of a scheme for business use. Where the proposal is for a dwelling essential to the efficient operation of agriculture or forestry, the conversion to residential use will be acceptable in principle.

The building(s) must be of a permanent and substantial construction and in the open countryside they must be capable of conversion without major or complete reconstruction. In all cases, the scale, form and general design of the building(s) must be in keeping with their surroundings.

Proposed uses which would adversely affect the quality of the rural environment or residential amenity by reason of the nature of the operation, its scale and impact will not be acceptable in the Green Belt, Area of Outstanding Natural Beauty, Special Landscape Areas and Landscape Protection Zone. Particular emphasis will be placed on ensuring that the proposal does not conflict with the overall aims of these designations in terms of protecting their open character and landscape quality as appropriate.’

***(ii) The reasoned justification for Policy AGR6 be modified by;***

- a) addition of a reference to the contribution that residential conversions can make towards meeting the needs for new market and affordable housing, and
- b) deletion of the sentence, ‘For this reason, small scale industry (of up to 100 sq. metres per unit) is generally acceptable, whereas larger scale industry or warehousing is not.’

***(iii) No other modification be made to the Plan in response to these objections.***

## **AGR7            Re-use and Adaptation of Rural Buildings - Retention of Character**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *use of terms 'redundant', 'unused', 'under-used' and 'intrusions'*
- *level of detail and its relevance to modern farm buildings*
- *reference to 'exceptional circumstances'*
- *blanket restriction on extensions to proposed conversions*

### ***Inspector's Considerations and Conclusions***

- 1.14.7.1    The policy seeks to control the re-use of rural buildings and in particular to protect the character, scale and form of the original building. Where residential use is permitted the policy seeks to restrict the development of new domestic ancillary buildings in favour of re-using existing outbuildings. Detailed design considerations are set out in the policy.
- 1.14.7.2    I consider that the amended wording of the policy in the RDDLP addresses the concerns raised under the first issue. However there are three references to the word 'redundant' in the fourth paragraph of the reasoned justification that should also be deleted.
- 1.14.7.3    Turning to the second issue, I consider that the level of detail contained in the policy is excessive and that such detail would be better placed in a design guide. If the Council is minded to retain matters relating to roof slopes and window and door openings in the Plan, then they should be confined to the reasoned justification. The second paragraph of the policy deals adequately with matters of scale, form and character.
- 1.14.7.4    The policy makes reference to the 'form and character' of the original building and so, if applied correctly, it is immaterial whether the building is modern or not because each proposal would be determined on its own merits having regard to such matters.
- 1.14.7.5    The reference to 'exceptional circumstances' in the first sentence of the final paragraph of the policy imposes an unreasonable test and I consider that it should be deleted. The fourth paragraph of the reasoned justification sets down a more complete explanation of the Council's approach to the matter of new ancillary buildings, although reference to exceptional circumstances in the fourth paragraph should be deleted and replaced by the phrase, 'In circumstances where this is not possible...'
- 1.14.7.6    Concerning the final issue, the first paragraph of the policy does not amount to a

blanket restriction on extensions, but in my view it is unnecessarily restrictive. The policy should be redrafted to state that rural buildings should be capable of conversion to the proposed alternative use without substantial alteration or extension to the original structure.

### ***Recommendations***

1.14.7.7 (i) Policy AGR7 be modified by:

- a) deleting the first sentence of the policy and replacing it as follows:  
‘Rural buildings should be capable of conversion to the proposed alternative use without substantial alteration or extension to the original structure.’;
- b) deleting the third paragraph of the policy that refers to existing window and door openings, and
- c) deleting the first sentence of the fourth paragraph that refers to exceptional circumstances.

(ii) The reasoned justification for Policy AGR7 be modified by:

- a) deleting the word ‘redundant’ from the fourth paragraph, and
- b) re-wording the third sentence as follows:  
‘In circumstances where this is not possible, garages may be permitted where the building forms part of a group and where they are designed to imitate farm outbuildings and carefully sited in the form of a farm courtyard.’

(iii) No other modification be made to the Plan in response to these objections.

## **AGR8          Listed Farm Buildings**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for policy*
- *preclusion of residential conversions of listed buildings*

### ***Inspector's Considerations and Conclusions***

- 1.14.8.1 Policy AGR8 seeks to protect listed farm buildings by setting out criteria for their acceptable conversion to non-residential uses.
- 1.14.8.2 With regard to the first issue, I do not consider that the policy is necessary. There is no justification for distinguishing between the protection that should be afforded to listed farm buildings and other listed buildings, and as such the Council should rely on its Conservation policies in the interests of a more concise and succinct Plan.
- 1.14.8.3 In the light of the above, I comment on the second issue only to the extent that the amendment in the RDDLP to remove the preclusion of residential conversions of listed farm buildings is in my view the correct approach.

### ***Recommendation***

- 1.14.8.4 The Plan be modified by the deletion of Policy AGR8.

## **AGR9            Cattle Market**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compliance with PPG12*
- *compliance with PPG13*
- *use of the term 'principal road network'*

### ***Inspector's Considerations and Conclusions***

- 1.14.9.1    Policy AGR9 seeks to guide the search for a new site for the Gloucester Cattle Market and sets out the factors that would be taken into account in assessing site suitability.
- 1.14.9.2    With regard to the first issue, the policy does not form what would be considered as a firm proposal capable of being implemented. PPG12, paragraph 3.12 states that site specific proposals should provide a positive lead for development and help create certainty for developers and the local community. This policy does neither and should be deleted.
- 1.14.9.3    Turning to the other issues, given the consideration and conclusion above, no further comment is required.

### ***Recommendation***

- 1.14.9.4    The Plan be modified by the deletion of Policy AGR9.

## **LPOL     Local policies - General**

### ***Objections***

See Appendix D for the list of objections on this matter

### ***Main Issues***

- *relationship with existing development and transport network*
- *status of development briefs and references to GEN11*
- *requirement for affordable housing*
- *inclusion of items for S106 obligations*
- *encouragement for higher densities and mixed-use development*

### ***Inspector's Considerations and Conclusions***

- 2.0.1        One of the objections highlights the need for the Plan's proposals to be sustainably related to existing development and the transport network. The objection has not been resolved by the changes made in the RDDLP. In my view this concern is of most relevance to the proposed housing allocations and it is principally addressed in my considerations and recommendations under HSGGEN in Volume One of the report.
- 2.0.2        Similarly, the concerns about the status apparently given to development briefs by the wording of policies is dealt with under HSGGEN where I recommend that Policy HSG1 be modified in this regard. For consistency and for the avoidance of doubt I recommend that consequential modifications be made to all of the relevant local policies. I have recommended elsewhere that Policy GEN11 be modified to delete its content relating to S106 obligations. This would resolve the main concern about references to it in the local policies. But since the Plan should be read as a whole there is no need to retain cross-references to other policies. Therefore as a consequence of the recommended modification to the local policy wording, the reference to Policy GEN11 should also be omitted. .
- 2.0.3        The prescriptive nature of the policies in respect of affordable housing is addressed in general by my recommendations under Policies HSG16 and HSG21. Consequential modifications to the wording of all the relevant local policies are recommended accordingly.
- 2.0.4        In my view the local policies correctly include references to matters that may be the subject of S106 obligations, since these should be clearly set out in the Plan. The reasoned justification should also show how such provision would meet the statutory tests for planning obligations. For this reason, and in response to a specific objection in respect of particular local policies, the reasoned justification should be modified where appropriate to explain the basis on which contributions

to educational provision would be sought. It would not be appropriate to confine these matters to development briefs or supplementary planning guidance.

- 2.0.5 I support the need to encourage higher densities, since this would accord with the general intent of PPG3 to make the best use of available land. As recommended under HSGGEN, the objectives of the housing policies should be modified to include a reference to making more efficient use of land. My recommendations on specific local policies also seek to address this matter. The Plan does not provide sufficient encouragement to mixed-use development, which is one of the cornerstones of sustainability, and I recommend that a new key objective should be added to the overall Introduction to the Plan to encourage mixed-use development and more efficient use of land.

### ***Recommendations***

- 2.0.6 (i) The Introduction to the Plan be modified by the addition of a new Key Objective as follows:  
'supports more efficient use of land and promotes mixed-use development'.
- (ii) The wording of all of the relevant local policies that concerns affordable housing be deleted and replaced by the following words:  
'To meet the local requirements of Policy HSG21 to provide affordable housing to enable those currently excluded from participating in the housing market to participate, the Council will seek to negotiate for the provision of about (insert the percentage or number specified in the local policy) of the total numbers of dwellings on the site as affordable housing'
- (iii) Consequential modifications be made to the reasoned justification of all of the relevant local policies by replacing the sentence that refers to identified local need by the following words:  
'Subject to the identified local need as defined by an up-to-date assessment, the number of affordable dwellings that will be sought on the site may change, but the target of (insert the percentage or number specified in the local policy) will be the starting point for negotiations in accordance with Policy HSG21'.
- (iv) Modifications be made to the reasoned justification of all of the relevant local policies by including reference to the updated housing needs assessment in the Ark Report.
- (v) Modifications be made to the reasoned justification of all of the relevant local policies that seek contributions to educational provision by including the following wording:  
'The development will be required to contribute to nursery, primary and secondary education infrastructure in relation to the numbers of pupils arising from the scheme. This will reduce school car trips and ensure sufficient local education capacity to accommodate the pupils arising',
- (vi) The wording of all of the relevant local policies and their reasoned justification that concerns development briefs be modified to delete references to planning permission not being granted until development briefs have been approved, and to detailed requirements being set out in briefs. The



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deleted references be replaced by wording in the reasoned justification to the effect that design and development briefs will be prepared for each site in consultation with interested parties and will be taken into account as a material consideration in the determination of planning applications. As a consequence, the cross-reference in the local policies to Policy GEN11 be deleted.

## **ASGEN Ashchurch – General**

### **AS2 Land at Northway Lane**

#### ***Objections***

*See Appendix D for the list of objections on these matters*

#### ***Main Issues***

- *impact of additional development in Ashchurch*
- *suitability of AS2 site for residential development*
- *justification for restriction to bungalows*

#### ***Inspector's Considerations and Conclusions***

- 2.1.1 The scale of proposed development in Ashchurch in the RDDLP is less than that proposed in the Deposit Draft. To this extent the RDDLP responds to the concerns raised in the general objections about the potential impact on Ashchurch and its surroundings. It is appropriate nonetheless for the Plan to allocate some development in Ashchurch, given the framework of Policy H.4 of the GSPSR. Subject to my recommendations in respect of the specific local policies for Ashchurch, I consider that the impact of the Plan's proposals on the settlement and its rural setting would be acceptable.
- 2.1.2 Policy AS2, as amended in the RDDLP, makes provision for the development of 20 bungalows on a site adjacent to the railway line on Northway Lane. In principle I consider that it is an appropriate site for residential development. It would use previously developed land and it is conveniently located close to the community facilities of Northway. Exceptionally for the Borough, it has access to rail transport, and there is a reasonably frequent bus service between Northway, Tewkesbury and other locations. In my view the potential noise impact from the railway line should not be a barrier to residential use of the site, given the potential for noise insulation of the dwellings, and there is no evidence that future residents would be exposed to unacceptable noise levels around the site. I accept that this land could be used for community purposes, but there is nothing to suggest that there is a level of need for any such use that would outweigh the advantages of the site for residential development.
- 2.1.3 The introduction of a requirement at the RDDLP stage for bungalow development of the site and the preference for elderly persons' accommodation gives rise to concerns by the registered social landlord who is the prospective developer. The objection that there is a greater need for two, three and four-bedroom dwellings than for bungalows in this area would appear to be supported by the update report on housing needs in the Borough (The Ark Report)(CD52). This acknowledges that there is, nonetheless, a serious shortage of two-bedroom bungalows in the Tewkesbury/Ashchurch area; however, there seems to be potential for other sites to address these needs. On this basis I consider that the policy requirement for bungalows only is unduly restrictive and likely to forfeit an opportunity to provide

for the most pressing housing needs. From an urban design perspective it would also make it more difficult to achieve an attractive development of the site that would relate well to its context. And having regard to PPG3, I consider that the proposal would not make best use of a sustainably located, previously developed site, contrary to the spirit of the advice.

2.1.4 A suggested modification put forward by the Council at the Inquiry would increase the flexibility of the policy to a limited extent. However, it does not overcome the concern that the site may still be reserved for a bungalow-only development for elderly persons, despite the need and appropriateness for a different type of residential development. I recommend that the requirement for bungalow development should be deleted, since this would ensure maximum flexibility to respond to housing needs and design considerations, and it would not preclude the development of an element of single-storey housing if necessary. Even though the site appears likely to be developed entirely with affordable housing, the policy should still seek to ensure that an element of affordable housing is provided in any event. But in keeping with my recommendations on Policy HSG21, the policy wording should be made less prescriptive and the model set out in LPOL-General should be applied.

2.1.5 As requested in another objection, the reasoned justification should explain the context for seeking a contribution to educational provision in the area. Again, the model set out in LPOL-General should be applied. And the reference to development briefs should be modified in response to other objections.

### ***Recommendations***

2.1.6 (i) Policy AS2 be modified by:

- a) deletion of the word 'bungalows' and its replacement by 'dwellings';
- b) replacing the policy wording and reasoned justification on affordable housing in accordance with the recommendations under LPOL – General;
- c) replacing the policy wording on development briefs in accordance with the recommendation under LPOL – General, and
- d) inserting a new reasoned justification for seeking contributions to educational provision in accordance with the recommendation under LPOL – General.

(ii) No other modification be made to the Plan in response to these objections.

## **AS3                    Ashchurch Housing Site (Northway Lane)**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *justification for housing development*
- *site suitability*
- *highway safety implications*
- *requirements for development*

### ***Inspector's Considerations and Conclusions***

- 2.2.1            Policy AS3 allocates some 3.7ha of land for approximately 110 dwellings. The site is within the built-up area of Tewkesbury/Ashchurch and is occupied by former industrial buildings. It adjoins a housing estate to the north and there are commercial uses to the south-west and across Northway Lane. It is one of the few allocated brownfield sites in the Borough and is close to community facilities in Northway, and to a wide range of employment opportunities. Public transport services are good; the site is on a bus route and close to a railway station.
- 2.2.2            A planning appeal against the Council's failure to determine an application for outline planning permission for residential development of this site was allowed on 14 May 2002 and outline planning permission was granted (ref APP/G1630/A/01/1071964). The permission was accompanied by a S106 agreement on the provision of affordable housing and other matters. The hearing of the appeal was conjoined with the Inquiry into objections to the proposed allocation in the RDDLP. In October 2002 a development design brief for the site was published (CD59). Since then it would appear that the detailed proposals for development of the site have been approved. At the time of writing the construction of the scheme is well advanced. On this basis I consider that the proposed allocation has now been implemented and it requires no further comment.

## **AS4      Ashchurch Parish - North of Northway**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *environmental and highway impacts*
- *comparisons with alternative sites*
- *support for town centre and local industry*

### ***Inspector's Considerations and Conclusions***

- 2.3.1 Policy AS4 of the Deposit Draft is deleted from the RDDLP. In my view the proposed deletion resolves most of the objections to the original allocation of the site for about 500 dwellings.
- 2.3.2 One of the objections is concerned that the original allocation would not have acknowledged the full potential of the area to provide for the Borough's needs, but the alternative of developing an even larger site to the east of the railway line is unacceptable for the reasons I have set out elsewhere in the report.<sup>1</sup>
- 2.3.3 Other objections seek to have the allocation re-instated with a reduced scale of development of about 200-250 dwellings, and a compensatory reduction in the size of development proposed at North West Bishops Cleeve (Policy BC4). My recommendation on the latter is set out elsewhere. However, I do not consider that the apparent advantages of the North of Northway site in terms of proximity to the existing employment facilities and to the bus and rail network would outweigh its disadvantages on other grounds. Even with a reduced allocation it would entail a very substantial, visually obtrusive incursion into open countryside on the fringe of Northway. Also, its peripheral location in relation to the main focus of facilities in Tewkesbury would be likely to make it more car-dependent than other potential sites. There is no evidence of any need to retain the original allocation to support the town centre and local industry. Other proposed allocations in Tewkesbury/Ashchurch would achieve that objective in a manner that is consistent with the GSPSR and RPG10 strategies.

### ***Recommendation***

- 2.3.4 No modification be made to the Plan in response to these objections.

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<sup>1</sup> See LPOLNP Ashchurch - Aston Fields, in Volume Three.

## **AS5      Army Camp, Ashchurch**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *sustainability of the allocation*
- *freight transport and employment potential*
- *availability of the site*
- *potential for enlargement*

### ***Inspector's Considerations and Conclusions***

- 2.4.1      Policy AS5 is a new policy in the RDDLP that proposes the allocation of land at Ashchurch Camp for about 125 dwellings to be commenced in the second half of the Plan period. Criteria set out in the policy include requirements for a single vehicular access off the A46 to serve the camp and the existing and proposed housing, and provision for footpath and cycleway links with existing facilities in Ashchurch and Northway, Tewkesbury School and the railway station at Ashchurch. A development scheme would also need to address the relationship between the various land use elements, including the operational/security requirements of the camp and any potential freight railhead.

### ***Sustainability of the Allocation***

- 2.4.2      Some objections challenge the sustainability of this allocation on the basis that it is not within the CSV or close to a Principal Settlement in accordance with the GSPSR. However, the Tewkesbury/Ashchurch location is suitable in principle for some development in accordance with Policy H.4 of the GSPSR, and the proportion of the overall housing provision allocated to Tewkesbury/Ashchurch would not conflict with the strategy of the GSPSR.
- 2.4.3      Turning to the site's location within Tewkesbury/Ashchurch, I agree with the objections that regard it as somewhat isolated. It is close to the eastern limit of Ashchurch which is itself removed from the main focus of the settlement to the west of the M5 in Tewkesbury town centre. Ashchurch and adjacent areas of Northway offer primarily employment facilities, and while additional housing might appear to offer a better balance, the scale of development proposed would not help to build a community. The site would benefit from very close proximity to Ashchurch primary school, albeit crossing of the A46 would be required, and St Nicholas Church and the parish hall are close by. But the nearest convenience store is at a petrol filling station about 1.1kms away on the southern side of the A46, or alternatively about 1.6kms distance to Northway. A shorter route to Northway would be available via a rural footpath and the pedestrian bridge over the railway line, but this is unlikely to be generally attractive to pedestrians. Also, shopping facilities in Northway are limited and residents of the proposed site

would be likely to travel to the Safeway store (over 2kms away) or to Tewkesbury town centre (nearly 4kms) for main shopping needs. The nearest secondary school is about 2kms distant on the western side of the M5 motorway.

- 2.4.4 Accessibility between Ashchurch and Tewkesbury for non-car users has been improved by the construction of a cycleway along part of the route, but the roundabout crossing over the M5 remains a barrier to cycle and pedestrian trips between the two parts of the settlement. Works to improve the A46 in the immediate vicinity of the site have commenced, but its overall attractiveness and safety as a route for pedestrians and cyclists remains to be established. Also the A46 to the east of the M5 has a particularly poor record for road traffic accidents. Public transport services along the A46 in front of the site do not offer frequent connections to Tewkesbury or Cheltenham or other nearby towns. At the very minimum, a 600m walk to the nearest bus stop in Northway would be necessary to reach services that, taken together, offer connections every 20 minutes to Tewkesbury or 30 minutes to Cheltenham in peak times. Ashchurch rail station is about 1.1km from the site, from where there are services to Cheltenham, Gloucester, Worcester and other stations on the Birmingham-Bristol main line.
- 2.4.5 Notwithstanding the site's proximity to a primary school, some employment facilities and to the rail station, I consider that overall it is relatively inaccessible to a good range of day-to-day needs by means of transport other than the car. The potential to improve its accessibility by improvements to public transport, pedestrian or cycle facilities is not so significant that Policy AS5 could be regarded as a sustainable allocation for new housing. The site's brownfield status does not override this conclusion, especially since not all of the curtilage of such sites would necessarily be appropriate for redevelopment as advised in Annex C of PPG3. Part of it is currently laid out as playing fields, and PPG17 states that playing fields must not be regarded as 'previously developed land' as defined in the Annex. There might be potential to contribute a net benefit to recreational facilities in the area by opening up the more northerly playing field on the Ministry of Defence (MoD) site for public use, but this does not outweigh my conclusions on the sustainability of the proposal in general.

### ***Freight Transport and Employment Potential***

- 2.4.6 It is argued that allocation of the site could prejudice the realisation of the employment potential of this site, particularly as a rail freight interchange. There is, however, no objection from the County Council about any prejudicial effect on Policy T.13 and paragraph 8.3.3 of the GSPSR, which make clear that the potential for development of rail freight facilities at Ashchurch should be given favourable consideration. Nor has an objection been raised in respect of the LTP's identification of the site as one that is under review for a rail/road transfer facility.
- 2.4.7 On the basis of all the evidence, I do not consider that there is any fundamental reason why some residential development close to the rail line in this location might be incompatible with the development of freight transfer facilities. Much would depend on the scale and layout of the proposals. Nonetheless, there is considerable merit in the argument that the future of the site would be more appropriately considered as part of a comprehensive redevelopment strategy for the wider Ashchurch Camp area. This covers a substantial area of land with

important locational advantages due to its position close to the A46/M5 interchange and on rail sidings. The MoD intends to carry out an operational review, to be completed sometime in 2005, and until more details of the review are known it would be unwise to form a judgement on the most appropriate land use strategy for this part of Ashchurch. The implications for rail freight development at Ashchurch and the potential for complementary land uses could then be much more fully assessed.

### ***Availability of the Site***

- 2.4.8 The Plan, Monitor and Manage (PMM) approach to housing provision that is advocated by PPG3 specifically addresses the need for a much more dynamic approach to the allocation process that would minimise the loss of greenfield sites. In principle this would allow the allocation of a site for development in a later phase of the Plan period in the knowledge that it is not available immediately. However, I do not consider that this is such a case, because there is significant doubt that the site would become available for development at any time before the end of the Plan period. This degree of uncertainty does not accord with the advice in PPG3 that local plans should make provision that is sufficient to meet housing requirements.

### ***Potential for Enlargement***

- 2.4.9 The Council accepts that a greenfield site of about 1ha that lies immediately to the west of the Policy AS5 site has potential for residential development. It was confirmed at the Inquiry that the Council would be likely to favour modifying Policy AS5 to include this area. The overall dwelling capacity would increase to about 160 dwellings. In principle I agree that this would entail a logical extension of the original site, even though it has a different character. If it were to be included it would be important to ensure that the setting of the adjacent St Nicholas Church and graveyard were protected in any development. Nonetheless, for the reasons set out above, I do not recommend that the Policy AS5 allocation be retained in the Plan.

### ***Other Matters***

- 2.4.10 Notwithstanding my recommendation, if the site (and its extension to the west) were to be allocated in the Plan, there are some outstanding matters in the objections that require further comment. The Highways Agency maintains a holding objection until the implications for safety and functioning of Junction 9 of the M5 have been resolved on the basis of a transport assessment. However, it seems unlikely that a satisfactory resolution of highway concerns could not be achieved, based on information provided for the Highways Agency in the transport assessment carried out in respect of a much larger omission site to the north of this one, at Aston Fields. The promoters of this omission site wish to have a reference added to the policy to ensure that access to the omission site is safeguarded and the Council accepts that this would be appropriate, if both sites were to be included in the Plan. My recommendations in respect of general objections to the local policies concerning the references to affordable housing, development briefs, and the need for a reasoned justification for seeking contributions to educational provision would also apply (see LPOL – General). The linked objections that seek special provision for meeting parish needs in



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Ashchurch are considered under Policy HSG2.

### ***Recommendation***

2.4.11 The Plan be modified by the deletion of Policy AS5.

## **AS6      Cowfield Farm South**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *justification for policy*

### ***Inspector's Considerations and Conclusions***

- 2.5.1 Policy AS6 (formerly Policy EMP9 of the Deposit Draft) seeks to protect Cowfield Farm South employment area for uses requiring predominantly open sites. Appropriate uses are defined as haulage, vehicle storage, builders' yards and other related uses approved by the Borough Council.
- 2.5.2 The objections express concerns that the proposed uses could damage the prestige of the adjacent Tewkesbury Business Park, that they have potentially low employment generation, and that the policy is superfluous because the site already has the benefit of planning permission. In my view however the difficulty in accommodating such uses makes it appropriate to include a specific policy allocation in the Plan, and the environmental concerns can be resolved by careful design and implementation of development schemes. I do not accept that employment generation potential is a relevant consideration in this case. The site is part of a larger tract of employment land that accommodates a variety of businesses with varying employment potential. There is a need to provide for a range of economic activities in suitable locations in the Borough, including those that may offer relatively little direct employment. One of the objections seeks the specific inclusion of agricultural haulage use within the policy, but in my view the wording of the policy provides sufficient flexibility to consider each case on its merits and more detailed categorisation is not required. There is no planning policy justification for seeking that land on this site be made available at a subsidy to haulage uses.

### ***Recommendation***

- 2.5.3 No modification be made to the Plan in response to these objections.

**BC1        Gilders Corner**

**BC2        Community Site, Finlay Way**

***Objections***

*See Appendix D for the list of objections to these policies*

***Main Issues***

- *abandonment of relief road proposal*
- *appropriate uses*
- *location of access*

***Inspector's Considerations and Conclusions***

- 2.6.1        Policy BC1 of the RDDLP amends and combines Policies BC1 and BC2 in the Deposit Draft. It proposes community uses on the land at Gilders Corner and adjacent to the Lidl supermarket which is on the edge of Bishops Cleeve village centre. A landscaped corridor providing a footpath/cycleway link between Finlay Way and Evesham Road is also required, and reference is made in the reasoned justification to the potential for some affordable housing on the site.
- 2.6.2        Some of the objections seek the continued safeguarding of this land for a relief road for the village centre. However the highway authority has formally abandoned this proposal and I have no reason to conclude that this decision has not taken full account of the implications of further development in the area for the highway network. It would be unjustified to continue to safeguard land in these circumstances and it is appropriate to seek to make good use of this area for other purposes.
- 2.6.3        The Council has acknowledged that reference to the potential for some affordable housing on the site should be included in the policy and I concur. In my view this location would be particularly suitable for this purpose since it is within easy reach of the facilities available in the village centre and has ready access to public transport services. The reference to church use on the site appears merely to acknowledge that the land owned by the Council has been offered to one of the churches. The reasoned justification makes clear that there is potential for various community uses on the site and there is nothing to indicate that the policy would be applied in an unduly prescriptive manner. On the basis of all the evidence at the Inquiry I consider that there is a general need for enhanced community facilities in Bishops Cleeve, and this site would be well-located to meet some of these needs. Explicit acknowledgement of the residential amenity considerations is already made in the policy and detailed proposals for development would be assessed on this basis. The landscaped corridor would be a green element in the local environment and the footpath/cycleway route through it would follow the most direct route to Church Road for pedestrians and cyclists. The existing footpath to the south is not a realistic alternative route in my view since it is too

narrow and enclosed.

- 2.6.4 In response to concerns about the implications of access to the site through The Withers, the Council has acknowledged that this would be inappropriate. The reasoned justification should be modified accordingly. The archaeological concern raised in one of the objections can be resolved in the manner indicated in the reasoned justification for the policy.

### ***Recommendations***

- 2.6.5
- (i) Policy BC1 be modified by the addition of 'affordable housing' after 'community uses/church'.
  - (ii) The reasoned justification for Policy BC1 be modified by adding a new penultimate sentence as follows:  
'No vehicular access will be permitted via The Withers.'
  - (iii) No other modification be made to the Plan in response to these objections.

## **BC3      North of Dean Farm, Bishops Cleeve**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *impact on settlement*
- *imposition of a maximum capacity*
- *affordable housing requirement*

### ***Inspector's Considerations and Conclusions***

- 2.7.1 Policy BC3 of the RDDLP proposes the allocation of about 130 dwellings on the site described as North of Dean Farm. This increases the proposed allocation in the Deposit Draft by 30 dwellings. Various policy criteria set out requirements for access, affordable housing, open space, educational provision and public transport improvements.
- 2.7.2 A number of the objections raise concerns about the impact of additional housing on Bishops Cleeve and on the comparative benefits of this location and sites elsewhere in the Borough. For the reasons set out under Policy BC4, I do not find enough evidence to conclude that Bishops Cleeve/Woodmancote does not have the capacity to accommodate further expansion of the scale envisaged by the Plan, but much depends on the nature of the proposals and the potential to integrate them into the framework of the settlement. Like many of the RDDLP's allocations, the land north of Deans Farm is a greenfield site, but in my view this largely reflects the rural nature of the Borough and the degree to which it is subject to planning constraints. It is nonetheless a relatively compact site that would extend the settlement in a contained manner and would fit within the urban envelope to the east of the A435 by-pass. Teddington is suggested as a more appropriate alternative location but I do not agree since this scale of development in such a small settlement would be unsustainable.
- 2.7.3 The increased capacity of the site indicates a net residential density of about 32dph. This is at the lower end of the range of densities advocated by PPG3. It is only just above the average of about 31dph that has been achieved in Bishops Cleeve in a range of developments mainly pre-dating the revised PPG3. Having regard to the latter's exhortation to minimise the amount of greenfield land being taken for development and to the absence of site constraints of any significance, I consider that there is no justification for imposing a cap of 130 dwellings on the site. Therefore, the reference to 'approximate' should be retained in the policy. This would permit reasonable flexibility to determine the most appropriate development proposal for the site and to increase the density if possible.

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- 2.7.4 The policy's requirement for affordable housing is said to be unduly prescriptive but I consider that this objection can be resolved satisfactorily in accordance with my recommendations under LPOL – General.
- 2.7.5 Other matters raised include the proximity to Wingmoor Farm waste disposal site and its implications for the amenities and health of future residents. However, I have no reason to question the Inspector's findings in respect of the Waste Local Plan Inquiry that a properly regulated waste facility at this site would be acceptable. On a separate matter, I agree that a reasoned justification is required for seeking contributions towards educational provision, as set out under LPOL - General. One of the objections is to the policy requirement for two vehicular access points. Given the limited size of the scheme it is not clear why two access points or a connecting route through the site are required. Therefore I recommend that the first criterion of the policy be modified to state only that vehicular access should be from Evesham Road. The land ownership implications of the requirement for a link with the footpath and cycle route to the south are noted, but this is an important connection with a wider network that ought to be included as a policy requirement. It would not prevent exploration of all the issues involved at the detailed design stage. As a consequence of my recommendations on objections elsewhere in this report, the reference in the policy to the design and development brief should be deleted and replaced as set out under LPOL – General. In this case a brief has already been prepared in consultation with the prospective developers of the site (CD43).

### ***Recommendations***

- 2.7.6 (i) Policy BC3 and its reasoned justification be modified by:
- a) re-wording the first criterion of the policy to require only that vehicular access should be from Evesham Road;
  - b) replacing the policy wording on the design and development brief in accordance with my recommendation under LPOL- General;
  - c) replacing the policy wording and reasoned justification on affordable housing in accordance with the recommendations under LPOL- General, and
  - d) inserting a new reasoned justification for seeking contributions to educational provision in accordance with the recommendation under LPOL – General.
- (ii) No other modification be made to the Plan in response to these objections.

## **BC4 North West Bishops Cleeve**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *scale of development in Bishops Cleeve*
- *impact on landscape and settlement form*
- *accessibility*

### ***Inspector's Considerations and Conclusions***

- 2.8.1 Policy BC4 of the RDDLP allocates a site at North West Bishops Cleeve for about 400 dwellings to be commenced in the period 2006-2011. This policy was newly introduced at the Revised Deposit stage of the Plan. The site lies to the west of the A435 which by-passes the main part of the settlement to the east. Amongst the criteria set out in the policy are requirements for a site for new community facilities to include a community hall/church and local retail provision, for traffic signal-controlled pedestrian and cycle crossing of the A435 adjacent to the development as part of the link to the village centre, and for a landscaping scheme that would respect the existing planting and define the edge of the development.
- 2.8.2 Objections that seek the enlargement of the site to provide for a mixed development of residential, employment, educational and other uses are considered in Volume Three of the report.<sup>2</sup> Comparisons between Policy BC4 and the omission site at Homelands Farm are dealt with under the latter in Volume Three.<sup>3</sup>

## **Scale of Development at Bishops Cleeve**

- 2.8.3 A number of objections to the policy raise broad concerns about the implications of the scale of development proposed for Bishops Cleeve, its inclusion within the CSV, and its compatibility with the GSPSR and RPG10. The combined total of new dwellings proposed on the three main Plan sites in Bishops Cleeve/Woodmancote is about 660 dwellings. Some objectors contend that this is a far more significant scale of development at this location than was envisaged by the GSPSR, especially compared with the proposed allocations at Tewkesbury/Ashchurch. Others refer to the rapid expansion of the settlement that has taken place in recent years and consider that the proposal for the Policy BC4 site would overwhelm the community and have very harmful effects. Concerns raised include the effect of increased traffic and commuting, greater pressure on the floodplain, and inadequate community facilities and infrastructure. Some objections seek a smaller scale of development on the site, and it is also suggested that the need for its development should be reviewed in 2006.

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<sup>2</sup> See LPOLNP Bishops Cleeve- North West Bishops Cleeve Extension.

<sup>3</sup> See LPOLNP Bishops Cleeve – Homelands Farm.

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- 2.8.4 I do not find any substantive reason to doubt that Bishops Cleeve can be regarded as within the CSV for the purposes of the Plan. The definition of the CSV provided in paragraph 6.5.4 of the GSPSR is not geographically specific; to an extent it is a functional one based on the ease and convenience of access to Cheltenham and Gloucester by means of transport other than the private car, and it takes account of the potential to improve accessibility as well as the existing position. It seems to me that Bishops Cleeve is capable of complying with that definition, particularly if levels of service from public transport (and bus patronage) are improved as expected. It also provides a range of local services and facilities and local employment offering in excess of 5,000 jobs. Therefore it is a location for development that accords with Policy H.4 of the GSPSR. The detailed implications of RPG10's policies for the Principal Urban Areas remain to be worked out at structure plan level. The relevance to Bishops Cleeve of paragraph 3.11 of RPG10, which concerns growth relating to PUAs leaping the Green Belt to nearby commuter towns, will need to be examined carefully. Nonetheless, I consider that it is appropriate in principle to look to Bishops Cleeve to accommodate some of the Plan's housing requirement. In this general sense it is a far more sustainable option for development than expansion of villages such as Gotherington, even by small amounts, which is proposed in one of the objections. Broader strategic issues about the balance of development between the CSV and Tewkesbury/Ashchurch are considered under HSGGEN in Volume One of the report.
- 2.8.5 The substantial planned growth that has taken place since the 1980s has wrought significant changes in the character of Bishops Cleeve and there is evidence of a need to improve local educational, health and community facilities generally. Retail facilities have been enhanced, although the community is likely to continue to rely on Cheltenham and other higher order centres for comparison shopping. The Plan's proposals for some increase in employment land provision in the settlement would help to maintain a balance with new housing growth, although commuting to major centres of employment is likely to continue at high levels. Some new residential development could trigger needed improvements and could assist by providing sites, as is envisaged by Policy BC4. On balance, I do not find enough evidence to conclude that Bishops Cleeve/Woodmancote does not have the capacity to accommodate further expansion of the scale envisaged by the Plan, but much depends on the nature of the proposals and the potential to integrate them into the framework of the settlement.

## **Impact on the Landscape and on Settlement Form**

- 2.8.6 A number of objections are concerned with the impact of the proposed allocation on the landscape and settlement form of Bishops Cleeve. The constraints imposed by the landscape designations of the Special Landscape Area (SLA) and the AONB to the east of Bishops Cleeve and the Green Belt to the south clearly restrict the potential to expand in these directions. But the area to the west of the by-pass is relatively unconstrained and has already seen some residential and employment development to the south and south-west of the allocation site. The existing residential area has now been effectively screened from the open countryside to the north and north-west by the maturing of a substantial buffer of



trees. The proposed allocation would entail development beyond this buffer, extending into the relatively flat and open Severn Vale landscape of which this site is typical.

- 2.8.7 As the policy criterion requires, a new landscaping scheme could contain and provide a setting for the development, but this would take many years to mature. Also I do not consider that a landscaping scheme would adequately mitigate the urban sprawl effect over quietly attractive open countryside that the proposal would entail. Existing features that are becoming increasingly rare in the Gloucestershire landscape, such as the old orchard near the centre of the site, would be lost or at least have their context radically changed, and the open views across the site from the A435 would be lost. The site does not extend as far north as the proposed Policy BC3 site on the eastern side of the by-pass. Even so, its development would not entail rounding-off but would have a significant adverse effect on the form of the settlement by extending it outwards into the wider Vale landscape beyond its existing well-defined limits.

## **Accessibility**

- 2.8.8 In my view a key factor in the accessibility of this site to the services and facilities of Bishops Cleeve is the severance effect of the A435. There are existing crossing facilities to the south of the site, and a more conveniently located one would be required as part of any development; it is also proposed that the existing pedestrian and cycleway linkages to the centre of the settlement would be extended and improved. Nonetheless, the A435 functions as a reasonably busy by-pass with a 40mph speed limit on the section through Bishops Cleeve and it carries a mix of traffic including HGVs. Overall, even with planned improvements, I do not consider that it would become an attractive environment for pedestrians and cyclists. When this psychological barrier is added to the walking distances to the nearest primary schools (about 1.3kms to Bishops Cleeve County Primary School and 1.4kms to Grangefields) it is unlikely that walking to school would be regarded as a realistic alternative to other modes of transport. A cycle trip would be slightly less unattractive but would only be an option for older children. One of the objectives of the LTP is to prioritise access to schools to promote safety and sustainable modes of transport. For the reasons given above I do not consider that development of this site would help to achieve this objective.
- 2.8.9 At the closest point the nearest foodstore (Lidl) would be about 700m from the site, but the wider range of shopping and other facilities in the village centre would be at least 1km away. As in the case of the primary schools these distances would exceed the maximum recommended walking distances set out in Annex A of RPG10. The RPG10 figures are interim criteria only but in this case, combined with the need to cross the A435, I consider that the distances entailed would be a disincentive to walking. Nonetheless, there are employment and medical facilities within the settlement that lie within the RPG10 maximum walking distance figure.
- 2.8.10 A bus route that provides a service to Cheltenham every 15 minutes during peak times could be reached by a 300-400m walk from the site. Also, bus services between Cheltenham and Bishops Cleeve may be improved as part of the LTP's Bus Quality Partnership initiatives. It appears therefore that residents of the

proposed allocation would have access within 400m walking distance to a 15 minute frequency bus service, and therefore the proposal would assist achievement of the LTP's objective in this regard.<sup>4</sup>

- 2.8.11 Development of the site would offer potential to improve community services and facilities for the existing and proposed residential areas to the west of the by-pass. However, I do not consider that this would lead to a significantly more integrated form of development. Also, it is not clear that some improvement in facilities to the west of the by-pass could not be achieved without the proposed allocation. Overall, given the site's disadvantages in terms of accessibility to primary schools, shopping and other facilities, I do not consider that it is a sustainable choice for the scale of development proposed. Adding this to my concern about the impact of the proposal on the landscape and the settlement form of Bishops Cleeve leads me to recommend that the site should be deleted from the Plan. Alternative proposals for a lesser scale of development on the site put forward in the objections would reduce the landscape impact to some extent, but they would not overcome the other disadvantages; therefore I do not commend them.

### ***Other Matters***

- 2.8.12 Notwithstanding my recommendation, if the site were to be allocated in the Plan there are some outstanding matters in the objections that require further comment. I do not consider that there is sufficient evidence to reject the proposed allocation on the basis of a threat to the safety and functioning of the M5, A40 or A46, although this is without prejudice to the conclusions of any transport assessment. The most appropriate access points to the site are a matter of detail to be worked out at a later stage.
- 2.8.13 The promoters of the site consider that 400 dwellings could not be achieved at an acceptable density and therefore seek an enlargement of some 2.4ha in order to secure a 400 dwelling capacity. However, it would be unacceptably rigid to treat 400 as an absolute figure and there is insufficient evidence that a good quality development within the acceptable range of densities indicated by PPG3 could not be achieved within the confines of the proposed allocation. PPG3's objective that the greenfield land take should be minimised is in my view an imperative reason for seeking higher densities than have been typical of recent development in Bishops Cleeve. For similar reasons I do not commend an objection that seeks to have a maximum number of dwellings stipulated in the site allocation policies.
- 2.8.14 The site's promoter considers that there is no reason for phasing in Bishops Cleeve or for this site in particular, especially given the time required to bring forward large sites and the delay in preparing the Plan. However, I consider that there is justification in seeking to bring forward sites that are more closely integrated with the urban area of Bishops Cleeve/Woodmancote first, as envisaged by Policies BC3 and WO1, even though they are not brownfield sites in terms of PPG3. Policy BC4 entails a large greenfield extension of the settlement which it would be reasonable to hold back until the latter half of the Plan period. The reference to the word 'commenced' would not preclude the development of the

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<sup>4</sup> The CSV Area Strategy of the LTP has, as one of its objectives, the development of a bus network such that 90% of dwellings are within 400m of a 15-minute daytime service and a 30-minute evening service.

site being completed by 2011.

- 2.8.15 The objections in respect of the required affordable housing provision on the site, to the references generally to design and development briefs, and in respect of justification for seeking a contribution to educational provision could be dealt with in accordance with my recommendations under LPOL – General. I see no reason why the reference in the reasoned justification to the types of affordable housing that might be appropriate would prejudice actual negotiation. The precise mix and scale of facilities that would be provided in accordance with the policy would be best resolved at the detailed design stage and I do not see any need for modifications to the policy to make it more or less specific in this regard. And while I appreciate the need for general improvements to services in Bishops Cleeve, there is insufficient information to set out requirements for the content of any planning obligations that might be entered into in respect of this site. Concerns about the potential impact of proposals in the draft Waste Local Plan are noted but it is for the County Council to consider the implications of the Inspector's Report in that regard. The need to ensure that drainage proposals for the site are sustainable in the wider sense and that important nature conservation interests are protected are matters that could be resolved at the detailed design stage.

### ***Recommendation***

- 2.8.16 The Plan be modified by the deletion of Policy BC4.

## **BC5 Malvern View, Bishops Cleeve (formerly EMP7)**

### ***Objections***

**See under EMP7 in Appendix D for the list of objections on this matter**

### ***Main Issues***

- *size of allocation*
- *appropriateness of Class B1 uses*
- *access considerations*

### ***Inspector's Considerations and Conclusions***

- 2.9.1 Policy BC5 of the RDDLP is a renumbered version of Policy EMP7 of the Deposit Draft. The content of the policy has not been changed. It proposes the allocation of some 2.5ha of additional land for employment use at the existing Malvern View Business Park in order to ensure the retention of a supply of available land within Bishops Cleeve.
- 2.9.2 One of the objections contends that the policy makes insufficient provision for employment uses in the Bishops Cleeve area. As I have noted elsewhere on a linked objection<sup>5</sup>, Bishops Cleeve is an important employment destination in its own right; it has witnessed a significant growth in job opportunities in the past 10-12 years, thereby reducing the need to travel elsewhere to work. Travel to work data from the 1991 Census illustrates a high degree of mutual interaction between Bishops Cleeve and Cheltenham in terms of commuting patterns, although it indicates that only some 24% of the population of the Bishops Cleeve sub-area worked within it. The provision of an enlarged employment allocation would improve the balance between housing and jobs in the settlement and therefore it might appear to promote greater sustainability.
- 2.9.3 However Malvern View is not easily accessible by public transport. The No 540 route which passes the site is relatively infrequent and it would require a walk of about 1km from the nearest part of the proposed extension to reach the Route D/E service which operates between Bishops Cleeve and Cheltenham every 15 minutes. There is no substantive evidence that a good quality bus service to serve the site would be available over the long-term and it is reasonable to conclude that those employees travelling to the site from beyond walking or cycling distance would be likely to rely on private car transport. Therefore I do not consider that there are sound reasons for recommending more than the modest extension to the employment area that is proposed by Policy BC5. I have also taken into account that in accordance with Policies BC6 and GBT4, about 5.5ha of additional employment land would be allocated at Bishops Cleeve Business Park, thereby increasing the employment potential of the settlement. In terms of the overall employment land supply, there is an excess of about 27ha above the GSPSR indicative figure for the Borough and there is no substantive evidence of a need to

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<sup>5</sup> LPOLNP Bishops Cleeve - North West Bishops Cleeve Extension in Volume Three.

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seek additional employment land allocations in general in the Plan.

- 2.9.4 Another objection states that Class B1 uses would not be appropriate unless the site is well served by public transport. I agree in principle for the reasons set out above. However the proposed allocation is relatively small and it provides some room for expansion of a fully-developed employment area. The prohibition of Class B1 uses would be an unreasonably inflexible approach in this particular case where it could hinder the retention and enhancement of local businesses.
- 2.9.5 The detailed access arrangements are queried in an objection but there is no evidence to suggest that a suitable access to the extended area cannot be achieved. I have also noted the representation that transport assessments may be required to ascertain the cumulative effect of proposed allocations in the Plan on the trunk road network. At this stage however there is nothing to indicate that it would be inappropriate to allocate the extension of Malvern View as proposed by the policy.

### ***Recommendation***

- 2.9.6 No modification be made to the Plan in response to these objections.

## **BC6      Cleeve Business Park, Bishops Cleeve**

### ***Objections***

See Appendix D for the list of objections to this policy

### ***Main Issues***

- *enlargement of the proposed allocation*
- *impact on M5 motorway*
- *contributions to public transport/cycleway/pedestrian facilities*

### ***Inspector's Considerations and Conclusions***

- 2.10.1      Policy BC6 is a new policy in the RDDLP that proposes the allocation of an additional 5.5ha for employment purposes at Cleeve Business Park. It comprises land that had previously been allocated for employment use and an area that is to be deleted from the Green Belt in accordance with Policy GBT4.
- 2.10.2      One of the objections seeks an enlargement of the allocation to the north whilst not specifying precisely the boundaries of the area that is proposed. However this land is also in the Green Belt, and no substantive evidence has been put forward by the objector that might demonstrate the exceptional circumstances that are necessary to support such a proposal.
- 2.10.3      Another objection raises the potential traffic impact of the proposal on the M5 motorway and the need for a transport assessment of development proposals on the site. I accept that a proper assessment will be required that takes account of the cumulative impact of the various Plan proposals for Bishops Cleeve/Woodmancote, but I do not consider that this is a sufficient reason to recommend that the allocations should not be made in the Plan.
- 2.10.4      There is no reference within the policy to a requirement for contributions to certain facilities and therefore the objection relating to this matter is unclear. It appears that the objection has been withdrawn.

### ***Recommendation***

- 2.10.5      No modification be made to the Plan in response to these objections.

**BRGEN      Brockworth - General**

***Objections***

*See Appendix D for the list of objections on this matter*

***Main Issue***

- *need for more facilities for new and existing residents*

***Inspector's Considerations and Conclusions***

- 2.14.1      The objection contends that more facilities are needed for new and existing residents, not the threat of library closures. I have no evidence about the latter point, but the Plan's proposals generally for new development in Brockworth, and in particular Policy BR1, seek to achieve an appropriate mix of facilities, including community facilities that would meet the needs of existing and future residents. On this basis I consider that the Plan addresses the underlying concern of the objection.

***Recommendation***

- 2.14.2      No modification be made to the Plan in response to this objection.

## **BR1            Brockworth and Hucclecote Housing Sites**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *loss of employment land*
- *effect on the SSSI and other nature conservation interests*
- *size of development and density implications*
- *provision of affordable housing*
- *sustainability and accessibility to facilities*

### ***Inspector's Considerations and Conclusions***

#### ***Preamble***

- 2.11.1 Policy BR1 of the Revised Deposit Draft Local Plan (RDDLP) makes provision for approximately 1400 new dwellings on the former Brockworth Airfield, to the south and west of Gloucester Business Park (GBP). Taking account of the allocation of 500 dwellings on adjacent land in Stroud District that is included in the emerging local plan, it is therefore proposed that the area between the M5 motorway and the Business Park would accommodate an approximate total of 1900 new dwellings in the period up to 2011. This seeks to carry forward Policy H.5 of the Gloucestershire Structure Plan Second Review (GSPSR), which identifies the area to the south of Brockworth for a major extension to the urban area that would provide an appropriate mix of housing, employment, open space and community facilities and services. For this reason I do not accept the objections to the principle of large-scale development in this location.
- 2.11.2 A development scheme for the Policy BR1 allocation is emerging in parallel with the local plan process. The Brockworth Airfield Development Brief (Core Document (CD) 42) was published in revised draft form in August 2001<sup>6</sup> and applications for outline planning permission for residential development and associated physical and community infrastructure including a neighbourhood centre, have been submitted by a consortium of housebuilders to both Councils. A design statement, master plan and Environmental Statement accompanied the applications. Work is on-going to deal with matters raised by the Councils and to refine aspects of the proposals, and by the close of the inquiry the applications had not been determined.

### ***Loss of Employment Land***

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<sup>6</sup> It has since been formally adopted by Stroud District Council but, by the close of the inquiry, it had not been formally adopted by Tewkesbury Borough Council.



- 2.11.3 The proposed allocation within Tewkesbury Borough comprises two broad tracts of land; one of these is an area of some 23.5ha to the south of GBP that has the benefit of an extant outline planning permission for employment uses. Some of the objections focus on the loss of high quality employment land that would be entailed. Notwithstanding PPG3's advice about the potential for re-use of employment land for housing or mixed uses, concerns are raised that the loss of 23.5ha to housing would be in conflict with Policies EC 3 and EC 4 of RPG10 and with Policy E.2 of the GSPSR. Given the regional and structure plan context, there can be no dispute about the appropriateness of this location for employment uses or the need to safeguard land here for long-term needs. In my view the key issue is whether the balance of undeveloped land at GBP would provide a sufficiently large and flexible reserve for long-term needs.
- 2.11.4 The total area of GBP that has planning permission for employment uses is about 116ha. Some of this area is already developed. The residual area that would be available for employment uses, after deducting the proposed housing allocation, is some 71ha gross (45.88ha net). This would appear to satisfy the size criterion for Major Strategic Sites (MSS) in Policy EC 4 of RPG10, although the latter advises only that MSS should be a minimum of 12ha and preferably 50+ha and it does not distinguish between gross and net areas. There is therefore a substantial untapped reserve of very high quality employment land at GBP. Notwithstanding the objections that appear to rest on the principle that none of this land should be lost to other uses, I can find no substantive evidence that the residual area would be insufficient to provide for long-term needs. There would be scope to develop it in a variety of ways that could satisfy the requirements of large space users, and there are no objections from the Regional Planning Body, SWERDA or the County Council to any loss of employment potential entailed by the proposed housing allocation.
- 2.11.5 It appears also that Arlington Plc, the owner of GBP, does not regard the loss of 23.5ha of the area originally permitted for employment development as compromising its vision for the park or inhibiting its completion as a world-class centre for business. Arlington is also promoting the development of a district centre on GBP through this local plan<sup>7</sup>. This would entail a loss of about 11ha of employment land, and the residual area would therefore be reduced further to about 60ha. However, in the light of the considerations above and for the reasons set out under Policy BR2, I consider that the reduction in the employment area to something in the order of 60ha gross would be acceptable and that the effect on the employment land reserve would not undermine the overall strategy set out in RPG10 or in the GSPSR.
- 2.11.6 The Borough's overall supply of land for employment uses is not a constraining factor in my view. The RDDLP identifies a surplus of some 26ha over and above the GSPSR's indicative allocation of about 160ha of employment land in the Borough as a whole. Also, its geographical distribution would, even after the transfer of the land at GBP to other purposes, remain concentrated within the CSV, in keeping with Policy E.2 of the GSPSR.

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<sup>7</sup> See the objections to Policy BR2. The district centre would include a mix of retail, leisure, business, community and housing uses and a hotel.

***Effect on the SSSI and Other Nature Conservation Interests***

- 2.11.7 The site immediately adjoins that part of the Hucclecote Meadows SSSI that lies to the east of the M5 motorway. This is an area of species-rich grassland that was once typical of the Severn Vale but which is now so rare that it merits protection both locally and nationally. Hucclecote Meadows are also some of the best examples of this vulnerable habitat in the County. The SSSI is crossed by a public footpath from Lobleys Drive that provides a recreational walking route into the rural area to the south of the proposed housing site.
- 2.11.8 There is clear evidence that the potential indirect effects of the proposed residential development on the SSSI have been considered from the earliest stages of the project, in detailed consultation with English Nature. As a result, a package of mitigation measures has been developed and refined. This includes the proposed diversion of the public footpath around the SSSI, improved management of the SSSI, the creation of a buffer zone between it and the new housing area, and various public education and information measures. Consultation with English Nature on the mitigation scheme is on-going, but in the light of the evidence I am satisfied that there is no basis for an objection in principle to the proposed allocation on grounds of adverse impact on the SSSI.
- 2.11.9 Objection has been raised about the lack of certainty that the footpath diversion will be achieved and the implications for the SSSI of significantly increased levels of dog walking on the site that could be associated with the housing development. Until the statutory procedures necessary for footpath diversion have been satisfactorily completed there remains a degree of uncertainty, but to my mind this is not so great that it casts doubt on the realism of the mitigation scheme. It seems clear that the diversion of the footpath is regarded by English Nature as necessary if any further development is to take place in this area. However, in the unlikely event of the diversion not being permitted, there are a range of measures under consideration that would deter most if not all dog walkers from the SSSI. This should be compared with the present situation where there is open and uncontrolled access to the SSSI with few local people apparently aware of the sensitivity of the site.
- 2.11.10 The means for securing the long-term management of the SSSI have also been questioned, especially since the development consortium does not have control over this land. It appears that a number of alternative mechanisms are under investigation, not all of which satisfy the objectors as being legally binding or achievable. There are reasonable grounds for concern that complex and perhaps novel mechanisms remain to be worked out to secure the long-term protection of the SSSI, but I do not consider that these are so great that the site should not be allocated in the local plan. It is clear to me that English Nature would regard net degradation of the SSSI as an unacceptable outcome of the housing development on the allocation site. It has not objected to the principle of the development because it is accepted that a satisfactory mitigation package can be implemented. English Nature will have a role in protecting the SSSI up to and beyond the grant of any planning permission on the housing site and I am satisfied that there will be sufficient powers available, if required, to protect the SSSI from any adverse impact that could arise from this development.
- 2.11.11 The other main nature conservation interests affected by the proposed housing

allocation are the veteran oak trees towards the southern end of the site and the breeding and foraging areas available for barn owls on the lands. Gloucestershire Wildlife Trust's (GWT) identification of part of the area as a Key Wildlife Site acknowledges its significance for nature conservation. The developer consortium has effectively secured an off-site mitigation area of some 28ha immediately adjacent to the southern boundary that will ensure long-term protection of a breeding habitat for barn owls. It appears that this has not resolved some objections about the net loss of about 40ha of potential foraging habitat for barn owls on the site. However I consider that there is a need to balance the value of the fairly recently created foraging habitat on the site against that of the mitigation area that would be purposefully managed for the long term to provide a high quality habitat for barn owls. Overall, there is a reasonable prospect that with appropriate phasing and detailed management of the mitigation lands, this part of Brockworth would continue to provide a suitable breeding and foraging habitat for barn owls long after the development of the housing allocation.

- 2.11.12 It has been questioned whether the long-term survival of the veteran oak trees and their valuable invertebrate population<sup>8</sup> would be compatible with the implementation of the housing allocation. For this reason GWT has objected to the inclusion of the Key Wildlife Site within the area proposed for housing development in the application for outline planning permission. I accept that there are difficulties in protecting such trees in the long term. But the prospects for doing so can be enhanced by the type of planting and management plan that has been developed in consultation with English Nature and GWT as part of the Environmental Statement for the site. The proposed off-site mitigation area would also make a valuable contribution in this regard by nurturing the 25 or so mature (but not yet veteran) oaks that it supports. These measures would not only afford protection to the existing trees. They would also redress the current total lack of replacement trees for the next generation of dead-wood invertebrates. This should be compared with the present situation where there appears to be no management of the trees and one has already been severely damaged by fire. Taking all of these matters into account, I do not consider that there are sound nature conservation reasons to recommend a reduction in the area proposed for housing. So far as English Nature's objection to the wording of the relevant policy criterion is concerned, the Council accepts that the requested amendment should be made and I concur.

### ***Size of Development and its Density Implications***

- 2.11.13 Some objections challenge the increased size of the development proposed and raise concerns about its impact on the local area and the potential to create a new, stable community. Particular concerns are also raised about the proposed density of development on that part of the site that lies within Tewkesbury Borough. These are based on the perceived effect of the proposed densities on urban form, on the relationship with the AONB and the site's context generally, and on the potential to achieve a marketable scheme with an appropriate mix of dwellings that could realistically be completed within the Plan period. Comparisons are made with the lower average density proposed on the Stroud part of the scheme. The absence of an explicit rationale for the RDDLP's proposed increase in dwelling numbers from 1,000 to 1,400 is raised and it is argued that the associated high density of

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<sup>8</sup> The potential for the trees to support a significant fungal interest, notably Oak Polypore, has also been noted.

development would be inappropriate in this location which is remote from town centre facilities and from a public transport node.

- 2.11.14 Dealing firstly with some factual matters, different figures for the net site area have been used by various parties with the result that a variety of average density figures were referred to during the inquiry. The sources of the discrepancies appear to lie mainly in the use of different base plans and methodologies for calculating net density. It appears from the most up-to-date work by the consortium that the net density of development on the overall site (including both the Tewkesbury and Stroud allocations) is about 40dph, with the respective figures for the Tewkesbury and Stroud lands being 43dph and 33dph. The compatibility of the developers' methodology with the advice in paragraphs 8.19-8.21 of Annex C of PPG3 has been questioned, but it seems to me that the advice has been applied in a reasonable way to the actual proposals for the site. In any event, I consider that the key issue is not the exactness of the average density figure but whether it and all the other relevant elements of the proposed design of the scheme would be likely to produce a high-quality development on the scale that is envisaged by the Plan. It is also very important to consider the scheme as a whole, irrespective of the administrative boundaries, and to this extent the differences between the density calculations for the Stroud and Tewkesbury areas are immaterial.
- 2.11.15 Secondly, on certain issues of principle raised by the objections, I do not consider that there is any actual conflict with Policy H.5 or other policies of the GSPSR so far as the proposed size or density of the development is concerned. The GSPSR is not explicit about density; this matter is best determined at the local plan level having regard to site and other local considerations. This site is a strategic one in structure plan terms and its size affords the potential for the creation of a sustainable neighbourhood. It is located on the edge of a Principal Urban Area (PUA)<sup>9</sup>, adjoins a business park of regional significance, and there are proposals for improvements to public transport within the site and the provision of a range of local and district centre facilities<sup>10</sup> within easy walking distance. Government policy seeks to make more efficient use of land and I consider that there are sound reasons in principle for striving to achieve a significantly higher overall net density for this site compared with other Plan sites. The scale of development proposed will bring about significant changes in the area but these will include new opportunities and improvements to a wide range of facilities. With careful planning and implementation, I consider that the Policy BR1 allocation can be successfully integrated into the wider Brockworth/Hucclecote area.
- 2.11.16 Turning to the implications of the proposed density for urban form, there is enough information available at this stage to make a broad assessment in terms of layout and building height. About 21ha of the site would remain as open space and while some of this is 'pre-determined' by the need for buffer areas along the M5 motorway and the SSSI, it would still contribute to the spaciousness of the development. The revised master plan and design statement tabled at the inquiry proposes two broad architectural styles, with formal areas generally adjoining GBP and along the two key routes through the site (High Street and Lobleys Drive). Symmetrical street elevations, equal plot widths and continuous building lines

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<sup>9</sup> This description should not be taken literally since the general geographic extent of the PUA remains to be defined in the emerging third review of the structure plan.

<sup>10</sup> The district centre proposal is not within the RDDLP but is put forward in objections by Arlington and Tesco Stores Ltd. – see Policy BR2.

would characterise these areas. In some places building heights would be 3-storeys plus attic (up to 13.4m to the ridge). Densities would generally be towards the higher end of the range, from 40dph up to 90dph for three-storey blocks of one and two bedroom apartments. Moving away from these routes the style would become more informal, with lower and medium-density development (ranging from about 30-50dph) comprising detached, link-detached, and short rows of town houses.

- 2.11.17 It is clear therefore that the intention is to provide for a range of densities across the site with considerable variation in character and appearance. In this sense it is possible that the generally higher average density of development on this site would help to create an attractive mix within streets and variety in design. The objections that seek an average of 30-35dph are unlikely to achieve such variety of urban form or the opportunity to respond to important contextual elements such as proximity to GBP, to the local or district centres, and to public transport routes. Building height and mass would vary, but in principle I do not consider that 3.5 storey development in close proximity to the very large scale buildings on parts of GBP would appear incongruous, and it may offer scope for greater architectural integration across the area as a whole. In general there is no reason to equate higher density with poor design, and while completed examples of higher density schemes outside urban cores are still relatively few, I find no reason why the average density proposed for this site should not produce an attractive living environment. On a related matter, the ability to achieve the projected average floorspace figure of about 4000sq m/ha has been questioned, but this does not seem an overly-ambitious target, bearing in mind the design concept.
- 2.11.18 So far as the effect on the adjoining AONB is concerned, elevated views from the AONB towards the site are generally from some distance and are set in the context of the Gloucester urban area. Also views towards the AONB from in and around the site are already very much influenced by the city's proximity and especially by the large scale of the buildings on GBP. The proposal to develop the Brockworth site would bring the built-up area closer to the edge of the AONB but the site would still be seen within its overall context. In this sense I consider that views generally into and out of the AONB would be altered by the development but that the visual impact would not be harmful. Also, in comparison with the extant outline planning permission for employment development on the southern section of the site, the proposed scheme appears to offer greater potential for an integrated landscape approach to the whole site that would respect its AONB edges and provide open spaces linking town and country.
- 2.11.19 The proposed allocation adjoins the AONB but the most sensitive part of the site where the ground levels rise towards the AONB would be retained as open space. The grounds of the proposed primary school site (lying within Stroud District) would continue the open space buffer westwards, separating the housing areas from the AONB. Proposals to maintain the existing very well-established hedgerows along the AONB boundary would provide effective screening at lower levels. In general terms I do not consider that there is any need for a larger buffer area of open space between the proposed housing edge and the AONB than that shown on the master plan. A sensitive relationship between the two is more likely to emerge from good, detailed design than from the enlargement of the buffer area.
- 2.11.20 Concerns about inadequate space for forest-scale planting within the higher density areas and the impact of 3½ storey development on views from the AONB are noted.

However I do not consider that the greater building height, if perceptible from some distance, would have any harmful impact when viewed in its context. Detailed master plans for individual plots are not yet available, but the work that has been done indicates that there would be sufficient space in and around building plots for appropriate landscaping, if not for forest-scale trees. In this regard I agree with an objection to the policy criterion requiring 'woodland planting'. If used exclusively, woodland planting would run counter to the aims of the development brief to achieve various objectives that respect individual features of different parts of the site. Instead there needs to be a mix of approaches, with hedgerows and shrub planting interspersed with individual trees.

- 2.11.21 Finally, an underlying theme of the objections about size and density is the potential to achieve a marketable scheme with an appropriate mix of dwellings that could realistically be completed within the Plan period. But it must be of some significance that the consortium of housebuilders that intends to develop the site appears to have no reservations in this regard. They have not objected to the RDDLP's proposed increase in the capacity and density of the site and detailed work on the scheme is emerging which indicates that the capacity is realistic. This work also shows how a broad mix of dwelling types would be provided, of which about 10% would be detached 4-bedroom houses, 37% terraced or link-detached houses with 2-3 bedrooms, 35% town houses with 3-4 bedrooms, and 18% apartments with 1-2 bedrooms. In contrast one of the objectors would prefer 40-45% to be devoted to detached and semi-detached houses.
- 2.11.22 However, I consider that the proposal would provide for a broad range of households and space requirements. It appears likely to be presented in more innovative building forms and layouts than have been used traditionally in the Borough, but this is not a good reason to question its deliverability. Evidence of relatively sluggish sales rate figures for town house schemes in Gloucester City is said to indicate that in a suburban location such as Brockworth/Hucclecote it would be even more difficult to achieve completion of the scheme within the Plan period. In my view direct comparisons between different locations on the basis of a very limited sample are not likely to be instructive, but a comprehensively planned scheme in this area offering a range of dwelling types would seem to offer a wide choice to potential purchasers. The site would also have the advantage of up to four developers operating on different fronts. Therefore the confidence of the consortium about the marketability of the proposal does not appear to be misplaced. In any event, the Plan, Monitor and Manage (PMM) approach to the delivery of the housing requirement should ensure that any significant delay in the provision of new housing at Brockworth/Hucclocote could be remedied by bringing forward other Plan sites or if necessary by an early review of the Plan.
- 2.11.23 I understand objectors' concerns about the absence of any explicit analysis in the background documents for the RDDLP dealing with the site's capacity and appropriate densities for its development, especially since the figures have been adjusted upwards more than once. Nonetheless I consider that the objections relating to this matter can be resolved by the design quality of the scheme and that they do not justify any reduction in the site's overall capacity or proposed density of development.

### ***Provision of Affordable Housing***

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

- 2.11.24 The policy requires that the development proposals for the site must fully accord with the detailed requirements of the Brockworth/Hucclecote Design and Development Brief. It also states that no fewer than 350 units should be provided as affordable housing, subject to the overall capacity of the site. The reasoned justification adds that it is anticipated that a tenure split of 25% low-cost home ownership and 75% rented would be provided. This gives rise to objections that the policy is unduly prescriptive, seeks an unjustified level of provision having regard to need and is inconsistent with Policy HSG21. There is also concern that when the policy is read in conjunction with the draft brief, it could be used to prescribe the mode of delivery via particular registered social landlords (RSLs). In response to the objections to Policy HSG21, I recommend elsewhere in my report that a number of modifications should be made to the policy and reasoned justification. On this basis Policy HSG21 would be set firmly within the framework of Government guidance and the reference to the requirement for 'free land' would be deleted. Also, the relevance of the sub-areas figures quoted on page 43 of the RDDLP to the site-specific targets would be explained more fully, or alternatively, the text relating to the sub-area assessments would be deleted. It would be made clear that the potential of the variety of mechanisms, including RSLs, that can bring forward affordable housing would be explored and utilised.
- 2.11.25 Against this background I agree that there are potential inconsistencies between the two policies and that Policy BR1 and its reasoned justification should be modified to remove the prescriptive elements which conflict with national policy. I recommend for this and other reasons (see below) that the policy's reference to the brief and the Framework document should be deleted. The policy should make clear that the Council will seek to negotiate the provision of affordable housing, not prescribe its provision. The reasoned justification should be modified by replacing the word 'required' in the second sentence of the relevant paragraph by the word 'sought', and the third sentence which seeks to prescribe the tenure split should be deleted.
- 2.11.26 Turning to the issue about the number of affordable dwellings specified in the policy, I do not accept the counter-proposal that only 84 units should be sought. This seems to be based on a misunderstanding about the time-period to which the figures quoted in the 1998 housing needs study (CD36) refer and it also relies on the objective outputs of the study to the exclusion of the subjective ones. As I conclude in respect of the objections to Policy HSG21, the subjective outputs are likely to reflect more closely how new households actually behave and they deserve greater consideration than the objective ones. The provision of only 84 affordable dwellings on the allocation site would not provide adequately for local housing need, based on the findings of the 1998 study and the update on housing needs presented in the Ark Report (CD52). The former indicates an overall shortfall of 406 dwellings in the Churchdown and Brockworth sub-area in the five-year period of the study, up to 2003, of which most (275 dwellings) is in the social rented sector. The findings of the 2002 update contained in the Ark Report re-affirm the case for a substantial level of provision for current housing needs if households are to be accommodated in the appropriate type of property, based on objectively verified sources of information. In particular, it demonstrates an existing, unmet need in the area for a total of 173 houses with 2, 3 or 4 bedrooms, even though there is a surplus stock of flats.
- 2.11.27 The Council has not indicated precisely how these findings should be translated into

a target for the Plan period. Instead, the 350 figure in the policy appears to be based on the target of at least 25% affordable housing set by the Multi-District Commissioning Partnership as referred to in the brief. In my view there is insufficient information available at this stage to support a precise figure in the policy, but there is enough evidence to conclude that a target of about 25% is the right starting point for negotiations on the provision of affordable housing on the site. This would allow sufficient flexibility to seek a greater or lesser contribution than 350 dwellings, taking account of the level of need that is demonstrated, the capacity of the site and all the other relevant factors. The policy should be modified accordingly and the reasoned justification amended to make clear that the actual number of affordable dwellings sought would be based on an up-to-date assessment of local needs. Consequential alterations to delete the reference to the level of need identified by the sub-area analysis, and to provide an updated reference to the Ark Report would also be required.

### ***Sustainability and Accessibility to Facilities***

- 2.11.28 A number of other concerns are raised about the sustainability and accessibility of the proposed allocation. The implications of an additional 1400 dwellings (1900 taking account of the combined Stroud and Tewkesbury elements) for the capacity of Junction 11a have been queried by the Highways Agency. But work in progress on the Transport Assessment (TA) suggests that a satisfactory technical solution that would accommodate the increased traffic flows can be implemented. By the close of the inquiry the draft TA had been agreed with the highway authority. This does not promote any highway capacity improvements, which would have been of concern, but relies on road safety improvements and public transport measures. The Highways Agency has also confirmed that when it has had the opportunity to fully review the TA it will be possible for an agreement to be reached which will allow the Agency to withdraw its objection to the proposal. On this basis I consider that the objection can be addressed by including a reference to the TA and its implications for the development in the reasoned justification.
- 2.11.29 The sustainability of such a large new development in very close proximity to a motorway junction has been queried in another objection. I agree that this allocation could facilitate car use, but this should be balanced against the locational advantages offered by the site for easy access by non-car modes to the very wide range of facilities in the Gloucester PUA. In addition, a good range of employment, shopping and community facilities would be within easy walking distance. The development offers the potential to enhance public transport accessibility and reduce traffic congestion in the wider highway network through the provision of new public transport services. The opening of the Lobleys Drive link would improve public transport connections over a much wider area. I understand local concerns about the impact of increased traffic in Brockworth and Hucclecote but, for the reasons given above, the proposal would accommodate the required new housing in a manner that should reduce the need to travel, especially by car.
- 2.11.30 Overall, the allocation is in a far more sustainable location than a number of others put forward in the RDDLP, and it also carries forward the GSPSR's objective of a strategic housing and mixed use development in this area. It follows that I do not accept other criticisms that the allocation would not provide a good level of accessibility to a range of facilities for everyday needs. Taking account of the



proposals for a new primary school, local centre, district centre<sup>11</sup> and improved public transport, I consider that existing and future residents would have a wide range of facilities within or not much in excess of the distance thresholds set out in Annex A of RPG10. It would be difficult to find a location in this part of the Borough that better meets the accessibility criteria of PPG3 (paragraph 31) than the Brockworth/Hucclocote site. And it follows that I do not accept that the additional 400 dwellings allocated in the RDDLP should be located instead on an unspecified site or sites on the Bishops Cleeve side of Cheltenham, since the sustainability credentials of the Brockworth site are unlikely to be surpassed.

*Other Matters*

- 2.11.31 The objection that the development of the site might reduce the prospects for brownfield regeneration, especially of the Western Waterfront site in Gloucester is noted, but I do not accept that any such effect would outweigh the factors in favour of this allocation. The GSPSR's housing requirement for each of the districts takes account of their respective needs and potential to fulfill those needs within their own boundaries. It would be unjustified to seek to phase the Policy BR1 site to the later part of the Plan period so that it could follow on after the Western Waterfront development. The development of very large sites takes time to come on stream and it is unlikely that a significant level of housing completions will be achieved at Brockworth/Hucclocote until later in the Plan period in any event. The suggestion that the site should not be regarded as brownfield is also not accepted, given its land use history. As noted above, it is difficult to draw comparisons between the marketability of sites in central Gloucester and in Brockworth/Hucclocote, but I am not convinced that they would compete so directly with one another as to inhibit the regeneration of the Western Waterfront site.
- 2.11.32 I agree with the objection that the intent of the policy concerning the location of the local centre, school and community facilities is not entirely clear. The policy would be improved by re-wording and re-ordering to state at the outset that the Council will support a comprehensive scheme within its area and the adjoining land identified by Stroud District for development. Within this context, there would be no inference that some of the facilities referred to would be located in one administrative area or the other. I also agree that a reference to the provision of recreational facilities should be included in the policy. The Council agrees that the reference to Nut Hill in the reasoned justification should be deleted, given that it is no longer the intention of Stroud District Council to designate Nut Hill as a public amenity.
- 2.11.33 The Council accepts the County Council's suggested reference in the reasoned justification to the need for educational contributions and I concur. Some representations seek to have the preferred site size and content of the community facilities provision set out in the policy. However I consider that the existing wording gives flexibility to address these issues in a comprehensive way across the administrative boundaries, taking into account the evolving needs of the community. Matters relating to parish boundary changes and funding difficulties with the existing community facilities are outside the scope of the Plan.
- 2.11.34 Objections that are concerned with the retail aspects of the development are

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<sup>11</sup> Subject to my recommendations under Policies BR2 and BR3.

considered under Policies BR2 and BR3, as well as those relating to the former aviation interest of the site. For the reasons set out there, I recommend that the Plan should provide for a new district centre on Plot 5000 of GBP. This requires a commensurate reduction in the scale of retail provision that might otherwise have been appropriate in the new local centre referred to in Policy BR1. Accordingly, the reasoned justification should make clear that the local centre will provide a strictly local shopping facility of limited scale that will meet the day-to-day needs of the new residential area only.

- 2.11.35 In respect of both this policy and others<sup>12</sup> there are objections to the references that imply that planning applications will be determined in accordance with details set out elsewhere; in this case the reference is to detailed requirements set out in the brief. I agree that this is inappropriate and it should be deleted and replaced by a new reference in the reasoned justification. Having regard to all of the objections on this matter, the reasoned justification should state that a design and development brief will be prepared for the overall area, including the new community at Brockworth/Hucclecote, the business park and the new district centre, that it will be prepared in consultation with interested parties, and will be taken into account as a material consideration in the determination of planning applications. As a result the reference to Policy GEN11 would be deleted from the policy, but since the Plan is to be read as a whole there is no need for this reference. The Council could, if it wishes, include a cross-reference to Policy GEN11 in the reasoned justification. I expect that the Council will also take the opportunity to ensure that documents referred to in the reasoned justification are consistent with one another. As has been observed in the objections, there is an inconsistency between the Framework document and Policy BR3 in respect of the scale of new retail provision to be made in Brockworth/Hucclecote, while the draft brief refers only to the local centre facility.

## ***Recommendations***

- 2.11.36 (i) Policy BR1 be modified by:
- a) amendment of the first part of the second sentence to read, 'Within this area and the adjoining land identified by Stroud District Council for development, the Borough Council....';
  - b) amendment of the second criterion to read, 'includes a new local centre and community and recreational facilities';
  - c) deletion of the word 'woodland' from the sixth criterion;
  - d) addition of the words, 'and its sustainable management' after the words, 'safeguards the Hucclecote Meadows Site of Special Scientific Interest' in the penultimate criterion;
  - e) deletion of the final criterion;
  - f) deletion of the paragraph following the set of criteria;
  - g) re-wording of the 2<sup>nd</sup> paragraph after the set of criteria as follows:  
'To meet the local requirements of Policy HSG21 to provide affordable housing to enable those currently excluded from participating in the housing market to participate, the Council will seek to negotiate for the provision of about 25% of the total numbers of

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<sup>12</sup> See HSGGEN.

dwellings on the site as affordable housing’.

- (ii) The reasoned justification for Policy BR1 be modified by:
- a) deletion of the second sentence of the 4<sup>th</sup> paragraph and its replacement by the following:  
`Subject to the identified local need as defined by an up-to-date assessment, the number of affordable dwellings that will be sought on the site may change, but the target of 25% will be the starting point for negotiations in accordance with Policy HSG21.’
  - b) deletion of the third sentence of the 4<sup>th</sup> paragraph;
  - c) consequential up-dating of the 4th paragraph to refer to the Ark Report,
  - d) inclusion of the following text concerning educational contributions: `The development will be required to contribute to nursery, primary and secondary education infrastructure in relation to the numbers of pupils arising from the scheme. This will reduce school car trips and ensure sufficient local education capacity to accommodate the pupils arising;
  - e) deletion of the final sentence that refers to Nut Hill;
  - f) expansion of the first paragraph to insert a cross-reference to the new district centre policy in the Plan and to make clear that the shopping provision in the local centre will provide a strictly local facility of limited scale that will meet the day-to-day needs of the new residential area only;
  - g) expansion of the second paragraph to clarify that a transport assessment will take into account all of the proposed development under Policies BR1, BR2 and BR3 (as modified) and that it is anticipated that the increased traffic flows can be accommodated without the need for any highway capacity improvements;
  - h) inclusion of a statement that a design and development brief will be prepared for the overall area, including the new community at Brockworth/Hucclecote, the business park and the new district centre, that it will be prepared in consultation with interested parties, and will be taken into account as a material consideration in the determination of planning applications.
- (iii) No other modification be made to the Plan in response to these objections.

**Policy BR2 Gloucester Business Park**

**Policy BR3 Brockworth/Hucclecote Local Centre**

***Objections***

*See Appendix D for list of objections to these policies*

***Main Issues***

- *scale and location of retail and ancillary facilities*
- *loss of employment land*

- *traffic impact of Class B1 uses on the road network*
- *provision for an aviation museum*
- *Lobleys Drive link*

## ***Inspector's Considerations and Conclusions***

### ***Preamble***

2.12.1 Policy BR2 of the RDDLP replaces Policy EMP8 of the Deposit Draft. Taken together, Policy BR2 and the new Policy BR3 propose a number of changes to the policy framework for the Gloucester Business Park (GBP) and the Brockworth/Hucclecote housing allocation (see Policy BR1) to its south and west. In particular, the statement in Policy EMP8 that the Council would support proposals for a single foodstore to meet the needs of existing Brockworth/Hucclecote residents and future residents of the housing allocations at Brockworth and Hucclecote is replaced by Policy BR3, entitled Brockworth/Hucclecote Local Centre. This states that within or adjacent to the Brockworth/Hucclecote housing site, the Council would support proposals for a local centre incorporating a single foodstore to meet the needs of residents, and of a scale and location designed to maximise self-containment. Objections by Arlington Plc and Tesco Stores Ltd to Policy BR2 (and linked objections to Policy BR3) oppose this change and seek the allocation of a new district centre on Plot 5000 of GBP, close to the Hucclecote Road/Ermin Street frontage, which would incorporate a large foodstore, small shop units, and a mix of community, residential, business and leisure/recreational facilities, including a hotel. A transport interchange and public open space would also form part of the centre.<sup>13</sup> Other objections, including linked objections to Policy BR3, seek greater precision about the scale of retail development proposed by the Plan and to ensure that any new foodstore would be of a size that would meet local needs only. Given the interrelationship between a number of the objections to Policies BR2 and BR3, all of the objections to these policies are considered in this section of the report.

## ***Scale and Location of Retail and Ancillary Facilities***

### ***a) background***

2.12.2 The strategic context is set by Policy H.5 of the GSPSR which refers to the planned major extension to the urban area south of Brockworth. This policy requires that local plans should (a) provide for an appropriate mix of housing, employment, open space and community facilities and services; (b) integrate and where possible improve existing local community facilities and services, including maximising opportunities for walking, cycling and the use of public transport; c) incorporate measures to reduce road traffic; and (d) provide for public transport that integrates the areas with the existing urban area within the CSV, particularly the centres of Cheltenham and Gloucester and employment locations. Policy E.2 of the GSPSR is complementary; amongst other matters, it states that employment development should be provided in locations where housing, commercial, leisure and community facilities can be integrated and wherever possible improved, including maximising opportunities to use public transport.

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<sup>13</sup> The total area entailed is some 11ha of which about 4ha are earmarked for a large foodstore.

- 2.12.3 Within this context, PPG6 (June 1996)<sup>14</sup> and Policy TC.2 of the GSPSR set out the guiding principles for determining the most appropriate scale and location of new retail and ancillary facilities to serve the expanding urban area. PPG6 advises that development plans should plan positively for such uses, working with the private sector to identify need or market demand and identify locations and sites for development. In summary, the need for the development should be established, a sequential approach should guide the selection of the site, the vitality and viability of existing centres should not be undermined, the development should be accessible by a choice of means of transport, and it should reduce the need to travel, reduce reliance on the car, and facilitate multi-purpose trips. In the Ministerial statement on 10 April 2003 clarification was provided on the needs test, amongst other matters. Accordingly, while need may be expressed in quantitative and qualitative terms, greater weight is to be placed on quantitative need.
- 2.12.4 The Council's 'Framework for the Future of Brockworth and Hucclecote – Towards a New Community (May 1998)' sought to establish the broad principles for the future development of the area. One of its key objectives was to help create a more sustainable form of development that would reduce the need to travel by encouraging the development of a range of mixed land uses. Within this framework it identified the need for a new district centre to be located on the northern side of GBP on Ermin Street in what was regarded as the prime location for services and amenities. The Framework document was not formally adopted by the Council as supplementary planning guidance, but it is clear that it underpinned the policy framework for Brockworth and Hucclecote within the Deposit Draft and reference to it remains in Policy BR1 of the RDDLP. The need identified by the Framework document for a large foodstore of about 60,000sq ft (5570sq m) was not supported by any analysis of capacity at that time. But references in paragraphs 5.17 onwards to aspects of qualitative need and sustainability considerations indicate that the Council had concluded that a large foodstore would provide an overall benefit to the area. However, the Deposit Draft did not refer to any particular size of foodstore either in the policy or reasoned justification.
- 2.12.5 The substantive basis for the change in approach in the RDDLP is not clear, although objections to the Framework document and to Policy EMP8 of the Deposit Draft included concerns about the justification for the foodstore proposal. No retail study was undertaken by the Council in the interim period to assess the relevant issues. The GL Hearn study, commissioned by the County Council in 1999, should not in my view be accorded much weight because it examined an artificially restricted catchment area, took no account of potential trade from GBP, and was not based on any shopper survey information. Therefore its conclusion that there might be scope for a new foodstore of some 30,000sq ft gross (2787sq m)/16,500sq ft net (1533sq m)<sup>15</sup> must be treated with great caution, although it is worth noting that it identified the preferred location for the store as on or near the Hucclecote Road/Ermin Street frontage of GBP.
- 2.12.6 Local perception that a district centre development in Brockworth would damage existing local shopping facilities and draw more traffic into the area has not been

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<sup>14</sup> As clarified and expanded upon in subsequent Ministerial statements.

<sup>15</sup> Notwithstanding this, the study went on to recommend that, given the proximity of other large foodstores, including Sainsburys at Barnwood, the appropriate size of the new store should be reduced to about 10,000sq ft net (929sq m).

supported by any evidence. The reference to maximising self-containment in Policy BR3 is not underpinned by an analysis of overall shopping needs. If the aim is to treat the new residential area at Brockworth/Hucclecote as a separate enclave, I consider that this would be in direct conflict with the policy direction of the GSPSR. It is clear that Policy H.5 of the GSPSR seeks to integrate GBP and the urban extension at Brockworth/Hucclecote into the local area and where possible improve existing community facilities (my underlining). Balanced against the lack of justification for the policy change in the RDDLP is the substantive evidence submitted by Arlington and Tesco on retail, traffic, transportation, and other matters. The Council does not dispute the technical evidence on the quantitative justification for a large foodstore, the sequential approach, and the effects on other centres. However it shares the concerns of other objectors that there would be some adverse effects, that the proposal is too large, and not in the right place to encourage self-containment.

*b) quantitative and qualitative need and the impact on existing centres*

2.12.7 The retail evidence supports a quantitative need for a new foodstore of about 3250sq m net sales area, together with unit shops of about 2375sq m gross floorspace<sup>16</sup> that would include some convenience as well as comparison goods shops and services. This capacity would exist even if no account is taken of the expenditure that could be expected from the 10,000 or so employees of a fully developed GBP. Also, the retail assessment looks to the position in 2006 rather than 2011 and so it is likely that the capacity is underestimated. The evidence indicates that the retail vitality and viability of the existing local centres would not be harmed if a large foodstore were to be developed as part of a new district centre. The effects on existing local shops in Brockworth and Hucclecote would be more than compensated for by expenditure growth, and their predominantly top-up shopping role would not be jeopardised. The Safeway stores at Abbeydale and Up Hatherley which form anchors in existing centres would be likely to suffer a trade impact of about 8% from the proposed foodstore but this would be unlikely to affect their viability or the viability and vitality of these centres as a whole. The analysis of quantitative need takes into account the proposed enlargement/enhancement of both of these stores and I do not consider that the prospects for improvement of Abbeydale and Up Hatherley would be damaged by the Brockworth proposal. The greatest retail impact would be felt by the competing large foodstores in out-of-centre locations at Barnwood and Bruton Way. So far as comparison shopping is concerned, forecast expenditure growth would underpin a quantitative need for the likely scale of new comparison goods floorspace in a district centre at Brockworth.

2.12.8 Examination of the retail hierarchy and its potential to serve the enlarged community at Brockworth/Hucclecote also demonstrates a qualitative need for improved shopping facilities in the area. There is a good distribution of local centres in Brockworth and to the west of the M5 but these offer only lower-order convenience shops and some limited comparison goods shops and services. Main food shopping facilities are some distance away and are likely to involve a 10 or 15 minute drive to the nearest district centres or a drive of at least 5 minutes to a freestanding store. The anticipated population growth at Brockworth and Hucclecote would greatly increase the numbers travelling out of the area for main food shopping. In my view, the lack of district centre facilities within easy reach of

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<sup>16</sup> Only a gross floorspace figure for the unit shops has been provided although the retail assessment is based on the assumption that the convenience element would have a net floorspace of 3500sq ft (325sq m).

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the expanded population and of the growing workforce at GBP would represent a gap in the retail hierarchy on this side of Gloucester. So far as I can judge from the emerging City of Gloucester Local Plan, the district centre proposal at Brockworth would be broadly compatible with the proposals for the retail hierarchy of the city. The qualitative need for the scale of new shopping facilities proposed by Arlington and Tesco at Brockworth is underpinned by the sustainability factors referred to in more detail below.

- 2.12.9 The Arlington and Tesco proposal would also complement and enhance the development of GBP as a 'Third Generation' business park<sup>17</sup>, by enabling its occupiers to obtain day-to-day needs and support services within walking distance. Given the potential for linked trips, I consider that the business park's prospects of contributing fully to the region's economy would be greatly enhanced by the development of a district centre on the site, although the case for a large foodstore anchoring a new district centre stands on its own merits.
- 2.12.10 The Framework document indicated that some leisure uses<sup>18</sup> would be appropriate in the proposed district centre while not seeking to quantify the need for them. In qualitative terms it recognized that there is a shortage of leisure facilities in the area and that a new district centre could make good this deficit and complement existing provision. It was also considered that the scale of employment development at GBP would support a hotel, and this is recognised in Policy BR2 which makes specific provision for a hotel on the site. It was confirmed at the inquiry that a cinema is not envisaged in the Arlington and Tesco proposal but that it would be appropriate to assess the need for hotel and health and fitness facilities as part of the district centre scheme.
- 2.12.11 In general there is a shortage of hotels within the area that cater specifically for the budget end of the market. The nearest hotels at Barnwood and near Brockworth are rated three or four star. Commercial leisure facilities within a 10 minute drive distance are also quite limited; there is one at Barnwood but its walk-in catchment is very restricted. It appears that a population of 25,000 –30,000 could support a health and leisure centre. On this basis there is a quantitative case for the provision of further leisure facilities, since the 0-10 minutes drive catchment population is currently over 50,000 and will grow with the development of Brockworth. In qualitative terms, hotel and leisure facilities would complement other proposed uses in the district centre and would enhance GBP's role as a regionally important employment location. They would also contribute to the improvement of facilities within the area generally and assist its integrated development. As the Framework document acknowledged, the comprehensive approach to employment and housing development at Brockworth gives the opportunity to provide a range of leisure and social facilities within a district centre that would complement those that exist locally.
- 2.12.12 More generally, I consider that the wide range of uses and facilities that could be provided as part of a new district centre at Brockworth would help to meet local needs and to create a balanced and sustainable community. Social indicators suggest that parts of Brockworth are amongst the most deprived in the Borough.

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<sup>17</sup> In industry terms, Third Generation parks provide greater and more varied on-site support facilities and a residential element, sometimes quite substantial.

<sup>18</sup> Bowling, commercial sports facilities, a cinema, and restaurants are referred to in the Framework document but it emphasised that the precise mix of uses remained to be determined.

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The variety of employment and other opportunities that could be provided by the district centre would help to meet some of the community's needs for jobs, training, support services, leisure, affordable housing and other elements. This would accord fully with the objectives of Policies H.5 and E.2 of the GSPSR.

### *c) the sequential approach*

- 2.12.13 In my view there is considerable force in the argument that a sequential approach could not identify any other preferable alternative site because there is a composite range of needs which originate at and can ideally only be met at the proposed site for a district centre. Nonetheless, in applying the sequential approach that is required for the selection of sites for new retail and other development, an area of search within about 10 minutes drive time appears to be the most appropriate one for potential sites for the retail, leisure and hotel elements. The only district centre within this catchment is at Abbeydale, but it does not appear to have physical capacity to accommodate much additional floorspace beyond the redevelopment schemes already approved for the Safeway store or under consideration at the time of the inquiry. It is also constrained by the proximity of existing dwellings. Having regard to the quantitative need for additional main food shopping facilities within the catchment area that will arise during the Plan period, I do not consider that Abbeydale could provide for this need.
- 2.12.14 The potential for the local centres to fulfill the need in disaggregated form has also been explored, but their physically constrained sites would not afford opportunities for enlargement or redevelopment on any significant scale, and therefore I do not consider that they offer sequentially preferable sites. Even if the separate elements of the district centre, including a disaggregation of the foodstore component, were to be provided across a range of other centres within 10 minutes drive time, I do not consider that suitable sites could be found that would be viable and likely to become available within a reasonable period of time. In any event, if the separate elements of the district centre were to be scattered more widely, the benefit of maximising the opportunities for linked trips to a cluster of facilities at a central place would be lost.
- 2.12.15 I have also considered whether, in the light of the proposed development of the Policy BR1 allocation as a whole, there might be more appropriate sites elsewhere within the development area for a new district centre. However, Plot 5000 has the greatest potential to integrate the existing and new communities by its position on the Ermin Street frontage, and it is the optimal location for public transport accessibility. It would also be particularly appropriate for traffic flow and highway safety reasons as set out below.

### **d) traffic impact and accessibility**

- 2.12.16 The views of local residents and others about the scale of retail development appropriate at Brockworth are strongly underpinned by concern about its traffic impact on the community. In particular, there is a perception that a new district centre on the Ermin Street frontage would lead to traffic congestion and a loss of amenity in the area. It is understandable that the proposal is seen in this light, but comparison should be made with the effect of the permitted development for Class B1 use of this part of GBP. The detailed assessment undertaken on behalf of



Arlington and Tesco is based on robust assumptions and is not disputed by the Council. It indicates that the proposed district centre would generate fewer overall car trips during the weekday peak periods compared with the permitted Class B1 uses on the site, although one of the links into the site would experience a small net increase in peak hour traffic flows. Also, there is substantive evidence that local junctions around the site would be able to operate within acceptable limits of capacity and with minimal vehicle queuing. When the traffic assessment results are considered with the evidence on the potential to increase linked trips, improve public transport interchange, and reduce the need to travel in the wider Brockworth area (see below) it seems clear that there would be a net overall benefit to the community, in terms of less traffic generation, congestion and loss of amenity than would otherwise occur.

*e) impact on overall travel and car use*

- 2.12.17 The evidence on sustainability is particularly relevant to the local concerns about traffic impact. This demonstrates convincingly that a new foodstore of the size proposed would lead to a reduction in the average length of car-borne shopping trips and overall mileage (the forecast reduction of about 4.4% annually seems likely to be an underestimate). The new store would provide a more convenient alternative to the current pattern of main food shopping trips to more distant existing out-of-town foodstores at Barnwood (Sainsburys) and Bruton Way (Asda). It would reduce the need to travel by maximising the opportunities for linked trips to employment, shopping, community and other facilities. The proposed site would benefit from the Quality Bus Corridor along Hucclecote Road/Ermin Street and from the new bus services that would link into GBP and the residential allocation at Brockworth and Hucclecote. Its accessibility by public transport would be far superior to the existing large foodstores in the area. Its presence would contribute significantly to the critical mass needed for additional public transport services and it would provide a greater incentive for bus companies to improve services in the area.

*f) overall conclusion on the case for a new district centre*

- 2.12.18 In summary, I consider that a quantitative and qualitative need for a foodstore and unit shops that would provide a range of convenience and comparison goods and services for the existing and future community of Brockworth and Hucclecote has been demonstrated, together with a need for associated hotel and leisure uses. In sequential terms there is no better site genuinely available for this purpose than Plot 5000 of GBP. It is also clear that the impact on the vitality and viability of existing centres and the traffic impact would be acceptable. The proposal would be accessible by a choice of means of transport and would have an overall beneficial effect on travel patterns and car use. My conclusions on these matters are based on the evidence in respect of the proposal for a large foodstore and unit shops of the size indicated and the associated mix of leisure and other uses. Any proposals seeking to bring forward a scale of retail and/or other provision at the district centre that differs materially from the scheme promoted at the inquiry would need to be justified by new retail, transport and sustainability assessments as appropriate.
- 2.12.19 I have noted the County Council's view that the reduced scale of retail development proposed in the RDDLP is consistent with the GSPSR strategy and with Policy H.5. Nonetheless, I consider that the proposed district centre would accord fully with the criteria of Policy H.5. It would provide for an appropriate mix of community facilities and services for the area, integrate and improve existing local community facilities and services, including maximising the opportunities for walking, cycling and use of public transport, and accord with the other criteria of this policy. The range of facilities proposed in the district centre would be consistent with meeting the day-to-day needs of the expanded community of Brockworth/Hucclecote and with the advice in paragraph 3.18 of PPG6 and with regional and structure plan policy.
- 2.12.20 It follows that Policies BR2 and BR3 require modification to make provision for a new district centre and that the Proposals Map should be modified accordingly. However, none of the evidence indicates that a small local centre in approximately the location indicated in the masterplan for the new residential community would be incompatible with the new district centre. The scale of convenience shopping that would be justified in the local centre would be commensurately less than would otherwise have been needed. It should provide a strictly local facility that would meet the day-to-day needs of the new residential area only. In my view the policy changes to the RDDLP that are required could be achieved by modifying Policy BR3 so that it sets out the requirements for the new district centre. As referred to under Policy BR1, consequential modifications should be made to this policy so that its references to the new local centre take account of the changed context as set out above. On this basis Policy BR2 would be confined to dealing with the employment allocation at GBP only, and its reference to the hotel would be deleted and replaced by a reference in the modified Policy BR3.

*Loss of Employment Land*

- 2.12.21 The use of Plot 5000 of GBP for a district centre would entail a loss of some 11ha to predominantly non-employment uses. Together with 23.5ha to the south that would be lost to residential use as part of the Policy BR1 allocation, the residual area for employment development at GBP would be reduced to about 60ha. The

context in which this should be assessed is set out under Policy BR1 in this report, where I have concluded that the loss to residential use would be acceptable. The additional transfer of land to district centre uses on Plot 5000 does not alter my general conclusion on this matter. The land bank that would be available for development at GBP would, in my view, provide ample scope to meet employment needs within and beyond the Plan period. Also, some employment uses may be brought forward in the district centre and other elements would provide employment opportunities as well as positively supporting business activities at GBP. The development of commercial, leisure and community facilities on Plot 5000 would accord with the objective of Policy E.2 of the GSPSR to provide employment in locations where it can be integrated with these other uses. It would also accord with national planning policy as set out in PPGs1, 3 and 13 in particular, to encourage mixed uses. Taken overall, I consider that the loss of employment land entailed by development of a district centre at Brockworth would be acceptable.

*Traffic Impact of Class B1 Uses*

- 2.12.22 In accordance with Policy BR2, GBP would provide for employment uses within Classes B1, B2 and B8. An objection has been made to the inclusion of Class B1 use without addressing the trip generation implications or explaining how the road network would cope with the additional traffic. However, the policy reflects the outline planning permission for the business park, which does not restrict the quantum of Class B1 uses that may be constructed on the site. Nonetheless, conditions attached to the permission include requirements for improved public transport access, the implementation of a Green Travel Plan and other measures to secure improved road access and cycle ways on routes surrounding the site. A number of these requirements have already been fulfilled. As part of on-going work on the development proposals for the whole of the former airfield, a transport assessment has been undertaken and is in the process of final agreement. This takes account of various options for the employment content of GBP, as well as a range of housing numbers on the Policy BR1 allocation. In these circumstances it would be appropriate to refer in the reasoned justification to the context in which the transport assessment has been carried out. For similar reasons, the County Council's point about the integrated transport agenda should be addressed by a reference in the reasoned justification to the comprehensive package of improvements to public transport services and infrastructure, and facilities to encourage walking and cycling that is required as part of the permitted scheme for the development of GBP.

*Provision for an Aviation Museum*

- 2.12.23 Policy BR2 includes a requirement for an aviation museum in the Belfast hanger to be retained on the site, but circumstances have changed since the RDDLP was published. A lottery bid to finance the project was unsuccessful and the unlisted Belfast hanger (of which there are finer examples listed elsewhere) has been demolished. The Gloucestershire Aviation Collection has the offer of a site at Gloucestershire Airport for which planning permission has been granted. It is therefore no longer appropriate to retain the reference to the museum in Policy BR2.

## **Lobleys Drive Link**

- 2.12.24 The policy requires that Lobleys Drive, which will form one of the links between the new development at Brockworth/Hucclecote and the built-up area of Gloucester to the west of the M5, should be restricted to public transport, cycle and pedestrian traffic. However, following extensive public consultation on various options for managing traffic on this new link, the County Council has decided that the restriction on access via Lobleys Drive should be lessened, to allow signal-controlled access for buses, cars and cycles. The Council accepts that the policy wording should be modified to reflect this position and this would appear to overcome the objections on the matter.

### *Other Matters*

- 2.12.25 Other concerns have been raised about the siting of the proposed hotel in relation to existing housing and about landscaping, noise and light pollution. However, in my view these can be addressed adequately at the detailed planning application stage. The relationship between the existing community facilities in Brockworth and Hucclecote and the new provision that is to be made in the local and district centres is also a matter for consideration at a later stage, taking into account community needs at the time.
- 2.12.26 The reference in the policy to the preparation of a development brief by the Council gives rise to an objection that this exercise should also involve the developers of the site and I concur. For consistency with my recommendation on other objections to the Plan's treatment of development briefs, it would be appropriate to delete the policy reference to the brief. It should be replaced by one in the reasoned justification to the effect that a design and development brief will be prepared for the overall area, including the new community at Brockworth/Hucclecote, the business park and the new district centre. It should make clear that the brief will be prepared in consultation with interested parties, and that it will be taken into account as a material consideration in the determination of planning applications.

## **Recommendations**

- 2.12.27 (i) Policy BR2 be modified by:
- a) deletion of the second and the final paragraphs, and
  - b) rewording of the reference to Lobleys Drive link as follows: '...and Lobleys Drive link, the latter to be subject to traffic management with signal-controlled access for buses, cars and cycles.'
- (ii) The reasoned justification for Policy BR2 be modified by:
- a) addition of a reference that explains the context in which the transport assessment for the whole of the former airfield site, including the Policy BR1 allocation and the committed development at GBP has been carried out. It should also make clear that a comprehensive package of improvements to public transport services and

infrastructure, and facilities to encourage walking and cycling is required as part of the extant planning permission for the overall development of the site;

- b) addition of a statement that a design and development brief will be prepared for the overall area, including the new community at Brockworth/Hucclecote, the business park and the new district centre. It should make clear that the brief will be prepared in consultation with interested parties and that it will be taken into account as a material consideration in the determination of planning applications, and
- c) deletion of the second and third paragraphs referring to the hotel and the aviation museum respectively.

- (iii) Policy BR3 be re-titled 'Brockworth/Hucclecote District Centre' and be modified as follows:

'Land at Plot 5000, Gloucester Business Park, adjacent to Ermin Street/Hucclecote Road as shown on the Proposals Map is allocated for a mixed use district centre incorporating a foodstore of about 3250sq m net sales area, a number of unit shops with a total gross floorspace of about 2375sq m providing a range of other convenience and comparison goods and services, leisure uses not including a cinema, community uses, a hotel, and business and residential uses. Detailed proposals for the development of the site shall include measures to encourage the use of non-car modes, including bus interchange, and shall facilitate the safe movement of pedestrians and cyclists between the adjacent employment and residential areas and the district centre.'

- (iv) The reasoned justification for Policy BR3 be deleted and replaced by the following:-

'The new district centre will help to meet the retail, leisure and community needs of the existing and future communities of Brockworth/Hucclecote over the Plan period and will also introduce ancillary support facilities into Gloucester Business Park to assist its development. The district centre will also increase the sustainability of the area by introducing a mix of uses locally and maximising the opportunities to walk, cycle or use public transport to gain access to these facilities. The location of the centre at the front of the business park will ensure that wider community benefits are forthcoming and that the new development is fully integrated into the existing urban area.

Retail assessment indicates a need for a foodstore of about 3250 sq m net sales area and for a number of unit shops (in total about 2375sq m gross floorspace) providing a range of convenience and comparison shopping facilities and services. The hotel will help to meet the need for accommodation for the budget end of the market, and leisure facilities such as a health and fitness club will address a shortage of easily accessible leisure outlets in the area. The hotel and leisure facilities will complement other proposed uses in the district centre and will enhance the business park's role as a regionally important employment location. Provision will also be made for community and business uses and residential accommodation within the district centre in order to meet local

needs and create a more sustainable mix of uses.

A package of supporting measures to encourage the use of non-car modes will be expected to be brought forward following a transport assessment at the planning application stage. This will include facilities for bus interchange within the site in order to minimise extra bus mileage, and physical measures to encourage the safe movement of pedestrians and cyclists at key locations.'

- (v) Consequential modifications be made to Policy BR1 and its reasoned justification as set out elsewhere in this report, and to the Proposals Map.
- (vi) No other modification be made to the Plan in response to these objections.

## **BR4      Brockworth Primary School**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need to retain for educational purposes*
- *potential for community use*
- *provision for affordable housing*

### ***Inspector's Considerations and Conclusions***

- 2.13.1      Policy BR4 proposes that land at Brockworth Primary School should be allocated for approximately 30 dwellings, subject to criteria including the retention of a community facility on the site. The site is described as surplus to educational requirements. The intention is to close the former infant school building (while retaining the other building used currently by the junior school) and make that part of the site available for redevelopment. Objections to its allocation focus on the justification for releasing an infant school site that is centrally located within Brockworth when the nearby Policy BR1 site is likely to generate demand for off-site primary school places.
- 2.13.2      The County Council, as the local education authority, has assessed the future educational needs of the area, taking account of the RDDLP's housing allocations, and has concluded that both of the school buildings will not be required. Even though details of the assessment have not been submitted to the Inquiry I have no reason to dispute its conclusion. However, the level of educational provision required by development on windfall sites in the area, if the sites at Green Street/Kennel Lane and South of Mill Lane<sup>19</sup>, were to be allocated for residential development, and if the Green Belt boundary were to be reviewed generally in this area to provide for sustainable housing sites<sup>20</sup>, also needs to be taken into account. On this basis it appears that there might be a need to retain the infant school site for educational requirements in the future.
- 2.13.3      The need to retain the whole of the proposed housing site for community uses is not demonstrated. The policy seeks to retain the existing school hall for such uses and it seems to me that this would be an appropriate response to the potential needs that may arise for community facilities in the area if the site is released from educational use. However, for the reasons set above I consider that it would be premature to do so until a new assessment of needs has been completed.
- 2.13.4      Notwithstanding my recommendation, if the site were to allocated for housing development, the objections concerning affordable housing provision require comment. Circular 6/98 sets out the site size thresholds for the provision of some

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<sup>19</sup> See LPOLNP Brockworth – Green Street/ Kennel Lane, and South of Mill Lane, in Volume Three.

<sup>20</sup> See GBTGEN and GBT1 in Volume One.

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affordable housing. Despite the Policy BR4 site being in excess of the size threshold, there is no requirement in the policy for some affordable housing to be provided, nor is it explained why it would not be appropriate in this case. This appears to be inconsistent with the Plan's general approach to the provision of affordable housing. The Council has indicated that in this case it will seek to maximise the site's contribution to social and community facilities, in place of affordable housing, but this ought to be explained in the Plan.

### ***Recommendation***

- 2.13.5 Policy BR4 be deleted from the Plan pending the completion of a new assessment of future educational needs that takes account of any additional housing allocations in the area and development of windfall sites.



## **CH1      South East Camp**

### ***Objections***

*See Appendix D for the list of objections to this policy<sup>21</sup>*

### ***Main Issues***

- *need for flexibility*
- *compatibility with Green Belt policy*

### ***Inspector's Considerations and Conclusions***

- 2.15.1 Policy CH1 refers to an area at Gloucestershire Airport that is washed over by Green Belt designation. In accordance with the policy, any proposed development within the defined development boundary of South East Camp must require an airport location. The reasoned justification explains that it is intended to safeguard the open character of the Green Belt at its narrowest point and ensure that airport-related uses only are permitted in this location. Such a use is defined as one for which an airport location is essential for its operation, for example terminal buildings, hangars, other essential storage buildings, areas for handling air freight and parking facilities associated with the airport.
- 2.15.2 Objections that are concerned with the longer-term viability and growth prospects of the airport seek changes to the policy to make it more flexible. A wider range of permissible uses and an enlargement of the area within the development boundary are sought. However, there is no substantive evidence to indicate that the longer-term viability of the airport is in doubt. And Policy T.15 of the GSPSR is clear that provision should be made at the airport only for development requiring an airport location. In my view the changes sought in some of the objections would conflict with that policy and could seriously undermine the protection of the Green Belt in a particularly narrow gap between Cheltenham and Gloucester by encouraging development of a more general nature at the airport. The land at South East Camp is a scarce resource and the policy rightly seeks to protect it for airport purposes, in order to safeguard the adjacent open areas from pressure for incremental growth. So far as the terminology of the policy and reasoned justification are concerned, I consider that it strikes a reasonable balance between the need both for flexibility and precision.
- 2.15.3 In response to the various proposals put forward, I do not consider that enlargement of the development boundary is justified by any evidence of exceptional circumstances that might outweigh the presumption against inappropriate development in the Green Belt. The boundary defined on the Proposals Map is drawn tightly around the long-standing main concentration of buildings within the airport, and it does not include more recent development which was permitted as an exception to policy. In my view this is a reasonable

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<sup>21</sup> There is also a linked objection to the Proposals Map and I deal with it here for the sake of convenience.

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approach since it recognises the historic core of development at the airport, albeit that it is within the Green Belt, while treating any proposed development outside that core differently. From all the evidence it is clear that the airport's role as a local facility should be retained and supported. But I find nothing in RPG10 or in other policy documents to support the case for expansion of the airport further into the Green Belt to accommodate an unspecified need.

- 2.15.4 Another objection is concerned that the policy allows for inappropriate development within the Green Belt and that it should be deleted, but for the reasons given above I consider that the policy is acceptable.
- 2.15.5 In response to an objection that seeks a much more relaxed approach to potential residential and employment development at the airport should the aviation operations close down, I consider that this would be likely to entail a major departure from Green Belt policy and that it is not a matter for inclusion in this Plan.
- 2.15.6 There is concern that the area defined on the Proposals Map does not correspond with the area of built development and is on an out-of-date Ordnance Survey base. But for the reasons set out above I do not consider that the boundary of the Policy CH1 area should be extended, and given the scale of the Proposals Map any updating of the base is unlikely to have a perceptible effect on the boundary lines shown on the map.
- 2.15.7 An objection that seeks the designation of land to the east for employment development is considered in Volume Three of the report.

### ***Recommendation***

- 2.15.8 No modification be made to the Plan in response to these objections.

## **CH2 Gloucestershire Airport**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *restriction on permitted development rights*
- *compatibility with Green Belt policy*
- *development potential*

### ***Inspector's Considerations and Conclusions***

- 2.16.1 Policy CH2 refers to the area of Gloucestershire Airport that lies outside the development boundary for Policy CH1. It sets out a presumption against new structures or buildings within this area unless they are essential to the operation of the airport and cannot be accommodated within the identified employment areas that are excluded from the Green Belt. The reasoned justification for the policy is to allow only essential airport operational structures to be located where necessary within the confines of the airport in order to retain the openness of the Green Belt.
- 2.16.2 Some of the objections are concerned that the policy seeks to restrict the permitted development rights for the airport. However, in my view the permitted development is by definition essential to the operation of the airport and it would not fall within the scope of the policy. There is no need for the Plan to make reference to the airport's permitted development rights. Nor is a definition of 'accommodated' needed; this is a matter that would be judged on its merits.
- 2.16.3 There is concern that the policy allows for inappropriate development within the Green Belt. But in my view the policy, together with Policy CH1, gives clear guidance about the type of development that would or would not be acceptable within the special area of the airport and the approach is properly justified.
- 2.16.4 In response to an objection that seeks a much more relaxed approach to potential residential and employment at the airport should the aviation operations close down, I consider that this would be likely to entail a major departure from Green Belt policy and that it is not a matter for inclusion in this Plan. Similarly, I do not find any justification for treating this area as safeguarded land. Its location has undoubted attractions for a wide range of development, but it is also in one of the narrowest and most vulnerable Green Belt gaps between Cheltenham and Gloucester. Therefore, development of this area generally would be likely to conflict seriously with the objectives for the Green Belt as set out in the GSPSR. For the reasons set out under Policy CH1, the suggested enlargement of the South East Camp development boundary is not accepted.

### ***Recommendation***

- 2.16.5 No modification be made to the Plan in response to these objections.



## **CH3            St John's Avenue / Parton Road**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for comprehensive development*
- *requirement for community parking*
- *justification for contribution to educational provision*

### ***Inspector's Considerations and Conclusions***

- 2.17.1        The policy relates to a site in the built-up area of Churchdown that contains a transport depot in its northern section and low-density housing in its southern part. The Deposit Draft policy for the land provided for a variety of uses. Some objections to it were resolved by amendments in the RDDLP which now proposes housing as the main use, with approximately 50 dwellings. The amended policy includes a number of criteria to guide the development of the land.
- 2.17.2        The allocated area has two distinct parts with separate ownerships, and an objection is made to the criterion that it be developed comprehensively or, if separately, in such a way that development of the remainder is not prejudiced. I consider that this principle is necessary to ensure that development does not take place at less than maximum efficiency, as found in a recent appeal decision, and to determine the safest access arrangements. In my view this would not place unreasonable constraints on the owners involved. A recent application for housing on the southern part has shown that access can be safeguarded to the northern section and I consider that this requirement should remain. However, I agree with the objector that the reasoned justification should explain how piecemeal development could prejudice the development or use of the remainder of the land.
- 2.17.3        The site is close to a busy local centre where there is on-street parking congestion, with consequent delay to public transport. There is some off-street parking, but I appreciate that more is required in the vicinity. The policy requires some community parking to be provided on the site but I do not agree that this might increase car use here; in my view more off-street parking is urgently needed to address an acute local problem.
- 2.17.4        However, the policy and reasoned justification are vague in terms of the need for parking, the number of spaces necessary, and the responsibility for its provision. I appreciate an objector's concern that the policy could require a developer to provide facilities for general community use, although it is clear that the objector understands the need for off-street parking in the vicinity and the limited scope for its provision. It appears that agreement has been reached on these matters in a recent planning application for housing on part of the allocation, but I consider that the policy and reasoned justification should be expanded to be more specific. On this basis I do not believe that there would be any unreasonable reduction in the viability of the site or of its developable area.

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- 2.17.5 The RDDLP introduces a criterion that provision should be made to meet local educational needs. An objector is concerned that this is a vague requirement and that it has not been shown that a need for additional facilities would arise from development on the site; the criterion should not seek to address existing shortfalls. Although an agreement has been made about payments to address deficiencies at the local secondary school in the context of the recent application, I consider that the reasoned justification should explain the purpose of the requirement and how it would be assessed. The recommendation under LPOL – General would address this matter.
- 2.17.6 The RDDLP introduces a requirement for adherence to a design and development brief. However, none has yet been negotiated or prepared and the Council now considers that negotiations on the nature of the development on the southern section may remove the need for one. In accordance with my recommendation under LPOL – General, the policy references to briefs in the local policies generally should be deleted and replaced by appropriately worded references in the reasoned justification. In this case the recommended wording should be modified to recognise that a brief may not now be required for this site.
- 2.17.7 Two objections are made to the deletion of a policy criterion in the RDDLP that as many of the mature trees on the land as practicable should be retained. The trees are important to the street scene and a number are subject to a TPO. The Council has given no reason for the deletion of this criterion. Nonetheless, I consider that the policy protection for trees on development sites that is provided by LAN10 would address this matter and, given that the Plan should be read as a whole, there is no need to restore the policy criterion in CH3.
- 2.17.8 As a consequence of my recommendations under LPOL – General in respect of affordable housing provision in the local policies, CH3 should be modified accordingly.

### ***Recommendations***

- 2.17.9 (i) Policy CH3 and its reasoned justification be modified as follows:
- a) by including in the policy the approximate number of community parking spaces to be provided on the site;
  - b) by expanding the reasoned justification to explain the need for community parking and how it would be provided;
  - c) by expanding the reasoned justification to explain how a piecemeal approach could prejudice the development of the site;
  - d) by inserting a new reasoned justification for seeking contributions to educational provision in accordance with the recommendation under LPOL – General;
  - e) by replacing the policy wording on the design and development brief in accordance with the recommendation under LPOL – General, except that the Council may wish to modify the wording to make clear that a brief may not be necessary in this case, and
  - f) by replacing the policy wording and reasoned justification on affordable housing in accordance with the recommendations under LPOL – General.
- (ii) No other modification be made to the Plan in response to these objections.

**DEGEN      Apperley - General**

**DE1            Apperley Housing Site (North of Apperley Park)**

**DE2            Apperley Housing Site (Apperley House)**

***Objections***

***See Appendix D for the list of objections on these matters***

***Main Issues***

- *need to sustain the community and village services*
- *justification for enlarging the sites*

***Inspector's Considerations and Conclusions***

- 2.18.1      Policies DE1 and DE2 are deleted from the RDDLP on the basis that the proposed allocations would not be in accordance with the GSPSR. As a result, most of the outstanding objections have been resolved. The GSPSR strategy is further supported by PPG3, paragraph 21, which also advocates the concentration of new housing within urban areas and paragraph 31, which advises local authorities to locate new housing development in areas accessible to jobs and services. Given the relative inaccessibility of Apperley to a good range of employment, retail, community and leisure facilities by a choice of means of transport, I support the deletion of DE1 and DE2 from the Plan.
- 2.18.2      In accordance with my recommendations under Policy HSG2, Apperley should be deleted from its list of settlements and its appropriateness for inclusion within the scope of Policy HSG3 should be assessed. This would take account of the need to support local services and the community in a sustainable way, and the potential for infill development would be included in this assessment. In the meantime, there is no substantive evidence of any pressing need to underpin any particular local facility by the scale of housing expansion that was proposed in the Deposit Draft. Nor is there any substantive evidence that the potential for infill development is too limited to address any local needs. For these reasons I do not consider that either of the sites should be re-instated.
- 2.18.3      One of the objectors conceded at the Inquiry that the original proposal for approximately 40 houses on the Policy DE1 site was excessive and that a lower level of provision would be more in keeping with the character of the village. But there is no reason why a lesser scale of development on the site would be any more acceptable, given the factors referred to above. With regard to the means of access to the site, I note that this is not resolved and no firm evidence has been presented to suggest that the site is deliverable in this respect.
- 2.18.4      Some objections seek enlargement of the sites but for the foregoing reasons I

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recommend no modification to the RDDLP in respect of these proposals.

### ***Recommendation***

2.18.5 No modification be made to the Plan in response to these objections.



## **DH1 North of Dowty Rotol, Down Hatherley**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *sustainability of the allocation*
- *protection for employment purposes*

### ***Inspector's Considerations and Conclusions***

2.19.1 Policy DH1 is a new policy in the RDDLP that proposes the allocation of a site for about 120 dwellings on land to the north of the existing Dowty employment site at the junction of Cheltenham Road (B4063) and Down Hatherley Lane. Since the ownership of the employment site has changed it is now referred to as Messier Dowty. The policy includes a requirement for contributions to community facilities, local educational needs and public transport provision. An objection that seeks the enlargement of the site onto adjacent land is considered under GBTNP in Volume One.

#### *Sustainability of the Allocation*

2.19.2 Substantive objections, including one from Gloucestershire County Council, have been made to this proposal on the grounds of unsustainability. These rely principally on the advice in PPG3 and PPG13, and the policies of RPG10 and the GSPSR, especially Policy H.4 which requires development where employment, leisure, commercial and community facilities can be integrated and where there are opportunities to maximise the use of public transport.

2.19.3 The proposed site is a greenfield one, albeit it has been allocated in the past for employment use. It is outside the confines of any settlement, adjoins open countryside to the north, west and east, and is attached on its southern side to one of the 'islands' of employment land that are dotted across the Green Belt between Cheltenham and Gloucester. The distance from the furthest point of the site to the nearest bus stop on Cheltenham Road, which is served by a 10-minute frequency service on Route 94, is about 1.1km<sup>22</sup>. The closest primary school and convenience store are about 2.4kms and 2kms away respectively, at Innsworth. These distances are considerably in excess of the desirable maximum walking distances that are set out as interim criteria in Annex A of RPG10. The latter is not intended to be prescriptive, but I consider that it provides a reasonable measure of the accessibility of sites in accordance with the objective of PPG13 to reduce the need to travel, especially by car. The potential to replace car trips by

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<sup>22</sup> Evidence given at the Inquiry confirmed that Route B5, a twice weekly rural bus service, no longer passes the site entrance on Down Hatherley Lane.

cycle trips from the site would be very limited due to the lack of an integrated cycle network on the routes to Cheltenham and Gloucester. And for children at least, even the route to the nearest primary school or convenience shop would be unlikely to appear safe for cycling.

- 2.19.4 There are employment facilities within about 1km of the site. However, the range of job opportunities available has not been documented, and there is no substantive evidence that the proposal would lead to an overall reduction in the need to travel by replacing a proposed employment use with housing. Some leisure facilities might be available on the nearby Messier Dowty complex, subject to membership requirements. It has been suggested that a convenience shop and other community facilities could be provided in the adjacent Dowty Sports and Social Club building, but neither details of how this might be secured in perpetuity nor any appraisal of its potential viability have been provided. Also, the prospects for extending a bus service into the site, or providing a minibus link to other routes have not been explored and can be given very little weight because of uncertain viability and the undesirability of lengthening journey times. Therefore, in my view the proposed dwellings would not be easily or conveniently accessed by means of transport other than the car, nor is there potential to achieve this.
- 2.19.5 Hatherley Brook flows along the southern boundary of the site and the floodplain may occupy up to 30% of the site area. This remains to be verified by more detailed flood risk assessment but there is undoubtedly a flooding constraint associated with the proximity of the brook that should be weighed in the balance of sustainability factors. It could lead to a significant reduction in the net housing capacity of the site, or alternatively to an increase in proposed density above the 29dph figure indicated in CD38.
- 2.19.6 Taking all of these factors into account, I consider that the proposed allocation is unsustainable, even though it is located within the CSV. It would fail to satisfy almost all of the criteria for the identification of housing sites, as set out in paragraph 31 of PPG3, and it is particularly unsuitable in terms of the 'ability to build communities' and 'location and accessibility' criteria. It would not fall within even the final category of the search sequence identified in paragraph 30 of PPG3. Reflecting the County Council's objection, I consider that the allocation would be in conflict with Policies S.4, S.5, H.4 and T.1 of the GSPSR. In terms of RPG10, it would be contrary to Policies SS 2 and SS 3 which seek to promote a sustainable pattern of development in the region. Moreover, objections concerning the failure to show how the comparative sustainability of sites has been evaluated, dealt with under HSGGEN in Volume One of the report, are particularly relevant to Policy DH1.

#### *Protection for Employment Purposes*

- 2.19.7 Some objections contend that the site should be protected for employment purposes, having regard to its relationship with the adjacent uses, including the Ashville Business Park. But there is no evidence of a need for additional employment land in this location, even though there is undoubted pressure for development in the area. Messier Dowty no longer wishes to retain the land for possible future expansion. In the Borough as a whole there is an excess supply of employment land in terms of the GSPSR indicative figure. In these

circumstances, I do not consider that it would conflict with the advice in PPG4 or with any regional or county-wide strategies if the site were not to be protected for employment purposes. The most appropriate future use of the land is a matter for the Council to consider, having regard to all relevant factors, including the justification for additions to the Green Belt as part of any forthcoming review of the boundaries.

*Other Matters*

- 2.19.8 The site was proposed for small-scale (Schedule 2) waste management facilities in the draft Gloucestershire Waste Local Plan (CD56) to which an objection was lodged by the Council. The Inspector's report (CD57), published in August 2002, recommended that if the proposed housing allocation were to be upheld then all waste management options for the site should be deleted, other than a household waste recycling centre (Civic Amenity Site). In the alternative, the exclusion of some other potential waste management options was recommended. It will be for the waste planning authority to consider the future use of this site in the light of my recommendation on Policy DH1.
- 2.19.9 Notwithstanding my recommendation, if the site were to be allocated in the Plan there are some outstanding matters in the objections that require further comment. The Council accepts that the detailed policy requirements in respect of transport matters should not be determined in advance of a Transport Assessment; I concur. In respect of affordable housing provision on the site and contributions towards educational provision, I consider that my recommendations under LPOL – General would address these matters. Also, as a consequence of my recommendation under LPOL – General, the reference in the policy to the design and development brief would be deleted and replaced by appropriate wording in the reasoned justification. The concern about the criterion regarding a contribution to the provision of community facilities is noted, but in my view the criterion does not preclude the provision of suitable facilities by the developer of the site and there is, therefore, no need to modify or delete it.

***Recommendation***

- 2.19.10 The Plan be modified by the deletion of Policy DH1.

## **GO1      Gotherington Housing Site**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need to provide affordable housing*
- *need for new housing to support local services*
- *comparative suitability with Homelands Farm*

### ***Inspector's Considerations and Conclusions***

- 2.20.1      Policy GO1 is deleted from the RDDLP on the basis that the allocation is not in accordance with the GSPSR strategy which requires housing development to be concentrated in urban areas and sustainable locations. While Gotherington is situated relatively close to the County's main urban areas, it does not provide for the day-to-day shopping and employment needs of the existing population. There is a reasonable prospect that any significant housing allocation in the village would lead to an increase in trips by private car, due to the limited choice of modes of transport available to the residents of the settlement. I support the deletion of the policy and consider that this accords with national guidance in PPG3, paragraphs 21 and 31, which advise local authorities to focus development in urban areas and to assess all potential sites against a list of sustainability criteria. Most of the outstanding objections would be resolved accordingly.
- 2.20.2      So far as the remaining objections are concerned, Policy HSG15 seeks to address affordable housing needs in rural areas by means of the rural exceptions policy approach. Any need that is identified in the settlement or its surroundings could be assessed against this policy and I have no reason to consider that this is not appropriate for Gotherington. The re-instatement of the allocation would not be justified on this basis.
- 2.20.3      Nor is there substantive evidence to suggest that the settlement's existing services are under threat. Paragraph 70 of PPG3 states that villages will only be suitable locations for accommodating significant additional housing where there is evidence that existing services could become unviable without modest growth. The evidence presented about Gotherington School shows that it is operating at capacity because of the village's close proximity to Bishops Cleeve. It would not be justified to allocate new housing development in Gotherington on the basis of school catchment area planning, and it is likely that any significant additional housing in the village would create additional pressure on the school.
- 2.20.4      The omission site at Homelands Farm is considered in Volume Three of this report. But in general terms, Gotherington should not be preferred to Bishops Cleeve in the search for sustainable locations for new housing sites, given its very

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limited facilities and the dependence of its residents on the private car for access to a range of everyday needs.

### ***Recommendation***

2.20.5      No modification be made to the Plan in response to these objections.

## **HM2 Land at Highnam**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *compatibility with PPG3*
- *relationship with CSV*
- *landscape impact*
- *traffic impact*

### ***Inspector's Considerations and Conclusions***

2.21.1 Policy HM2 of the RDDLP proposes the allocation of land for about 145 dwellings at Highnam. No allocation in Highnam was made in the Deposit Draft. The proposed site lies on the north-western edge of the settlement, with frontages to the B4215 and to Lassington Lane. The Proposals Map shows the site in two parcels, separated by an undesignated area. However it is clear from the evidence that the undesignated area would contain a new road forming part of the development and therefore the lands within the allocation sites can be considered as a whole.

### ***Compatibility with PPG3***

2.21.2 Many of the objections to this allocation refer to a conflict with PPG3. It is contended that there is grave conflict with the sequential approach advocated in paragraphs 30 and 31. It appears that the Council may regard this as a village extension, although objectors rightly question how a development of 145 dwellings might be considered to accord with the advice in PPG3 with regard to village extensions. In my view the proposal is in clear conflict with that advice, and it fails to demonstrate any of the necessary qualities for a sustainable housing allocation. The village, which has a population of about 2000, has little in the way of community facilities and services. For very many purposes, including shopping (other than the most basic of day-to-day items), employment, secondary education and many leisure and recreational activities, a journey by car to larger centres is likely to be required. The level of employment, either existing or proposed, on the Highnam Business Centre site, would not alter this conclusion<sup>23</sup>, nor does any favourable comparison that can be made with the level of facilities in other villages in the Borough.

2.21.3 In peak periods there is a bus service to Gloucester at approximately 30 minute intervals and outside that period service frequencies range between one and two

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<sup>23</sup> See also the objections to Policy HM3.

hours. This would comply with the suggested frequencies in Annex A of RPG10 for 'other areas'. Nonetheless, the service intervals in the morning peak period would not offer the level of accessibility to Gloucester that would be required to provide a real alternative to the car for journeys to work, and off-peak services for shopping and other trips are extremely limited. The very low level of bus patronage for journeys to work in this area (about 1.7%) recorded by the 1991 Census probably reflected, at least in part, the limited attractiveness of the public transport services, and there is no evidence that patronage levels or service provision have changed significantly since then. The potential to achieve an improved level of service that would be financially viable and could be sustained in the longer-term is very doubtful, given the scale of the development proposed. The proposals for a Quality Bus Route and for a segregated long-distance cycle route, both of which would serve the settlement, do not in my view improve the sustainability credentials of the proposed allocation to any significant extent. The provision of some affordable housing on the site could help to create a more balanced community, but the net effect of the allocation would be likely to exacerbate Highnam's role as a commuter settlement. Highnam is not defined as a Principal Settlement or market town in either the GSPSR or in the Plan. I agree with the County Council that the allocation would be in conflict with Policies S.4 and H.6 of the GSPSR. The scale of the proposal would be incompatible with its village location and with a sustainable approach to the expansion of settlements.

### ***Relationship with the CSV***

- 2.21.4 The Council considers that Highnam lies within the CSV and appears to regard this as a strong factor in favour of the site's allocation. There was considerable debate at the Inquiry about how the boundary of the CSV should be interpreted in the case of Highnam, and the absence of a precise definition in the GSPSR was said to have posed difficulties for the Council in drawing up the Plan. In any event, even if Highnam lies within the CSV, this does not make it a sustainable location for housing development on a significant scale for the reasons set out above. As referred to under HSGGEN in Volume One of the report, the Plan is flawed as a result of a failure to look beyond the simple locational classification of sites as within/without the CSV to take full account of their inherent sustainability credentials. Sheer proximity to Gloucester or other PUAs is not in itself an appropriate weighting for sustainability purposes and it is misleading to suggest that Highnam compares favourably with Bishops Cleeve because the latter is further from Cheltenham than the former is from Gloucester. Bishops Cleeve offers a much greater range of facilities to its residents and thus the potential to reduce the need to travel, whereas the implementation of Policy HM2 would be likely to increase the need to travel, mostly by car.

### ***Landscape Impact***

- 2.21.5 Treating the allocation as a whole, including the intended road link between the B4215 and Lassington Lane, it is clear that a significant outward expansion of Highnam into the open countryside would be entailed. It was generally agreed at the Inquiry that greenfield expansion of settlements could be expected to have some adverse visual impact, but I concur with objectors that a particularly detrimental effect would occur if this allocation were to proceed. The proposal would breach the existing well-defined edge to the settlement along Lassington Lane. No existing landscape feature defines the proposed northern boundary of

the allocation and it would take many years to soften and screen the new built edge to the settlement. The visual impact of the proposed new junction with the B4215 and Two Mile Lane would be harmful to the rural character of the area; this junction would detract greatly from the appearance of the group of old buildings at Highnam Farm, one of which is Listed for its architectural importance. Seen from the footpath on the northern boundary of Highnam Court in particular, the new extension to the village would intrude into views towards the Malvern Hills, and it would spoil the existing landscape setting of Highnam which is worthy of protection, even though it is not specially designated. The potential for screen planting to ameliorate such harmful effects on the rural landscape is not a good enough reason to accept them in the first place. Overall, the scale and location of the proposed allocation are very unsympathetic to the existing settlement pattern and its landscape context.

- 2.21.6 The proposal would also entail the loss of agricultural land. Whether its classification is Grade 1 or Grade 2A is uncertain, but the Council accepts that it can be categorised as best and most versatile. This in itself does not rule out the allocation, but it adds weight to the other factors indicating that the Council should look elsewhere to provide for the housing requirement.

### ***Traffic Impact***

- 2.21.7 The balance of the evidence indicates that the proposal would lead to a small but discernible increase in the level of congestion experienced on the B4215 towards Gloucester and on the A40 during peak hours. From a highways planning perspective, this alone would not be enough to rule out the proposed allocation, but I share the concerns of many objectors about the effect that the increased congestion would have on public safety, especially on the A40, and in my view this factor adds weight to all of those others that point against the allocation.

### ***Other Matters***

- 2.21.8 Potential benefits including highway improvements, the provision of community facilities and affordable housing have been put forward in support of the proposal. However, I do not consider that any of these would outweigh the fundamental conflict with PPG3 and, as referred to above, the proposed highway works raise other concerns. Any local need for affordable housing could be addressed under other policies of the Plan, and there is no evidence that improvements to community facilities are dependent on the allocation.
- 2.21.9 Notwithstanding my recommendation, if the allocation were to be retained in the Plan, the objection that seeks to bring forward its implementation to the first half of the Plan period is not commended. Even though Policy HM3 aims to expand employment facilities in the area, the housing site is a greenfield one which should not be developed before more sustainable options have been brought forward. There are other more sustainable sites available to meet the housing requirement for the earlier part of the Plan period. The suggested re-wording of the policy criterion relating to the closure of a section of Lassington Lane would be acceptable in principle. At the Inquiry the Council agreed that the requirement for parkland restoration was included in error and could be deleted from the policy and from Policy HM3. My recommendations under LPOL – General would apply in relation to the specific concerns about the requirements on affordable



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housing and contributions to educational provision, as well as in regard to the design and development brief.

### ***Recommendation***

2.21.10 The Plan be modified by the deletion of Policy HM2.

### **HM3 Highnam Business Centre Extension**

#### **Objections**

*See Appendix D for the list of objections to this policy*

#### **Main Issues**

- *sustainability and compatibility with national, regional and structure plan policies*
- *need for additional employment provision*
- *landscape impact*

#### **Inspector's Considerations and Conclusions**

- 2.22.1 In accordance with Policy HM3, about 0.75ha of land is allocated as an extension to the existing Highnam Business Centre. The reasoned justification states that this should be considered together with the proposed housing and community facilities allocation under Policy HM2 with which it forms a mixed development proposal serving to reduce transport demand in the local area. Notwithstanding this, evidence given by the Council at the Inquiry states that Policy HM3 must be seen in the context of the existing settlement, which justifies its allocation with or without the HM2 housing allocation.
- 2.22.2 I have recommended elsewhere in this report that Policy HM2 should be deleted from the Plan. Even with the proposed additional employment land allocation, the proposals for Highnam would not comprise a sustainable form of mixed development in accordance with national, regional and structure plan policies. As PPG13 advises, it is important to consider the scale, impact and likely catchment area of any employment development in rural areas. The existing business centre, which has evolved from the conversion of redundant farm buildings, appears to have led to the re-location of Class B1 uses from the centre of Gloucester, and some of the original small-scale units have been amalgamated. It appears that the site is mainly accessed by private car, even though the landowners have indicated that a third of the existing units are tenanted by Highnam residents, and others by residents of the locality. There is no reason to expect that the proposal would alter the transport balance to any significant extent, given its location on the edge of a small settlement that has little potential for access by non-car modes. I do not consider that the enlargement of the business centre would be justified by any improvement in the balance between jobs and housing in the local area, and therefore the allocation should not be considered as a free-standing one that is independent of Policy HM2. Also, the potential increase in opportunities to work locally is likely to be more than outweighed by increased outward commuting that would occur if the Policy HM2 allocation were to be implemented. Therefore the proposed 'package' of allocations would be no more sustainable.
- 2.22.3 As the GSPSR makes clear, employment uses outside of urban areas would need to demonstrate that there are specific reasons why a rural location is necessary. There is no substantive evidence of any need for the expansion of the existing

business centre, other than the contention that it would help to reduce transport demand in the area. The Council has not assessed existing employment patterns, the numbers of economically active persons in the area, and the scale and pattern of employment on the existing business centre as part of any justification for the allocation.

- 2.22.4 The existing centre does not fit comfortably within the key defining characteristic of Rural Business Centres in accordance with Policy EMP3 because, rather than being characterised by a range of small-scale business units, it includes a large office use that would be more appropriately located in an urban centre. Also, with a total existing and/or committed floorspace of some 2600sq m and over 80 existing employees, the centre is quite substantial in its scale and potential activity levels, although some of the existing units are vacant. There is no indication that proposed enlargement of the centre would accord with Policy EMP4 which requires that it should be for small-scale uses that are either directly related to the essential needs of agriculture or make use of sites with existing buildings or structures<sup>24</sup>. In broad terms there is no need for additional employment land in the Borough as a whole. Even if there were a particular need in this area, there is no evidence that it could not be accommodated within the confines of the existing centre which appears to have capacity for modest consolidation in accordance with Policies EMP3 and EMP4. Overall, the proposal treats Highnam in an anomalous fashion that is inconsistent with the Plan's strategy for the rural areas of the Borough and has no sound justification.
- 2.22.5 Policy SS 19 of RPG10 seeks to direct employment development in rural areas to the market towns; outside of these towns any development should be small-scale and take place primarily within or adjacent to existing settlements. In my view the proposed enlargement of the business centre would not accord with the RPG10 policy because it would be clearly outside the modern built-up area of Highnam that lies to the east of the B4215.
- 2.22.6 The allocation would entail a prominent greenfield incursion into open countryside. Viewed from footpath No 13 that skirts the southern edge of the proposal, it is apparent that the extension would protrude into a large, open field, with very little natural enclosure around its boundaries. Even with careful landscaping of the site, it is unlikely that the extension could be satisfactorily integrated with the historic pattern of development around Highnam Farm.
- 2.22.7 Overall, Policy HM3 would conflict with the aim of national and local planning policies to create a more sustainable pattern of development that would reduce the need to travel, especially by car, and it would entail a prominent incursion into open countryside without any substantive evidence of need. As referred to under Policy HM2, any associated improvements to the highway network or community facilities would not outweigh the fundamental unsustainability of the proposed allocations.
- 2.22.8 If the allocation were to be retained, the Council conceded at the Inquiry that the policy criterion relating to the restoration of the former parkland to the south of the site was included in error and should be deleted; I concur with this.

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<sup>24</sup> My recommended modifications to Policy EMP4 would have no significant effect in this regard.

***Recommendation***

2.22.9      The Plan be modified by the deletion of Policy HM3.

## **HU1                    Hucclecote Road, Hucclecote**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *effect on the Green Belt*
- *need to assess potential ground contamination*

### ***Inspector's Considerations and Conclusions***

- 2.23.1        Policy HU1 is a new housing allocation in the RDDLP that provides for 25 dwellings. The policy includes requirements for an area of open space within the Green Belt adjacent to the northern edge of the site and for enhanced landscaping between the site and the link road to Gloucester Business Park.
- 2.23.2        Two of the objections are concerned that the site would entail development of Green Belt land, but it is clear from the plan attached to the draft development brief that the residential allocation would be entirely outside the Green Belt. Even if it were not, I do not consider that this should be an obstacle to the allocation. As recommended under GBTGEN in Volume One of the report, a review of the Green Belt boundary should be undertaken to identify sustainable sites for new residential development. Also, the case for a larger plot of land, including some that is within the Green Belt, being allocated for housing is relevant. I recommend elsewhere that this omission site be included in the assessment of potential allocations for residential development in the Plan period, subject to open space needs being satisfactorily addressed.<sup>25</sup>
- 2.23.3        Part of the site was used as a petrol filling station and this may have resulted in ground contamination. However there is nothing to suggest that the site would not be suitable for housing, following any remediation works required, and I consider that this matter can be addressed at a later stage in the planning process. Another objection seeks that a wood/leisure area is created on the open space but I consider that the precise treatment of the open space would be more appropriately determined at the detailed planning stage. The inclusion of a reasoned justification for seeking contributions to educational provision in accordance with my recommendation under LPOL – General would resolve the concern raised in another objection.
- 2.23.4        As a consequence of my recommendations elsewhere, the policy wording and reasoned justification should also be modified in respect of affordable housing provision and the status of the design and development brief.

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<sup>25</sup> See LPOLNP Hucclecote - Hucclecote Road, in Volume Three.

***Recommendations***

- 2.23.5 (i) Policy HU1 and the reasoned justification be modified by:
- a) replacing the policy wording and reasoned justification on affordable housing in accordance with my recommendations under LPOL – General;
  - b) replacing the policy wording on the design and development brief in accordance with my recommendation under LPOL – General, and
  - c) inserting a new reasoned justification for seeking contributions to educational provision in accordance with my recommendation under LPOL – General.
- (ii) No other modification be made to the Plan in response to these objections.

## **NO1      Norton Housing Site**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *accuracy of reasons for deletion of policy*
- *long-term benefits to the local community*
- *location within the CSV*

### ***Inspector's Considerations and Conclusions***

- 2.24.1 Policy NO1 has been deleted from the RDDLP on the basis that it does not accord with the GSPSR strategy to concentrate new housing development in urban areas and sustainable locations. I support the deletion of the policy and consider that this accords with national guidance in PPG3, paragraphs 21 and 31, which advise local authorities to focus development in urban areas and to assess all potential sites against a list of sustainability criteria. Policy NO1 cannot be justified for inclusion in the Plan when measured against these criteria, due to the relative lack of access to jobs and services. The deletion of the policy resolves most of the outstanding objections.
- 2.24.2 So far as the remaining objections are concerned, firstly, the Council's reasons for deleting the site are logical and conform with the GSPSR and current national planning policy and practice. Secondly, there is no evidence to suggest that re-instatement of the allocation would lead to any significant long-term benefits for the local community. The long-term interests of the local community, in terms of maintaining the existing services in the village such as the school, would be better provided for by small-scale development more appropriate to the character of the settlement.
- 2.24.3 Thirdly, in my view Norton is not within the CSV as described in Policy H.4 of the GSPSR; it is not close enough to Gloucester or Cheltenham and it cannot be easily and conveniently accessed by means of transport other than the private car. Any long-term improvement to public transport services that could be supported by an additional 25 dwellings would not be significant in my view. As such there is a reasonable prospect that the scale of the Policy NO1 allocation would lead to an increase in commuting by private car to Cheltenham, Gloucester and other centres for work, shopping and other purposes. This would not be in accordance with the Government's objectives for sustainable transport as set out in paragraph 4 of PPG13, or with the provisions of Policy H.4 of the GSPSR. Some objections highlight that the RDDLP treats Highnam as within the CSV, but I have concluded elsewhere that this does not make an allocation sustainable.

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- 2.24.4      Alternative sites proposed in linked objections are considered under LPOLNP in Volume Three of the report.

### ***Recommendation***

- 2.24.5      No modification be made to the Plan in response to these objections.



## **SH1      Farm Lane/Leckhampton Lane, Shurdington**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *sustainability of the allocation*
- *landscape impact*
- *access arrangements*

### ***Inspector's Considerations and Conclusions***

#### *Preamble*

- 2.25.1 Policy SH1 is a new policy in the RDDLP that proposes the allocation of land to the west of Farm Lane and to the north of Leckhampton Lane in Shurdington Parish for about 400 dwellings. A number of requirements for the development of the site are set out in the policy, including the provision of a landscaping scheme that is sensitive to the location adjacent to the AONB. The reasoned justification refers to the planning status of the site in the Cheltenham Environs Local Plan as safeguarded land and states that this 'places it first in considering options around the edge of Cheltenham with priority in particular over Green Belt sites'.
- 2.25.2 The policy requires that development of the site would commence in 2006-2011, in order that it could be considered in association with any proposals that may emerge for that part of the safeguarded land within Cheltenham Borough. However, in the light of evidence given by Cheltenham Borough Council to the Inquiry that such development is unlikely to occur, the Council considers that the site could be phased for development between 2001-2011. I use the term 'safeguarded' in relation to the Cheltenham Borough land to reflect the practice adopted at the Inquiry. However, for the avoidance of doubt, I note that Policy CO 52 of the adopted Cheltenham Borough Local Plan which applies to this land makes it clear that this policy will be distinguished from Green Belt policy only in terms of the permanence of the latter, although nothing in the plan should be taken to imply that this land will be released for development after 2001.
- 2.25.3 Policy SH1 replaces the proposal in the Deposit Draft to include the site as safeguarded land in accordance with Policy GBT3. On that basis planning permission would only have been granted for permanent development following its allocation for such development through a review of the local plan. A number of objections to that policy sought the inclusion of the site within the Green Belt for reasons that have much in common with objections to Policy SH1 and they are taken into account below.

*Sustainability of the Allocation*

- 2.25.4 In response to the many objections that challenge the sustainability of the proposal, the Council has said that if a site immediately abutting the Cheltenham urban area is not sustainable then the whole CSV concept - a central tenet of the GSPSR - is flawed. I do not agree for the reasons set out under HSGGEN (Housing – General) in Volume One of the report. The site is only as close to the wide range of facilities (work, shopping, leisure, education) in Cheltenham as the borough boundaries allow. In reality, it is separated from the continuous built-up urban area by a large tract of open land to its east (the Cheltenham Borough safeguarded land) and by a finger of development (the residential area known as The Lanes) to the north that is a relatively isolated protrusion into the countryside. On its western boundary lies the designated Green Belt while to the south, on the far side of Leckhampton Lane, are lands within the Cotswold AONB and the Green Belt. As a result, I do not consider that the proposal is an urban extension in any sense other than perhaps an administrative one.
- 2.25.5 Even with the improvements to pedestrian facilities that are proposed by the site's developers, the nearest primary schools would be about 1.1km and shops at Up Hatherley about 1.4kms away. These distances are well in excess of the maximum desirable walking distances set out as interim criteria in Annex A of RPG10. The latter's guidance on this matter is presented as interim only, but in my view the distances entailed in this case would be a significant disincentive to journeys on foot from the site to local facilities when taken together with the need to cross Shurdington Road (A46). Potential improvements to cycle links could bring cycle routes to within about 750m of the site, but it would still be necessary to use narrow country lanes or to cross the A46 to gain access to many facilities. Overall, I do not consider that the site would be easily accessible by cyclists.
- 2.25.6 At present the site is not well served by bus transport since it requires a walk of some 400-500m across unmade footpaths to reach a bus service that runs only twice hourly between Cheltenham and Gloucester. As part of the development of the site an extension of bus service G is proposed so that all of the new dwellings would be within 200m of a bus stop. This proposal is supported by a bus operator, and together with other measures it appears to have resolved concerns in principle on the part of the highway authority about the transportation aspects of the allocation. Nonetheless, the extended service would require at least 3 additional buses on the route to ensure a 15-minute frequency in accordance with the LTP objective for public transport in the CSV. And there is no indication that a financial subsidy to achieve even one additional bus on the extended route would be forthcoming or that the extended route would be sustainable in the long-term.
- 2.25.7 The A46 is designated as a Quality Bus Route in the LTP and Policy TRP11 of the Plan seeks to enhance public transport facilities along this route. However, it would appear that the route is principally intended to improve limited stop, express connections between Cheltenham and Gloucester and there is no evidence to indicate that the site would benefit significantly from the Quality Bus Route proposal. There is also potential for conflict between bus priority measure and the signalised junction arrangements at Shurdington Road/Kidnappers Lane proposed by the site's prospective developers. Traffic management measures that might be required to discourage increased rat-running on unsuitable routes in the locality

are an indication of the significant increase in competition for road space that would be likely to be generated by the proposed allocation. The implications of the possible development of a Park and Ride facility on the A46 have also been raised, but at this stage there is insufficient reason to lend this any significant weight in favour of the proposal.

- 2.25.8 Details of the Esteem modelling exercise that has been carried out on behalf of the prospective developers of the site have been submitted. This purports to show that sites within the CSV, and in particular the SH1 site, are the most sustainable in terms of minimising CO<sup>2</sup> emissions from travel by motorised transport. The model is regarded as particularly useful at the county and regional scale by those who developed it, and it is perhaps not surprising that it supports the GSPSR focus on the CSV as the most sustainable in transport terms. In my view its findings need to be interpreted with caution at the local level because it does not adequately address the potential for walking, the most important mode of travel at this level, to replace short car trips, particularly under 2kms. The cumulative impact of such replacement on total emissions may not be very great but it is nonetheless an important element of Government policy that seeks to integrate planning and transport at all levels so that accessibility by non-car modes is promoted (my underlining). In my view it is necessary to compare alternative sites within the CSV on more qualitative measures of transport sustainability, so that the opportunities that would be available to promote a shift to non-car modes of transport for a range of day-to-day activities are taken into account.
- 2.25.9 For the reasons given above, I conclude that the allocation of this site for residential development would not promote accessibility by non-car modes and that its future occupiers would be likely to be reliant on car transport for most day-to-day travel needs. Therefore, it would not score well against the second criterion of paragraph 31 of PPG3, and the cost-effectiveness of extending an adequate bus service into the development makes it unlikely that the third criterion could be satisfactorily addressed. Also, the proposal would lead to the development of a residential area in relative isolation from supporting facilities and this would make it difficult to build communities, as sought by the fourth criterion of paragraph 31.
- 2.25.10 A number of objections underline the importance of considering any proposals for development of this site in a wider context, especially that of the safeguarded land in Cheltenham Borough. While I do not make a judgement on the relative planning merits of any such proposals, I agree that a cross-boundary approach would be an essential pre-requisite to considering whether a sustainable urban extension in accordance with PPG3 could be achieved in this area.

#### *Landscape Impact*

- 2.25.11 The site consists of four fields subdivided by substantial hedgerows that are interspersed with hedgerow trees. It has a gently rolling topography and an attractive pastoral character that in my view links strongly into the landscape of the AONB immediately to the south of Leckhampton Lane. Generally the contours fall from south to north and from east to west and there is a distinct ridge running roughly northwest-southeast through the site so that the south-eastern corner is the most elevated part. A public footpath that traverses the northern part of the site forms a link in a network of rural paths to the east and west of the site.

- 2.25.12 As can be observed from public vantage points, the site is highly visible from within the AONB, for example from the lower slopes of Leckhampton Hill and from higher up at the Devil's Chimney. It is also visible partly from the west and in long distance views from the north. There is a substantial hedgerow on the western boundary with the Green Belt but this area drops away towards the Vale of Gloucester. As a result, development on the more elevated south-eastern part of the site would be very conspicuous from the western approach along Leckhampton Lane where it would be seen within the context of the AONB. And looking southwards from the public footpath across the site it is apparent that development would entail a significant intrusion into views of the open countryside and the AONB from the existing edge of the built-up area. It would also sever the link between the rural footpaths to the east and west of the site and replace it with one of an entirely different character. For these reasons and taking into account the scale of the proposed development, I consider that its visual impact on the surrounding countryside would be very significant and that it could not be easily mitigated.
- 2.25.13 In addition, the site forms part of a swathe of open land that sweeps down from the Cotswolds to pass between Cheltenham and Gloucester and it provides a link between the AONB and the Vale of Gloucester. Development of the site would form an incongruous promontory in this open area, eroding the link and cutting off the rural land to the east of Farm Lane from the tract of countryside to the west. I do not consider that there are any differences in character or appearance between the Cheltenham Borough safeguarded land and the SH1 site that are so significant as to render this incursion less harmful.

#### *Access Arrangements*

- 2.25.14 The prospective developers of the site have drawn up a scheme for vehicular access that appears to be accepted in principle by the highway authority. It is intended to deter traffic to or from the site using Leckhampton Lane or Church Road, thereby seeking to overcome some of the concerns about the effect of the allocation on traffic and public safety in and around Leckhampton. Instead, traffic would be directed onto the A46 Shurdington Road. Traffic calming to encourage pedestrian and cycle use would form part of the development package. Therefore, from a technical perspective it appears that satisfactory arrangements could be made for access to the site, subject to any necessary enforcement of the restraint on traffic using the Farm Lane/Leckhampton Lane route. However these would be achieved at some considerable cost to the rural environment of Farm Lane by its widening and the removal of a significant length of hedgerow. Having regard to the fifth criterion of paragraph 31 of PPG3, I consider that this amounts to a physical and environmental constraint on the development of the site that adds to my concern about its overall visual impact.

#### ***Conclusion***

- 2.25.15 For these reasons I consider that Policy SH1 does not accord with the advice in PPG3 on selecting sustainable locations for new housing and I recommend that it be deleted from the Plan. A number of objections seek to have the site incorporated within the Green Belt but I make no specific recommendation on this matter for a number of reasons. RPG10 requires that a review of the Green Belt boundary around Cheltenham and Gloucester should form part of the next round

of structure planning. The Deposit Draft of the Gloucestershire Structure Plan Third Alteration states that the County's sustainable development needs up to 2016 can be accommodated without the need for any new Green Belt alterations, but this draft has not yet reached an advanced stage in the procedures leading to adoption. In the meantime, as the Council made clear at the Inquiry, it would wish to evaluate the implications for the Green Belt as a whole of any alterations to the boundaries that appear to be indicated after consideration of this report. The most appropriate future use of this site, including whether it should be safeguarded in terms of PPG2 or included within the Green Belt, would form part of that work. As referred to above, it will be essential to co-ordinate planning for this area with that for Cheltenham Borough's lands to the east of Farm Lane.

- 2.25.16 Notwithstanding my recommendation, if the site were to be allocated for housing the outstanding objection in respect of the required affordable housing provision on the site should be dealt with by the modifications that I recommend under LPOL – General. On this basis the policy requirement for about 120 units of affordable housing on the site would be the starting point for negotiations. Planning for the provision of affordable housing is a national policy requirement and there is no reason why this site would not be suitable for an element of such provision. Consequential modifications should be made to the policy and reasoned justification in regard to the design and development brief and contributions to educational provision, in accordance with my recommendations under LPOL – General. Notwithstanding the Council's concession on the proposed phasing of the site, I consider that it would be reasonable to phase the release of Policy SH1 for the second half of the Plan period. This would enable more sustainable sites that are better related to the urban area of Cheltenham to be brought forward first. These would include Policy SO1 and any of the omission sites around the fringes of Cheltenham that I have identified as having potential for residential development. Finally, I note that the Council accepts that the policy should include a reference to drainage requirements and I concur.

### ***Recommendation***

- 2.25.17 The Plan be modified by the deletion of Policy SH1.

### **SH3 Hill View Nurseries, Shurdington**

#### ***Objections***

*See Appendix D for the list of objections to this policy*

#### ***Main Issues***

- *sustainability of the allocation*
- *effect on the Green Belt*

#### ***Inspector's Considerations and Conclusions***

- 2.26.1 Policy SH3 is a new proposal within the RDDLP for the allocation of a site at Hillview Nurseries for about 10 dwellings. It includes a criterion that land within the south-eastern part of the site should be restored to the open countryside. The site is within the approved Green Belt and a complementary Policy GBT4, proposes its deletion from the Green Belt. In response to one of the objections, the Council has accepted that the site's capacity should be increased to about 12 dwellings to reflect PPG3's advice on residential densities.
- 2.26.2 The reasoned justification states that the allocation involves a minor Green Belt boundary variation that is justified by the imperative to provide sites for development which meet sustainability criteria and provide an appropriate degree of urban focus in the Plan's strategy. Reference is made to the full range of community, employment, retail and recreational facilities that can be accessed by a choice of transport modes from the site. In my view however, development of this site for housing purposes is unlikely to discourage car use to any significant extent. It is located on the edge of the small settlement of Shurdington that offers a very limited range of facilities, and it is separated from the local primary school by the busy A46 road. Apart from a small post office/convenience store, the nearest shopping facilities are at Up Hatherley, about 3kms distant, and trips to secondary schools, main employment opportunities and medical facilities would require journeys to Cheltenham or Gloucester.
- 2.26.3 There are no cycle networks in the area that would facilitate this mode of transport and traffic conditions on the A46 are likely to discourage cyclists. The development and improvement of the A46 as a public transport corridor is envisaged by the LTP. But in the meantime this site is served principally by two bus routes that, taken together, do not provide a level of service that offers a real alternative to the use of the private car for most day-to-day requirements. As a result, I consider that while the site is within the CSV it would not be a sustainable choice for the location of new housing. It would not accord with Policy H.4 of the GSPSR, which refers to actual or potential accessibility by means of transport other than the private car, and it would not satisfy a number of the criteria of paragraph 31 of PPG3, especially those relating to the building of communities and to accessibility.

- 2.26.4 The relevant policy background to the consideration of Green Belt land for future development needs is set out elsewhere in this report<sup>26</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances could be demonstrated. The purposes for which the Green Belt was designated between Cheltenham and Gloucester are set out in the GSPSR. It was considered essential to prevent the coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 2.26.5 Shurdington forms a small 'island' of development in the Green Belt. The development of this site would entail urban encroachment into the relatively narrow Green Belt gap along the A46 between Shurdington and Brockworth. This is an area that is under substantial pressure for development and which contains a number of scattered dwellings, some ribbon development, and other buildings that are washed over by Green Belt designation. The fact that the site is already developed with glasshouses and hardstandings is not a good reason to delete it from the Green Belt. There are many other sites in this area that are partially or largely developed but their protection by Green Belt policy assists in preserving openness and in preventing the coalescence of Cheltenham and Gloucester, because even small changes can cumulatively erode the Green Belt.
- 2.26.6 The intention to return about one-third of the site to open land would not in my view compensate for the permanent development of the front two-thirds with dwellings which would detract from the appearance of the Green Belt. Having regard to the advice in paragraph 1.7 of PPG2, the visual impact of the existing buildings and hardstandings is not relevant to the continued protection of the site within the Green Belt. And as PPG3 makes clear, land that is used for agricultural purposes is not included within the definition of previously developed land. Overall, I consider that the proposed allocation would lead to a permanent loss of openness in a prominent location, and it would also contribute to a gradual coalescence or merging of the Gloucester and Cheltenham urban areas by partial infilling of the Green Belt lands that separate them. For these reasons I consider that the deletion of the site from the Green Belt would compromise the objectives for which it was designated.
- 2.26.7 Notwithstanding my recommendation, if the site were to be allocated for housing, the outstanding objection in respect of the required affordable housing provision on the site should be dealt with by the modifications that I recommend under LPOL – General. On this basis the policy requirement for about three units of affordable housing would be the starting point for negotiations. Planning for the provision of affordable housing is a national policy requirement and as I have concluded in respect of Policy HSG16, there is justification for seeking an element of affordable housing on sites of five dwellings or more in small settlements. If as the Council anticipates the capacity of the site increases, a commensurate increase in the number of affordable dwellings sought by the policy would be appropriate. The County Council's objection that requires the inclusion of a policy reference and reasoned justification for seeking contributions to educational provision is accepted and should be dealt with in the same way as

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<sup>26</sup> See GBTGEN and GBT1 in Volume One of the report.

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other allocation policies, subject to my recommendation under LPOL – General. The latter's recommendations in respect of the reference to a design and development brief would also apply.

### ***Recommendations***

- 2.26.8      (i) The Plan be modified by the deletion of Policy SH3.
- (ii) Consequential modification be made to Policy GBT4.



## **SO1      Noverton Lane/Mill Lane, Southam**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *sustainability and accessibility of the proposal*
- *traffic impact on the surroundings*
- *adequacy of drainage facilities*
- *impact on landscape and ecology*
- *proposal for phasing*

### ***Inspector's Considerations and Conclusions***

#### **Preamble**

- 2.27.1 Policy SO1 of the RDDLP proposes the allocation of a site of some 5.6ha for the development of about 90 dwellings. This entails a reduction of 45 dwellings from the Deposit Draft policy. Amongst the requirements set out in the policy are provision of a landscaping scheme appropriate to the site's proximity to the AONB, off-site junction improvements on the B4632, safe pedestrian and cycle access to the local facilities and the town centre, and a contribution to the improvement of public transport facilities. In accordance with Policy HSG1 the site would not be brought forward for development until the latter part of the Plan period, between 2006-2011.
- 2.27.2 Many of the objections to the proposal raise concerns about the process by which the site was selected for allocation within the Deposit Draft and the RDDLP. Some of these raise matters that are outwith my role in appraising the land use planning merits of the objections and therefore I make no comment on them. However, I deal with the general objections concerning the RDDLP's compatibility with the advice in PPG3 on site selection under HSGGEN in Volume One of this report, while site-specific issues are taken into account here.

#### **Sustainability and Accessibility of the Proposal**

- 2.27.3 The proposed allocation has generated a large volume of objections that challenge its fundamental compatibility with the broad thrust of national, regional and structure plan policies on the location of residential development. My observations in HSGGEN and HSG1 set out relevant background considerations on these matters, including the basis of the overall housing requirement that is addressed by the RDDLP. The GSPSR has apportioned the overall housing

requirement for the County to each district, taking various factors into account. Notwithstanding indications that the apportionment may have been based on an underestimate of Cheltenham's brownfield potential, it is not appropriate to conclude that the Policy SO1 site should be deleted in favour of more sustainable locations within Cheltenham Borough. There is a need to identify sites within Tewkesbury Borough that will contribute to meeting its substantial requirement for new housing, and for this purpose I have no doubt that the Policy SO1 site ranks highly in the sequential approach to site selection laid down in PPG3. It represents an urban extension of Cheltenham, which is a Principal Urban Area (PUA) in the terms set out in RPG10, and it lies within the CSV where Policy H.4 of the GSPSR directs that most residential development should be provided. My conclusion that the Green Belt boundary around Cheltenham and Gloucester should be reviewed<sup>27</sup> clearly does not remove the need to scrutinise non-Green Belt options for development, especially in the light of my recommendations that a number of the other proposed allocations in the RDDLP should be deleted. This is a greenfield site, but as the Urban Capacity Study (CD46) has demonstrated, there is insufficient brownfield land in sustainable locations within the Borough to accommodate all of the housing requirement set out in the GSPSR. And therefore I do not consider that the first criterion of paragraph 31 of PPG3 is an impediment to the Policy SO1 allocation.

2.27.4 As I have concluded in respect of objections to the general housing strategy of the RDDLP, not all sites within the CSV should be regarded as sustainable sites for new development. However, in this case the occupiers of the new dwellings would have easy access by non-car modes to the very wide range of employment, shopping, education and other facilities in the Cheltenham PUA. For example, a very short walk (150m-200m) from the site to the nearest bus stop on Noverton Lane offers a journey of about 15 minutes to the centre of Cheltenham and this service runs at 30-minute frequencies during peak periods and up to hourly services at other times. Also, a service through Prestbury provides about five buses per hour on Mondays to Saturdays to Cheltenham town centre and also to other locations in Cheltenham at certain times.

2.27.5 The argument that the long-term viability of the local bus service is uncertain is outweighed in my view by the potential for planned new development in this area to increase patronage. Residents of the proposed scheme would also have access to main line rail services to many other principal urban areas throughout the country from Cheltenham station, about 6.5kms from the site. Cheltenham town centre is within about 3kms of the site and therefore it lies within easy cycling distance. The argument that this allocation should be replaced for employment reasons by one to the west of Cheltenham is not accepted. It is unrealistic to seek to achieve such a detailed match between jobs and housing within a large urban area and it is important to provide a range of sites in different locations to provide choice and flexibility to accommodate changing patterns of employment over the long term. Unlike sites on the western side of Cheltenham, Prestbury would not prove so attractive to long-distance commuters on the motorway network and this has been demonstrated already by the relatively high percentage of its population that work within a few kilometres of home.

2.27.6 In addition, a range of shopping and community facilities in the centre of

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<sup>27</sup> See under HSGGEN and GBTGEN and GBT1.

Prestbury are within a 500m-800m walk of the site from possible access points on Mill Lane or Noverton Lane. The walking or cycling distance to the nearest primary school is about 1.1kms. While these distances would not fall within the recommended maximum walking distances put forward in Annex A of RPG10, the routes to St Mary's schools or to the slightly more distant Lynworth school appear to be relatively safe ones through residential areas. Also, these walking distances seem fairly typical of walking distances to local facilities and schools across much of the Cheltenham PUA and in this case, given the pedestrian routes entailed, I do not consider that they would deter walking. I note the concerns raised about the capacity of the local primary schools but the education authority has not objected to the proposed allocation and the School Organisation Plan indicates that there is likely to be a surplus of places available in the near future. Overall, the level of accessibility to particular facilities will vary from site to site. But on balance I consider that the accessibility of this site by non-car modes to a wide range of day-to-day and higher-order needs places it firmly amongst the sustainable allocations proposed in the RDDLP. Its allocation would be in accordance with Policy H.4 of the GSPSR and with the accessibility criterion of paragraph 31 of PPG3. Its location on the edge of the PUA would also comply with the fourth criterion of paragraph 31 in respect of the ability to build communities.

### **Traffic Impact on the Surroundings**

- 2.27.7 I understand local concerns about the impact of increased vehicular traffic from this and other planned developments on Prestbury. But for the reasons given above, the proposal affords the opportunity to accommodate the required new housing in a manner that should reduce the need to travel, especially by car. In comparison, many of the other sites within the Borough that are brokered for consideration would be much more car-dependent for access to basic day-to-day facilities. This is a key consideration in my view, since fundamentally important tenets of national and regional planning policies are that new housing should be located where it will help to reduce growth in the number and length of motorised journeys, encourage alternative means of travel which have less environmental impact, and reduce reliance on the private car. Even if the national and local policies and programmes to encourage or direct a modal shift from private car use are not successful, the increased traffic that would be generated by this allocation would have an insignificant effect on traffic flows and levels of congestion in the area. And there is insufficient reason to conclude that the cumulative impact of proposed developments on this part of Cheltenham would be unacceptable, especially since some of it would entail redevelopment rather than new traffic generating uses and the highway authority has raised no objection in principle to the proposal. Viewed in the context of the Borough as a whole, this site offers far greater potential to limit the growth of traffic congestion than many others that might be examined as alternative means of providing the required new housing. Also, the technical and other difficulties that might be encountered in designing and implementing any highway improvements required by the allocation are unlikely to be insuperable obstacles to the successful development of the site. And I consider it unlikely that the safety of highway users would be endangered by the proposed allocation.

- 2.27.8 The policy requires two vehicular accesses to the site, from Noverton Lane and from Mill Lane. But a single point of access from Noverton Lane for 90 dwellings would satisfy the current requirements of the highway authority. And on the basis of a draft development design brief that has been prepared by prospective developers of the site, it appears that the highway authority has accepted in principle that a development of 110 houses could be served by a single point of access. This would not preclude an emergency access onto Mill Lane being incorporated into any detailed development proposal. In my view the precise vehicular access arrangements are matters that can be satisfactorily resolved at the detailed design stage and they do not raise any issues that suggest that the allocation would be unacceptable in principle. On this basis I see no need to retain the specific policy requirement for two vehicular access points to the site.

*Adequacy of Drainage Facilities*

- 2.27.9 The Prestbury area has experienced flooding in recent years that gives rise to concerns about the impact of the proposed allocation. However, substantive design work undertaken for this proposal indicates that a sustainable urban drainage system (SUDS) could be implemented that would control the discharge off-site into the Mill Stream in such a way that it would be attenuated to at or below the existing greenfield discharge rate. Therefore, at worst it would entail no net increase in flows in the Mill Stream watercourse. As part of the scheme a swale would be provided along the eastern boundary of the site to intercept any sheet runoff that might enter the site during an extreme storm event. Detailed objections seek to demonstrate that the scheme would be inadequate. But given that it has the approval in principle of the Environment Agency, and on the basis that any detailed development proposal would be assessed in the light of up-to-date information and expected to satisfy the above performance measures, I consider that the allocation can be supported in this respect. The difficulties of funding improvements to remedy existing problems in and around the High Street are noted, but these are not a good reason to delete an allocation that would have no deleterious effect on surface water drainage in the locality and may even serve to improve it. It appears that there is adequate capacity for foul drainage from the site for an even larger number of dwellings than proposed. Overall, I conclude that the third and fifth criteria of paragraph 31 of PPG3 can be satisfactorily addressed by this proposal, and since Policy ENV11 requires the application of SUDS techniques in new development proposals, there is no need for an additional reference within Policy SO1 to this matter.

*Impact on Landscape and Ecology*

- 2.27.10 Dealing first with the history of land use designations in the area, reference has been made to a planning decision in 1991 on part of this site which concerned its protection under Policy ENV6 of the Cheltenham Environs Local Plan (CELP). This referred to its inclusion within an Area of Local Landscape Protection that applied to lands within Woodmancote, Prestbury and Leckhampton parishes which the Council sought to have included within the AONB, and which were protected in the interim period by this designation. However the Countryside Agency's<sup>28</sup> decision on this matter, which post-dated the adoption of the CELP, was that this site did not merit inclusion within the AONB, and thereafter Policy

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<sup>28</sup> As it is now known.

ENV6 no longer served a purpose. It is unfortunate therefore that a reference to the policy was made in the 1991 decision, although in a statutory sense the policy still applied to the site until the plan was formally reviewed. In any event the RDDLP's treatment of the site as an undesignated area is consistent with this planning history.

- 2.27.11 In my view the Council is right in accepting that the site does not merit protection as AONB, and that its character and appearance is different from the land to the north of Mill Lane that is proposed in the RDDLP as part of the Special Landscape Area (SLA). All of this area, and indeed the built-up area of Prestbury form part of the setting of the AONB, but this is not a reason to exclude in principle the development of the allocation lands. Looked at from the higher lands to the east, the site is part of the vale landscape and is contained physically by the local roads that separate it from the SLA and AONB. Its character is influenced by the close relationship with existing dwellings and by urban aspects of its boundary treatment and vegetation. There are residential curtilages around much of the site's boundaries and its ground levels are much more closely related to the adjoining residential areas than the lands within the AONB. With sensitive design and layout planning, new buildings on the site would not be unduly prominent or obtrusive and would be seen from the AONB as part of the wider built-up area of Prestbury. In my view this is illustrated by the photographs in JW6, even though the objectors regard it differently.
- 2.27.12 The development of the site would change the outlook of existing residents living nearby and it would also affect the view from the public footpath that crosses the site. But for the reasons given above it is necessary to look to urban extensions to contribute to a more sustainable pattern of development in general, even though this may sometimes require changes to the character of greatly valued areas on the urban fringe. Also, the indicative proposals for development of the site show that it could be readily absorbed within the built form of Prestbury and that it would be seen as only a minor extension of the residential area. The proposed net residential density is relatively low and there would be ample scope for high quality landscape treatment that would provide a well designed edge to the AONB. Views towards the AONB from Cockcroft Lane would not be significantly affected, and from the eastern end of Noverton Lane I consider that a development scheme could still permit the appreciation of the scarp slope of the AONB. Even with the development of the site, ample opportunities would remain for access to the open countryside via the network of public highways and footpaths in the area.
- 2.27.13 Most of the site consists of improved grassland, and the limited extent of other habitats makes it unlikely that the site is important for many species. Extensive use by badgers was established during an ecological survey, but an appropriate layout plan is capable of providing for continued use of the site by this protected species. The potential for common reptiles to be found in the rough grassland areas is subject to on-going investigation, but in this case also there is no reason why a suitable mitigation strategy could not be implemented. I understand local concerns about the loss of open fields, but development of this site could maintain or even increase biodiversity as a result of the new habitats created by the proposed storage pond, swale, and the planting of trees and hedgerows. In this respect it could enhance existing wildlife corridors and provide greater opportunities to conserve the nature conservation interest of the wider area.

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Local records of species sightings are noted, but in my view these should be considered in the site's context, especially its proximity to the large ecological reserve of the AONB. Overall, there is insufficient reason to conclude that the development of the site itself would harm the ecology of the area as a whole.

### *Proposal for Phasing*

- 2.27.14 Policy HSG1 indicates that the site would not be brought forward until the second phase of the Plan period, between 2006-2011. Policy SO1 gives no reason for its delayed phasing nor is one set out in the background documents for the RDDLP. An objection has drawn attention to the apparent inconsistency of this proposal compared with the earlier phasing of sites outside the CSV and in less sustainable locations. I agree that this is inconsistent and it fails to reflect the site's credentials in the sequential order of Policy HSG1 or any other factor that might justify a later phasing. Reference has been made to the possibility that brownfield redevelopment within Cheltenham Borough might be discouraged by the availability of this greenfield site. But in my view the relatively small size of the proposal and the contribution that it could make to the maintenance of an adequate supply of housing land in the Borough within the earlier part of the Plan period outweigh this consideration.

### *Other Matters*

- 2.27.15 There is local concern that the allocation could lead to suburbanisation of the historic settlement of Prestbury. While it would bring some change, I have referred above to the reasons why this is necessary and justified in this location. Also, I consider that its magnitude would be quite limited and that it would be seen in the context of the relatively modern development adjacent to the site. There would be no direct effect on the character and appearance of the conservation area which is separated from the site by the intervening modern development, and any indirect effects would be insignificant. Fears that a precedent would be set for further developments nearby are raised, but each case must be considered on its merits and in any event the landscape designations of the AONB and the SLA<sup>29</sup> would constrain the potential for urban expansion in this area.
- 2.27.16 An objection has been made to the proposed reduction in the capacity of the site, but the Council considers that the revised figure is appropriate, given the character of the site. I note that this would entail an approximate net residential density of 21dph, whereas the minimum of the density range advocated by PPG3 is 30dph. In contrast, Policy WO1 proposes a net residential density of 31dph on a site adjacent to the AONB. Each case must be considered on its merits, but the draft proposals by the prospective developers of the Policy SO1 site indicate that it could accommodate about 110 dwellings. This would still make provision for a landscaping scheme that would be sensitive to the adjacent AONB and for infrastructure requirements. On this basis the proposed capacity of the site should be increased to approximately 110 dwellings in order to make best possible use of land for new residential development.

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<sup>29</sup> Subject to my recommendation on SLA designation under Policy LAN2.

- 2.27.17 The Council accepts the need for some re-wording of the policy and reasoned justification in response to an objection from the County Council and I consider that the requested modifications should be made, including the reference to the need for a transport assessment. Also, to ensure consistency with my recommendations under LPOL - General, the policy and reasoned justification should be modified in respect of the affordable housing requirement, the reference to the design and development brief, and justification for seeking educational contributions. All of the other matters raised in the objections to this policy have been taken into account, but there are none that outweigh my conclusion that the allocation has overriding benefits and that it would accord with the relevant national, regional and structure plan policies.

### ***Recommendations***

- 2.27.18 (i) Policy SO1 and its reasoned justification be modified by:-
- a) deleting the reference to approximately 90 dwellings and replacing it by a reference to approximately 110 dwellings;
  - b) deleting the reference to two vehicular access points and replacing it by a requirement for adequate provision for vehicular access to the site and for a Transport Assessment to be submitted with any planning application for the proposed development;
  - c) replacing the policy wording on the design and development brief in accordance with the recommendation under LPOL – General;
  - d) replacing the policy wording and reasoned justification on affordable housing in accordance with the recommendations under LPOL – General;
  - e) inserting a new reasoned justification for seeking contributions to educational provision in accordance with the recommendation under LPOL – General, and
  - f) inserting a reference in the reasoned justification to the need for the Transport Assessment to include impact testing of the additional traffic on the Noverton Lane/High Street junction for capacity and safety purposes.
- (ii) Policy HSG1 be modified by altering the phasing of the Policy SO1 site from 2006-2011 to 2001-2011.
- (iii) No other modifications be made to the Plan in response to these objections.

## **ST1        Stoke Orchard housing site**

### **STGEN    Stoke Orchard - General**

#### ***Objections***

*See Appendix D for the list of objections on these matters*

#### ***Main Issues***

- *sustainability of the allocation*
- *need for a viable re-redevelopment scheme*

#### ***Inspector's Considerations and Conclusions***

2.28.1      Policy ST1 proposes the allocation of land at the former Coal Research Establishment (CRE) at Stoke Orchard for about 180 dwellings. The proposed allocation would occupy about 7ha of the former CRE site which has a variety of industrial buildings, structures, hardstandings and storage areas that have mainly fallen into disuse. The two-storey office building to the east of the entrance gate, currently occupied by EMC, would be retained in employment use. A comprehensive scheme is sought that would include clearance and decontamination of the site, the provision of a village hall and green, improved access to the village school and other matters. At the Inquiry the Council accepted that the requirement for a cycleway to the school could be deleted from the policy.

#### ***Sustainability of the Allocation***

2.28.2      Substantive objections have been made to this proposal on the basis that it is unsustainable. These rely principally on the advice in PPG3 and PPG13 and on the policies of RPG10 and the GSPSR. Attention is drawn particularly to Policies H.4, T.1 and S.3 of the latter. These require that development should be located where employment, leisure, commercial and community facilities can be integrated and where there are opportunities to maximise the use of public transport. They also seek to locate new development so that it minimises the length and number of motorised journeys and encourages the use of public transport, walking and cycling. And in directing that priority should be given to the use of previously developed land in built-up areas, Policy S.3 states that in rural areas such land may be in locations where development would be highly unsustainable.

2.28.3      Stoke Orchard has about 86 dwellings and a church but no other community facility. A primary school lies about 1.3km away on the edge of Tredington. The nearest foodstores and other retail facilities and secondary school are in Bishops Cleeve, at least 4.4km distant. These distances are considerably in excess of the desirable maximum walking distances that are set out as interim criteria in Annex A of RPG10. The most frequent bus service through Stoke Orchard provides at



best five or six services per day to Bishops Cleeve, but it neither enters the centre of that settlement nor satisfies the criterion of a minimum frequency of 60 minutes in accordance with Annex A of RPG10. This guidance is not intended to be prescriptive, but I consider that it provides a reasonable measure of the transport accessibility of sites in accordance with PPG13's objective of reducing the need to travel, especially by car. The potential to replace car trips by cycle trips from the site would be extremely limited, since Stoke Road is narrow and tortuous, has no street lighting or cycle lanes, and is unlikely to prove attractive for reasons of safety, comfort and convenience. Even if traffic-calming measures were to be introduced along some of its length, it would still not encourage cycling to any significant extent. Various proposals to improve facilities for walking to the primary school and to the employment site at the former Wincanton depot have been raised, but these would not significantly reduce the disadvantages of the location for non-car modes of transport.

- 2.28.4 About 160 jobs may be available locally at the EMC site and the former Wincanton depot about 1km to the east, and proposed expansion of the latter may increase this number. However, there is no evidence about the range of local job opportunities or to support the contention that the proposal could lead to an overall reduction in the need to travel by creating a better balance of housing and employment within Stoke Orchard. And in general, the potential to reduce car trips is likely to be greater for employment sites, especially through the use of Green Transport Plans, than for residential sites.
- 2.28.5 The prospective developers of the site are willing to subsidise the improvement of the bus service for a five-year period so that a 30-minute frequency service could be provided. The estimated subsidy is likely to be in excess of £1M. However, Stoke Road is not a designated public transport corridor in the Local Transport Plan (CD27) and while improvement in provision would be welcome, there is no evidence that it could be implemented by any of the bus operators or that it would be viable without significant public subsidy in the longer term. Given the location of Stoke Orchard, a subsidy to public transport services would be unlikely to be as sustainable as one generated by a site that is closer to urban facilities. In my view therefore, very little weight can be attached to the prospect of any significant, longer-term improvement in public transport facilities as a result of this proposal. In summary, the proposed allocation would not be easily or conveniently accessed by means of transport other than the car, nor would it generate such potential.
- 2.28.6 It is proposed to remodel Dean Brook which flows through the site, but a flood risk assessment has not yet been carried out. In the meantime there is uncertainty about the form of flood compensation scheme that might be required and the extent of the developable area of the site. In general terms, however, PPG25 requires local planning authorities to demonstrate that a site which has the potential to flood is more suitable for development than one which does not, and this exercise has not been carried out in respect of Policy ST1. The site also has contamination constraints and there has been some investigation of their scale and extent. However, there is uncertainty about some parts of the site to which access was not possible and about the impact of potentially contaminated land outside the site boundary on the proposed housing allocation. Therefore the extent and severity of the contamination is still not fully understood, and neither the cost of remediation nor the implications for developability of parts of the site can be accurately assessed at this stage.

- 2.28.7 Taking all of these factors into account, I consider that the proposed allocation is highly unsustainable, notwithstanding its mainly brownfield nature. The allocation would be likely to more than double the population of a settlement that has not a basic level of community facilities. It would fail to satisfy almost all of the criteria for the identification of housing sites as set out in paragraph 31 of PPG3 and it is particularly unsuitable in terms of the 'ability to build communities' and 'location and accessibility' criteria. It would not fall within even the final category of the search sequence identified in paragraph 30 of PPG3. I consider that the allocation would be in conflict with Policies S.3, H.4, H.6 and T.1 of the GSPSR, even though the County Council has not lodged an objection for these reasons. In terms of RPG10, there would be a serious conflict with Policies SS 2 and SS 3 which seek to promote a sustainable pattern of development in the region.

*Need for a Viable Redevelopment Scheme*

- 2.28.8 An appeal against the refusal of outline planning permission for residential development of the site was dismissed in 1997 for reasons concerned with sustainability. However, the Inspector was prepared to accept on the balance of the evidence that housing provided the only economically viable form of redevelopment and that the site was unsuitable for re-use for employment purposes. The Council relies on the latter finding, and on local concern about the visual harm caused by dereliction of the site, and perceived sustainability benefits arising from a better balance of employment and housing in the area as exceptional reasons to promote an allocation that would be contrary to national and strategic policy guidance. My conclusion on the housing/employment balance issue is set out above. No substantive new evidence on the viability of alternative re-uses has been put forward, although it appears that marketing of the site for employment purposes has not been successful. However, any justification for the allocation of the site for 180 dwellings would require, as part of the balancing exercise, much more precise, quantifiable evidence on viability than is currently available. The visual impact of dereliction on the site is undoubtedly a concern, but alternative means of addressing it, including enforcement of conditions relating to restoration of parts of the site, do not appear to have been fully explored. I appreciate the local community's desire for improvements to the settlement, but these are accompanied by concerns about the scale of the proposed development. There has been some improvement in public transport services since the 1997 appeal but no changes that are so fundamental as to lead me to a different conclusion on sustainability from the previous Inspector. Overall, the policy emphasis on sustainable locations has increased since the appeal decision was reached, and I consider that any need for a viable redevelopment scheme does not outweigh the policy conflict that would be entailed by this proposal.

***Other Matters***

- 2.28.9 One of the objections seeks the enlargement of the site to include a field to the north-west that has been part of the CRE ownership since the 1950s and has a linked planning history. There does not appear to be any record of the relevant outline planning permission having been implemented or indeed of the approval of any details relating to it. In any event, whether or not this field should be treated as previously developed land in accordance with PPG3's definition is not

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in my view the determining factor, since for the reasons given above I consider that the proposed housing allocation should be deleted from the Plan.

- 2.28.10     Objections that concern the Plan's proposals in general for Stoke Orchard would be resolved in my view by my recommendation in respect of Policy ST1 and by the deletion of Policies ST2 and ST3 in accordance with the RDDLP.
- 2.28.11     Notwithstanding my recommendation, if the allocation policy were to be retained in the Plan it should be modified in accordance with my recommendations under LPOL – General with regard to affordable housing, educational provision, and the design and development brief. These modifications would help to address objections about the detailed policy requirements. In response to another concern, I consider that the policy requirement for an open space gap through the site is unnecessarily prescriptive and would constrain opportunities to develop the most appropriate design and layout of the site.

### ***Recommendation***

- 2.28.12     The Plan be modified by the deletion of Policy ST1.

## **TE1      Access to the River Network**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *acceptability of diversions inland*

### ***Inspector's Considerations and Conclusions***

2.29.1      Policy TE1 of the RDDLP is concerned with proposals which increase public access to the river network within Tewkesbury. The reasoned justification explains that on the built-up east bank, the historical development of the town has meant that a continuous path alongside the river is neither possible nor necessarily appropriate in conservation terms. But it adds that the Council supports the creation of a path that follows the Mill Avon wherever possible, whilst accepting that occasional short diversions inland will be required. I consider that this approach is reasonable and appropriate in principle, and therefore I do not commend any modification of the policy in response to the objection.

### ***Recommendation***

2.29.2      No modification be made to the Plan in response to this objection.

## **TE4        Bishops Walk/Spring Gardens**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *appropriateness of seeking enhanced car parking provision*
- *status of development brief*

### ***Inspector's Considerations and Conclusions***

- 2.30.1        Policy TE4 of the RDDLP sets out the principles that are intended to guide the redevelopment of the Bishops Walk/Spring Gardens area in Tewkesbury town centre. One of these is that provision should be made for enhanced parking facilities, and that the use of decked parking should be considered as a means of achieving this. I share the concerns of the objectors about proposals that appear to encourage greater use of the private car as a means of accessing a town centre. This would not accord with national planning policies and, in the absence of any justification for the approach, this element should be deleted from the set of guiding principles. In its place it would be appropriate to require that provision be made for access by a choice of means of transport, with particular emphasis on improving access by public transport. The concern about decked car parking would generally be addressed by this recommendation.
- 2.30.2        In accordance with the policy, development in this area will be guided by a brief. The reasoned justification explains that the brief will be prepared by the Council in consultation with the Town Council, land owners and other interested parties. One of the objections is concerned that the Plan, not Supplementary Planning Guidance such as a development brief, should set out the basis on which planning decisions will be made. I agree, and therefore the policy reference to the brief should be deleted and replaced by a statement in the reasoned justification that accords with my recommendation under LPOL – General.

### ***Recommendations***

- 2.30.3 (i)        Policy TE4 be modified by:
- a) deletion of the third principle and its replacement by a principle that provision be made for access by a choice of means of transport, with particular emphasis on improving access by public transport, and
  - b) replacing the policy wording on the development brief in accordance with my recommendation under LPOL – General.
- (ii)        The reasoned justification for Policy TE4 be modified accordingly.

## **TE6      Bredon Road, Tewkesbury**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *sustainability and accessibility of the proposal*
- *impact on the landscape and countryside*
- *protection against flood risk*
- *effect on the allotments*
- *impact on water-based recreation*
- *impact on road traffic*

### ***Inspector's Considerations and Conclusions***

- 2.31.1      In accordance with Policy TE6 of the RDDLP, land on the western side of Bredon Road, Tewkesbury is allocated for the development of some 250 dwellings. This represents an increase of 45 dwellings in the proposed capacity of the site compared with the Deposit Draft policy. Part of the site is occupied by allotments and the policy requires their translocation. Amongst the other policy criteria are requirements for a high quality landscape framework, a site for a community hall/church, and the provision of safe pedestrian and cycle access to the local facilities and to the town centre. A draft planning brief to guide potential development of the site has already been prepared (CD40).

### ***Sustainability and Accessibility of the Proposal***

- 2.31.2      A number of objections challenge the sustainability of this allocation on the basis that it is neither within nor easily accessible by public transport to the CSV. However Policy H.4 of the GSPSR does not preclude some new development within Tewkesbury/Ashchurch and, as I have concluded in respect of the housing strategy in general<sup>30</sup>, the broad distribution of growth envisaged by the RDDLP would accord with Policy H.4. I accept that there is scope to improve public transport connections to Cheltenham and Gloucester but this is not an adequate reason to challenge the sustainability of the proposal. The site is easily accessible by non-car modes of transport to local shops (250m distant), a primary school (350m distant), employment facilities (800m-900m distant by footpath/cycleway from employment opportunities in Newtown and in the town centre), and there is a wide range of shopping and community facilities and services in the town centre which is about 900m from the site. It is proposed to improve pedestrian and cycle linkages to these facilities, and also to seek improvements to public transport, especially connections to Ashchurch rail station. An existing bus route past the

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<sup>30</sup> See HSGGEN in Volume 1.

site provides an hourly service that links Northway and Priors Park, and from the town centre there are bus connections to Cheltenham, Gloucester and other towns and villages. Taking all of these attributes together I consider that this would be a sustainable allocation in terms of its accessibility to a wide range of facilities by non-car modes of transport.

### ***Impact on the Landscape and Countryside***

- 2.31.3 Many of the objections to the proposal are concerned with its effect on the local landscape. The site is part of the countryside fringe of Tewkesbury and is in a sensitive location on the eastern bank of the River Avon. Apart from the well-established allotments it consists of grazing land of good agricultural quality (Grade 2 or 2a). However, I do not consider that the loss of this land to residential use would conflict with the advice in PPG7, as amended in March 2001. Not all of the Borough's housing requirement can be met by brownfield sites, and while this site has undoubted agricultural value it is in a sustainable location where the provision of some new residential development is justified.
- 2.31.4 I appreciate the concerns that have been raised about the change that would be wrought in the local landscape character, but some changes to the rural fringes of the Borough's settlements are inevitably required. And in this case I have no doubt that there is potential to integrate a well-designed scheme into the landscape in a manner that is unobtrusive and in keeping with the riverside setting. The increase in the site's capacity should not pose any obstacle in this regard since the net residential density of about 40dph is relatively modest and there is no reason why it should inhibit the achievement of an attractive and appropriately designed scheme. The site is set back from the riverside and when seen from the public footpaths on the western side of the Avon it nestles within the skyline formed by the residential area on higher ground to the east of Bredon Road. If developed as proposed it would still allow for the retention of a swathe of countryside that sweeps downwards from the higher land near Mitton Cottages, past the site, and towards the town centre. As a result, the riverside setting of Tewkesbury would be retained, albeit altered to some degree, and a semi-rural fringe area would remain on the eastern bank of the Avon. The new development would be softened and screened by existing planting around much of its boundaries. The north-eastern boundary does not follow any natural landscape features, but I consider that careful site planning and new planting could form a satisfactory edge to the development that would filter into its rural setting. The proposed elliptical line of this boundary would allow views across the site from Bredon Road towards the river, and from the western side of the Avon it would be seen as a gently graduated urban boundary that respects the local topography.
- 2.31.5 The RDDLP proposes the deletion of the allocation site from the designated Landscape Protection Zone (LPZ) to which Policy LAN3 applies. This policy seeks to give special protection to the ecology and visual amenity of the river environment. It does not seek to prevent development in the designated area, although it would not permit development which would have a detrimental visual or ecological effect on the character of the river banks or associated landscape setting of the river. My recommendation in respect of objections to Policy LAN3 are set out elsewhere<sup>31</sup>, but for the reasons set out above I do not consider that the

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<sup>31</sup> See Volume One.

proposal would have a detrimental visual impact on the river bank or the wider landscape setting. Also, there is no substantive evidence of any significant ecological impact that could not be mitigated by compensatory works to maintain or enhance biodiversity. Nonetheless, I agree with the Council that it would not be appropriate to retain the LPZ designation on the allocation site.

### ***Protection against Flood Risk***

- 2.31.6 There is widespread concern amongst objectors about the implications of the proposal for flood prevention. Recent flood events in and around Tewkesbury have heightened concerns generally about this matter. The Council has proposed to update its policy on flood prevention in the light of the most recent Government advice in PPG25 and I have recommended elsewhere in the report that the proposed amendment would be appropriate<sup>32</sup>. With regard to this allocation in particular, a flood risk assessment is being prepared which would ensure that any development would lie outside the area subject to a greater than 1% annual risk of flooding. And in accordance with Policy ENV11, a sustainable urban drainage system (SUDS) would be required, as appropriate. In the light of all the evidence on this matter I have no reason to doubt that the finally approved development scheme for the site would not contribute to surface-water run-off in the area or exacerbate the risk of flooding.

### ***Effect on the Allotments***

- 2.31.7 The existing allotments are non-statutory and the current tenants have no security of tenure. Therefore, the potential to re-locate to a new permanent site that would be vested in a suitable owning body would offer the benefit of a long-term future for allotment cultivation in the town. Planning permission has already been obtained for a replacement site on the eastern side of Bredon Road, just beyond the edge of the urban area. I accept that the relocation process would be disruptive and that the new site would take some time to become fully established. Also, it would be less conveniently located for some potential users. Nonetheless, on balance I consider that the advantages of a permanent site, together with the need to make provision for new housing on suitable sites within the Borough, outweigh the disadvantages of the proposal in terms of allotment use.

### ***Impact on Water-based Recreation***

- 2.31.8 The Council has acknowledged that the Tewkesbury Cruising and Sailing Club's existing right of access to the riverside and any related security issues should be addressed in the policy and has suggested an additional criterion with which I concur. As a result the policy would highlight the need for a satisfactory design and layout of the housing allocation that provides access and security for the existing recreational users of the river. On this basis I consider that the concerns raised by objectors are capable of being resolved. More wide-ranging issues about the effect of the allocation on the tourism and recreational potential of the riverside have been raised. But it seems that this development could improve the potential for public access to the eastern side of the river, and there is no reason why a high quality development on the site should detract from tourism and recreational interests.

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<sup>32</sup> See Policies ENV5 and 6 in Volume One.



### ***Impact on Traffic***

- 2.31.9 Increased traffic volumes on Bredon Road that would be entailed by the allocation give rise to objections about public safety, convenience and the amenity of local residents. I understand these concerns but am satisfied that the details of the proposed development could address these matters so that there would be no significantly harmful impact. The highway authority has no objection in principle to the proposed allocation, and for the reasons given above this location offers greater potential than many other proposed housing sites in the Borough to reduce the need to travel by car. It is clear also that a scheme that provides for improved conditions for pedestrians and cyclists using Bredon Road will be sought.

### **Other Matters**

- 2.31.10 As a consequence of my recommendations elsewhere concerning objections to the wording of the policies in general on affordable housing and design and development briefs, and to the lack of justification for seeking contributions to educational provision, my recommendations under LPOL - General should also be applied to this policy. The prospective developer of the site would wish to see the allocation placed at the top of the list of Tewkesbury/Ashchurch sites in Policy HSG1, unless the order in that policy is not intended to imply the order of release of sites. However, I do not consider that the sequential categorisation or ordering of the sites within each category should be used as a phasing device without explicit justification, and there is no evidence that the Council intends to apply Policy HSG1 in this way. On this basis, no modification is required in response to this concern. All of the other matters raised in the objections have been taken into account but, for the reasons set out above, I consider that the proposed allocation should be retained.

### ***Recommendations***

- 2.31.11 (i) Policy TE6 and its reasoned justification be modified by:
- a) addition of a policy criterion that requires that access and security issues relating to the Tewkesbury Cruising and Sailing Club be addressed by any development proposals for the site;
  - b) replacing the policy wording and reasoned justification on affordable housing in accordance with my recommendations under LPOL – General;
  - c) replacing the policy wording on the design and development brief in accordance with my recommendation under LPOL – General, and
  - d) inserting a new reasoned justification for seeking contributions to educational provision in accordance with my recommendation under LPOL – General.
- (ii) No other modification be made to the Plan in response to these objections.

## **TE8      Old Railway Line, Tewkesbury**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need to safeguard potential future bypass route*

### ***Inspector's Considerations and Conclusions***

- 2.32.1      Policy TE8 is a new policy in the RDDLP that safeguards the old railway line at Tewkesbury for the provision of a cycleway and footpath. It should be read in conjunction with Policy TRP22 which protects the Tewkesbury Northern Bypass Corridor along part of the originally safeguarded route but cancels the protection applying to the sections that will no longer be needed. This reflects the decision of the County Council not to proceed with the bypass and to abandon the protection applying to parts of the route. In these circumstances no purpose would be served by safeguarding the old railway line at Tewkesbury for a bypass, but the implementation of a cycleway/footpath would not prejudice the implementation of a road scheme to the east of Bredon Road should it be required in the future.

### ***Recommendation***

- 2.32.2      No modification be made to the Plan in response to these objections.

## **TO1      Toddington Housing Site**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issue***

- *need for limited development in villages*

### ***Inspector's Considerations and Conclusions***

- 2.33.1      Policy TO1 of the Deposit Draft has been deleted from the RDDLP. It proposed the allocation of a site for 10 dwellings on the western edge of Toddington and within the AONB. The deletion of the policy appears to resolve all but one of the outstanding objections.
- 2.33.2      The objection contends that the reinstatement of the allocation would accord with PPG3 by encouraging limited development in expanded villages, and that it could provide affordable housing and be sympathetically designed in keeping with the character of the village. However, this is to misunderstand PPG3's aim to create more sustainable patterns of development by building in ways that exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services. The overall strategy of the GSPSR generally accords with this aim. The changes to the Deposit Draft that are brought forward in the RDDLP, including the deletion of a substantial number of housing allocations in small settlements with an inadequate level of public transport accessibility, seek to reflect the GSPSR strategy. Deletion of the Policy TO1 allocation is fully justified in my view by the need to promote a more sustainable pattern of development in the Borough, since it is likely that occupiers of the new dwellings would have been dependent on use of the private car for most, if not all, of their travel requirements. There is no reason why affordable housing provision in unsustainable locations would be any more acceptable than general market housing; the availability of good public transport services may be of even more importance for affordable housing. If however a particular local need for affordable housing were to be demonstrated in rural parts of the Borough, Policy HSG15 would provide for meeting this requirement.

### ***Recommendation***

- 2.33.3      No modification be made to the Plan in response to these objections.

## **T02      Orchard Trading Estate Extension (Toddington)**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *need for additional employment land*
- *accessibility by a choice of means of transport*
- *impact on the landscape*

### ***Inspector's Considerations and Conclusions***

- 2.34.1      In accordance with Policy TO2, a triangular area of some 3.8ha to the west of the existing Orchard Trading Estate, and separated from it by a road, is allocated for employment uses within Use Classes B1, B2 and B8. The policy requires that development should respect the site's location in the Special Landscape Area (SLA) and adjacent to the AONB; it should also provide improvements at the adjacent junction and enhance public transport facilities.
- 2.34.2      On the first issue, the policy is not based on any particular need to increase the employment land supply; indeed the Council agrees that the GSPSR's figure of 'about 160ha' is significantly exceeded. Therefore there is an element of flexibility and choice as advised by PPG4. PPG7 seeks to foster rural communities by advocating the location of housing and employment close together, but in this case no specific reason has been advanced for a greenfield employment site in an extensive rural area. I am not convinced that it would be part of a local service centre, as the villages in this part of the Borough are dispersed, with few transport links between them. Moreover, they are not the main focus for significant additional housing, in the terms advised by PPG13. I consider that the proposed allocation is in conflict with GSPSR Policy E.4, which limits new commercial development in the countryside to small-scale uses essential to the rural economy.
- 2.34.3      In the Council's view the allocation would provide employment opportunities for residents of Winchcombe and nearby villages. However, there is no evidence of any local need, or of local insufficiency in employment land in this part of the Borough. The Council has not challenged a survey that shows that only about eight of the 468 employees on the existing estate lived in Toddington and 16 in Winchcombe; it clearly attracts most of its workforce from some distance away. There is therefore already a major employment site in the north-eastern part of the Borough, but one which provides few jobs for local residents, despite the Council's claim that there is a high degree of self-containment in the Toddington - Winchcombe area. Also, during the course of the Inquiry there were several empty units on the existing estate, some of which the Council agreed had been vacant for over a year. This indicates to me that there is no unmet demand in this area for the type of small-scale enterprises for which GSPSR Policy E.4 provides. Instead there is spare capacity which could be used to meet any local needs for employment.

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- 2.34.4 Turning to the second issue, the allocation could enable nearby residents to work closer to home but I consider that, as on the existing estate, most of the workers would live a long distance away, and the allocation would go far beyond the needs of residents in the nearest settlements. It would be likely to lead to an increase in the need to travel. While travel patterns may alter in the future, I consider that existing significant levels of in-commuting would also be likely to apply to any additional employment development at this location. Indeed a letter of support indicates that one firm on the existing estate could move other activities from Quedgeley, in the Central Severn Vale; this is likely to materially increase car journeys for the workers involved. Therefore, the allocation would be contrary to the aims of sustainable development and any benefits to some nearby residents would be outweighed by this adverse effect.
- 2.34.5 The lack of footways and street lighting along the road to Toddington makes this an unattractive walking or cycling route and indicates that even those employees who live nearby would be likely to travel by car. PPG7 advises that major developments should be well served by public transport but services in the vicinity are poor; for example, there are no buses to or from Winchcombe at each end of the working day. Inadequate public transport was the Council's reason for deleting a proposed housing site in Toddington. Policy TO2 requires enhanced public transport to increase modal choice but in my view, unless there are significantly extended routes and increased frequencies, this would have little impact on travel modes of those living further afield. The Council has not been able to confirm for how long improved services would be funded. In my view the allocation would not be genuinely accessible by non-car modes and would breach advice in PPG13 that sites with large numbers of employees should be accessible by public transport.
- 2.34.6 With respect to the third issue, the surroundings are of acknowledged sensitivity. I consider that, however well the site might be landscaped, development on this large, flat site next to main roads and visible from higher land would be unacceptably prominent in attractive open countryside. It would appear out of scale with its rural surroundings and breach GSPSR Policies NHE.1 and NHE.5. New landscaping might help screen the existing estate, especially if there are no planning conditions which can be currently enforced, but as this would be associated with extensive new buildings that would be intrusive in the landscape, I do not consider that any landscaping benefits would outweigh the harm caused by development of the site.
- 2.34.7 Turning to other matters, the adjacent junction of the B4077 and B4078 is acknowledged to be dangerous, although not enough for the highway authority to undertake major alterations. The policy requires highway improvements, but these would be justified only because of the levels of traffic that would be generated by the allocation. I do not consider that the improvements to the existing situation would warrant the harm caused by development on the site. Also, I note that GSPSR Policy E.3 requires Class B8 uses to be readily accessible from the principal highway network but, as the site is some 6.5km from the A46 trunk road, this criterion would be breached. I acknowledge, however, that objectors' concerns about sewage disposal and possible noise pollution could be addressed by conditions.
- 2.34.8 In conclusion, in my view the allocation of a large greenfield site, outside any settlement and not well served by public transport, would amount to unsustainable development and it would harm the character and appearance of the surroundings.

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There are no exceptional circumstances that might outweigh the harm caused to these important interests.

### ***Recommendation***

2.34.9 The Plan be modified by the deletion of Policy TO2.

## **TW1 Twyning Housing Site**

### ***Objections***

***See Appendix D for the list of objections to this policy***

### ***Main Issues***

- *need to sustain the village as a viable community*
- *use of previously developed land*
- *inclusion within the Residential Development Boundary as a logical area for infill development*
- *potential for expansion of car parking provision*

### ***Inspector's Considerations and Conclusions***

- 2.35.1 Policy TW1 of the Deposit Draft has been deleted from the RDDLP on the basis that it does not accord with the GSPSR strategy, which seeks to concentrate development in urban areas in the CSV. This strategy is further supported by PPG3, paragraph 21, which also advocates the concentration of most new housing within urban areas and paragraph 31, which advises local authorities to locate new housing development in areas accessible to jobs and services. Twyning is not identified in the Plan as a local service centre and falls into category D (larger villages) in the Borough's sequential approach to housing allocations. The Council considers that the Borough's residual housing requirement can be almost entirely accommodated within the CSV, Tewkesbury/Ashchurch and Winchcombe and has proposed no new housing sites in the Borough's larger villages. This complies with the search sequence as set down in PPG3, paragraph 30. Notwithstanding my recommendations in respect of the some of the RDDLP's allocations, the overall strategy of the Plan clearly seeks to accord with the GSPSR. Given the relatively poor transport connections serving the village of Twyning and the lack of access to a good range of employment, retail, community and leisure facilities, I support the deletion of Policy TW1 from the Plan. Most of the outstanding objections are resolved by the deletion.
- 2.35.2 In respect of the remaining concerns, there is no evidence to suggest that local services in the village may cease to be viable without significant additional housing development. The local school is operating close to capacity and there is nothing to suggest that it is in danger of closure. Policy HSG15 provides for affordable housing development to meet local needs on rural exceptions sites in particular circumstances, but there is no justification for the scale of development proposed by Policy TW1 in terms of any particular local need.
- 2.35.3 Previous use of the site as a caravan park would not support its classification as previously developed land. It is an open field on the edge of the village. Also, it is distinct from the village by virtue of its openness and therefore it would not be appropriate to include it within the Residential Development Boundary, and its development would not entail infilling. There is no substantive evidence that any need for the provision of extra car parking in the settlement could not be met without the development of a new housing site.

***Recommendation***

2.35.4 No modification be made to the Plan in response to these objections.



## **WIGEN      Winchcombe Parish - general**

### ***Objections***

*See Appendix D for the list of objections on this matter*

### ***Main Issues***

- *appropriate scale of development*
- *need for landscape protection*
- *provision of affordable housing*

### ***Inspector's Considerations and Conclusions***

#### ***Preamble***

- 2.36.1      A large number of objections to the Deposit Draft Plan raised concerns about the capacity of the settlement to accommodate the proposed scale of development. In the RDDLP the overall allocation for Winchcombe has been reduced from 250 to 155 dwellings. This may go some way towards meeting these concerns, although the objections have generally not been withdrawn and also site-specific objections remain in respect of Policies WI1, WI2 and WI3 which are dealt with elsewhere. Objections seeking the allocation of other lands in and around Winchcombe, in some cases as alternatives to the allocated sites, are considered in Volume Three of the report.

#### ***Appropriate Scale of Development***

- 2.36.2      In accordance with the Council's sequential categorisation of locations, Winchcombe is a Category C settlement. It is regarded by the Council as a Principal Settlement for the purposes of Policy S.2 of the GSPSR and is included as a Policy HSG2 settlement in the RDDLP. Nonetheless, Policy HSG2 groups a number of settlements together that vary significantly in size and character, and as I recommend on objections to that policy, there is a need for a fundamental review of the function of these settlements and of their role in accommodating further residential development. In respect of Winchcombe and Greet, the objections highlight a perceived lack of justification for the incremental expansion of these settlements and I agree that this is absent from the Plan. The scale of development envisaged, even at its reduced level, appears to be out of proportion to the capacity of the settlements to accommodate it. Paragraph 6.5.8 of the GSPSR, referring to Principal Settlements, makes clear that they would form the focal points for a 'scale of development which is consistent with the character and function of the settlement, and support local services and the social and economic well-being of local communities.' It goes on to refer to the Panel's advice on this matter that growth should be commensurate with the transport network and provided suitable employment opportunities existed or could be made available.

There is no evidence to indicate that the proposed expansion of Winchcombe and Greet would relate to existing local employment opportunities, and the Council has confirmed that it is not intended to make new employment provision in the settlement. On balance, the evidence suggests that much of the workforce commutes to Cheltenham and that the scale of new residential development proposed would be likely to exacerbate that trend.

- 2.36.3 In terms of the transport network, there has been no objection from the highway authority or the Highways Agency to the proposals, but this does not override the need to appraise the allocations in terms of public transport accessibility. The Council regards them as 'RPG10 compliant' except for evening and weekend services, but in my view this is an inadequate evaluation of the potential for a significant scale of development in Winchcombe to offer a realistic alternative mode of travel to the private car. Only the services to Cheltenham would approach RPG10 compliance, so commuters to other locations would almost certainly be car-dependent. Also, the level of service to Cheltenham, with intervals of about an hour in the morning peak and no return service after about 1830 hours, would in my view be a serious disincentive to bus use for commuting.
- 2.36.4 A number of the objections regard the demand on Winchcombe to accommodate an unsustainable level of new development as a product of the GSPSR and the hierarchical system of plans generally, and they urge rejection of the housing requirement figure. I deal with the detailed aspects of the housing strategy and provision under HSGGEN and Policy HSG1 in this report, but in general there is no substantive case for not fulfilling the GSPSR's housing requirement for the Borough. However, as referred to in those sections of my report, a number of the RDDLP's proposed allocations are unsustainable, and the Council will have to consider how best to address this matter after a comparative sustainability assessment of all the options.

### **Need for Landscape Protection**

- 2.36.5 Specific concerns about the landscape impact of the individual allocations in Winchcombe and Greet are considered under the respective policies. In general however, a number of objections suggest that the RDDLP's focus on the Special Landscape Area (SLA) for the accommodation of new housing is wrong and that careful examination of lands within the AONB could yield much less damaging options for limited expansion. A number of potential sites are referred to either in general terms or as omission sites promoted at the Inquiry. The latter are considered in Volume Three of the report. My site-specific conclusions on these matters are set out there, although in general I agree that any future consideration of development needs in Winchcombe would benefit from an explicit landscape evaluation that takes into account the potential of sites within both the AONB and elsewhere. Nonetheless, it is clear that Winchcombe's landscape and conservation area constraints, amongst others, afford very limited capacity to accommodate new development.

### *Provision of Affordable Housing*

- 2.36.6 A number of the objections are concerned with the particular need in Winchcombe for affordable and special needs, rather than general market housing,

and some would seek up to 80% of the proposed new residential allocations as affordable housing. Site-specific aspects are dealt with under the respective policies, but in general terms I do not accept that the need in the parish, which appears to be considerable, can reasonably be translated into such an onerous requirement on developers seeking to bring forward housing sites on the open market. The Winchcombe Housing Needs Study, published during the course of the Inquiry, seeks to demonstrate a very high level of need in the area. The Council has not disputed its findings but nonetheless wishes to retain the figures included in the policies in respect of the affordable housing contribution. These equate to about 30% of the capacity of the individual sites being sought as affordable housing. In accordance with my recommendations under LPOL – General, the figures in the site-specific policies would be the starting point for negotiations, and I consider that this is the most appropriate way forward for the Plan. This would not prevent the Council from seeking to negotiate a higher (or lower) level of provision in accordance with an up-to-date assessment of need. It should also be borne in mind that affordable and special needs housing can be brought forward in other ways, for example on windfall sites, on ‘exceptions’ sites, or from conversions of existing stock, and therefore the contribution from the Plan’s allocations is only one element of the total supply.

*Other Matters*

- 2.36.7 The Town Council seeks the reinstatement of a requirement for consultation with the Borough Council on every policy in the Plan relating to housing development in the parish, but I see no need to refer to consultation practices that are undertaken in any event. Some objectors referred to the desirability of producing a Design Guide for Winchcombe. Whether or not this is a duly-made objection, I have no doubt that the Council would wish to give serious consideration to the value that such a guide would add to future planning and development in the area. My recommendations under Policies GEN1 and LAN6 are relevant to this matter.

***Recommendation***

- 2.36.8 I make no specific recommendation. My recommendations under Policies WI1, WI2 and WI3 and the omission sites in Winchcombe take account of the matters referred to above.

## **WI1 Land between Greet Road and Gretton Road, Winchcombe**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *scale of development and sustainability*
- *impact on the landscape and settlement form*
- *benefits of an enlarged allocation*

### ***Inspector's Considerations and Conclusions***

- 2.37.1 Policy WI1 of the RDDLP proposes the allocation of a site for 100 dwellings on land between Greet Road and Gretton Road, on the northern outskirts of Winchcombe. This entails a reduction of 100 in the number of dwellings and a smaller site area compared with the policy in the Deposit Draft. Requirements set out in the policy include the provision of a through route between the two roads, contributions to improved local public transport provision and a community centre, provision for a medical centre, and a landscaping scheme that is sensitive to the site's location. It is proposed that development would commence in 2006-2011.
- 2.37.2 Many of the objections to this allocation mirror the concerns raised about the proposals for Winchcombe in general. In summary, they contend that the proposed scale of development is unsustainable for a settlement of this size, character and location; that it would place considerable strain on local facilities and services, exacerbate commuting patterns and traffic congestion, and do little to address the need for affordable housing within the area. Most of the objections refer to the Deposit Draft policy for 200 dwellings on this site but they have not been withdrawn and I have no reason to conclude that they have been resolved by the proposed reduction in the scale of development.
- 2.37.3 I share many of the concerns raised. In particular, the settlement has only limited employment, shopping and services facilities and most of the occupiers of the new dwellings would be likely to commute to higher order centres for work, comparison shopping, and a range of leisure and other activities. In my view the site is not well served by public transport to Cheltenham, Tewkesbury or other potential destinations. For example, in the morning peak period there is only an hourly service to Cheltenham and the journey time can exceed 30 minutes. There are no return services after about 1830 hours. Journeys to Tewkesbury, Toddington, Bishops Cleeve and other employment areas would be almost entirely reliant on private car transport. Even with contributions from this and the other proposed developments in Winchcombe and Greet, I do not consider that there is a reasonable prospect of securing a long-term, viable bus service that would be likely to provide a realistic alternative to the use of the private car. Therefore in my view the proposed allocation would not accord with national planning policies, especially as set out in PPG13, nor with Policies H.6 of the GSPSR or SS 19 of RPG10 which seek to ensure that development in rural

settlements is limited in scale and compatible with sustainability objectives.

2.37.4 In other respects the allocation would not represent an appropriate level of growth to support and enhance facilities in the town since it would be entirely residential, with no employment or other elements, and it would comprise mainly general market housing. There is nothing to indicate that contributions from the development towards the provision of necessary community and other facilities in Winchcombe would trigger improvements that could not otherwise be secured, and there is no substantive evidence that this allocation is the best means of ensuring the provision of these facilities. Therefore, it would not fall within the scope of the advice about development of local service centres in paragraph 70 of PPG3. Nor would it accord with Policy SS 7 of RPG10 which states that development plans should identify, where appropriate, towns to accommodate smaller-scale development to serve local needs and make services available in the wider rural areas of the region. The facility for walking to local shops, schools and other services from this site<sup>33</sup> does not overcome my concern that a residential allocation of this size within Winchcombe is unsustainable. Also, the location of the site on the northern side of the settlement would be likely to exacerbate traffic conflicts in its historic core as a result of increased commuting to Cheltenham. The potential to improve the sustainability of the allocation by introducing a mix of uses has been raised, but for the site-specific reasons referred to below I do not consider that this would overcome the objections to this allocation.

2.37.5 The second main issue concerns the effect on the local landscape and on settlement form. The Council has looked to expansion of the settlement in this direction in order to protect the landscape of the designated AONB which washes over most of Winchcombe. Nonetheless, the site lies within the Special Landscape Area. Policy LAN2 of the RDDLP seeks to protect the landscape quality and character of this area as a setting for the AONB. Notwithstanding my recommendations in respect of that policy, I consider that the site is in a particularly prominent, open location between two important approaches to the settlement. Also, it is overlooked by many viewpoints on the higher ground to the east and west of the site that is within the AONB. From these it would appear as a very significant and incongruous protrusion of new development into the landscape setting of Winchcombe, and it is unlikely that this harmful effect could be overcome by sensitive landscaping or layout planning. From closer range views it would also be especially prominent from Greet Road and Gretton Road, and its visual impact would be exacerbated by the sloping nature of the site. I do not consider that the containing effect of the hedgerow on the northern boundary or a new planting scheme would mitigate these impacts to any significant extent.

2.37.6 The danger of coalescence between the built forms of Winchcombe and Greet has been raised by a number of objectors. The allocation would not physically link the two areas, but it would reduce significantly the gap between them since there would be an almost continuous line of development between Winchcombe and Greet, albeit not on both sides of Greet Road. This urbanising effect on the wider landscape would be intensified by the linking of the existing northern edge of development on Gretton Road with the new northern edge of the proposed allocation and thence with the built form of Winchcombe School. As a result, I consider that the allocation would have a very harmful effect on the settlement

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<sup>33</sup> Nonetheless, walking distances would in most cases exceed the recommended maxima in Annex A of RPG10. For example, the nearest primary school and convenience store are about 1km and 0.9km distant respectively.

form of Winchcombe by blurring its separation from Greet and intruding into its landscape setting. In my view the landscape impact of this proposal is sufficient reason on its own to recommend that it be deleted from the Plan.

- 2.37.7 One of the objections seeks the re-instatement of the Deposit Draft allocation of the larger site, but with a slightly reduced capacity of about 175 dwellings, and it puts forward a number of associated benefits for consideration. However, the landscape impact of this proposal would be even more harmful because it would extend further into attractive, open countryside, and the suggested mitigation works would not enhance the overall appearance of the area. In particular, I do not accept that the existing northern edge of the settlement is so unsatisfactory that it would justify a significant extension of development, albeit with a more sympathetically landscaped boundary treatment. Also, the visual separation of Winchcombe and Greet would be diminished even further than in the case of the RDDLP allocation. It is contended that the increased contribution to public transport provision from a larger scale of development could trigger the provision of an additional bus on the Cheltenham route, thereby offering a real improvement in services. However, there is no substantive evidence that a viable, long-term improvement in public transport services would follow from this proposal and I do not consider that any benefit in this regard would outweigh the adverse effect on the landscape.
- 2.37.8 Notwithstanding my recommendation, if the allocation were to be retained in the Plan the outstanding objection in respect of the required affordable housing provision on the site could be dealt with by the modifications recommended under LPOL – General. On this basis the policy requirement for about 30 units of affordable housing would be the starting point for negotiations. Concerning the proposed phasing, it is essential to avoid the unnecessary allocation of greenfield sites, and in this case there is no evidence that the site needs to be brought forward within the first part of the Plan period in order to meet housing requirements. And while there is no substantive evidence on this matter, it is possible that earlier release could discourage sustainable brownfield opportunities from coming forward as windfalls within Winchcombe and other parts of the Borough.
- 2.37.9 General concerns about the wording of the local policies in respect of development briefs and contributions to educational provision could be dealt with as I have recommended under LPOL – General. Detailed points about the most appropriate layout of the site would be more appropriately considered at the planning application stage. I note that the requirement for a medical centre on the site has been overtaken by the grant of planning permission on land nearby and that the Council accepts that this criterion could be deleted. Potential archaeological interests that might be affected by development could be protected in accordance with the advice in PPG16. Reference to this matter along the lines suggested in TBC93a could be included in any reasoned justification for the allocation.

### ***Recommendation***

- 2.37.10 The Plan be modified by the deletion of Policy WI1.

## **WI2      Becketts Lane, Greet**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *sustainability and accessibility of the allocation*
- *impact on the landscape*

### ***Inspector's Considerations and Conclusions***

- 2.38.1 Policy WI2 allocates a site at Becketts Lane, Greet for about 20 dwellings. This entails a reduction of 20 dwellings in the scale of development envisaged in the Deposit Draft policy. Amongst the policy criteria are requirements for footpath and cycleway links to Winchcombe School and the town centre, contributions to improved local public transport provision and other matters, the provision of a play area, and that the implementation of a car park for the GWR at Greet Station Yard be secured.
- 2.38.2 Many of the objections to the allocation mirror the concerns raised in respect of Policy WI1. They focus on the lack of justification for the scale of development proposed, the impact on travel patterns, and the landscape changes that would be entailed. Dealing with the sustainability elements, I do not consider that the reduction in the scale of development from about 40 to 20 dwellings addresses the concerns. Greet is a very small settlement that is almost entirely dependent on higher order centres for employment, comparison goods shopping and other services. Local public transport services do not offer a reasonable alternative to use of the private car for the great majority of day-to-day trips and there is no reasonable prospect that a viable, long-term improvement in these services can be secured. The allocation would therefore be likely to promote unsustainable patterns of travel, especially increased commuting by car to Cheltenham and other centres for employment, shopping, leisure and other purposes, contrary to the aims of national planning policies.
- 2.38.3 The provision of pedestrian and cycleway links to Winchcombe would be of some benefit, but the distances from the site to the nearest primary school (1.8kms) and convenience shop (1.7kms)<sup>34</sup> are well in excess of the recommended maximum walking distances set out in Annex A of RPG10. These are only intended as indicative guidelines and should not be interpreted prescriptively. Nonetheless, I consider that the walking distances entailed in this case would be likely to perpetuate the use of the car for short trips, in direct conflict with the aims of PPG13. There is no evidence that the scale of development proposed is related to local needs in Greet. For these reasons I consider that the allocation would not accord with Policies H.6 of the GSPSR or SS 19 of RPG10; these policies

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<sup>34</sup> There is also a petrol filling station with a small shop selling a very limited range of convenience goods on Broadway Road, about 800m from the site.

generally seek to ensure that only settlements that can act as focal points for development and service provision in rural areas are selected for growth of an appropriate scale.

- 2.38.4 Turning to the landscape implications, there is existing housing to the west and east of the site and the GWR railway yard and associated buildings lie to the south. Nonetheless, the site is part of the designated Special Landscape Area and it contributes to the setting of the AONB around Winchcombe and Greet. In my view it is an intrinsic part of the open countryside that sweeps northwards across the open fields on the opposite side of Becketts Lane and southwards over the railway lands towards Winchcombe. It performs an important role in preventing coalescence of Greet to the west with Otters Field and the loose cluster of development to the east. Also, it can be seen from the higher ground within the AONB to the east as part of the open land that contains Greet. There is an extant planning permission for the development of a car park on the site to serve the GWR. But in my view this would not have the same effect on the character and appearance of the area as residential development, and it does not override my conclusion that the site is unsuitable for landscape reasons for a housing allocation.
- 2.38.5 Notwithstanding my recommendation, if the site were to be allocated for housing the outstanding objection in respect of the required affordable housing provision on the site could be dealt with by my recommendations under LPOL – General. On this basis the policy requirement for about 6 units of affordable housing would be the starting point for negotiations. The Council has made clear that the policy would be interpreted flexibly so that if the requirements for a play area, landscaping and other matters could be accommodated satisfactorily within a higher-density scheme there would be no bar to an increased number of dwellings being accommodated on the site. I agree with this approach, given the need to make the most efficient use of land, and an appropriate modification could be made to the reasoned justification to clarify this. It is also accepted that the scale of contribution sought towards the provision of a community centre would be commensurate with the scale of development finally approved. And I agree that the wording of the criterion relating to the car park could be made more precise, as proposed by the prospective developer, to clarify that all that is required is that the allocation should enable the improvement of the car parking facilities at the station yard.
- 2.38.6 My recommendations under LPOL – General address concerns about the need for a reasoned justification for seeking contributions to educational provision, and to the policy wording on design and development briefs. Detailed points about the most appropriate layout of the site, including safe design of the play area in relation to the GWR lands, would be more appropriately considered at any planning application stage. The requirement for a contribution to the improvement of medical facilities appears to have been overtaken by the grant of planning permission on land near Greenways, and the Council accepts that this criterion could be deleted.

### ***Recommendation***

- 2.38.7 The Plan be modified by the deletion of Policy WI2.



## **WI3      Land East of Greenways**

### **Objections**

*See Appendix D for the list of objections to this policy*

### **Main Issues**

- *sustainability and accessibility to facilities*
- *impact on the landscape*
- *relationship with Greenways*

### **Inspector's Considerations and Conclusions**

- 2.39.1 Policy WI3 allocates land to the east of the existing residential area of Greenways for about 35 dwellings, subject to a number of criteria. These include protection of the amenity of the existing residential properties, safeguarding of the floodplain of the River Isbourne, and the retention of a landscaped corridor consisting of the northern part of the site between Greet Road and the river.
- 2.39.2 The proposed capacity of the site has been increased by 15 dwellings from the Deposit Draft policy. This has given rise to objections about its effect on the character of Greenways and on the Special Landscape Area (SLA) within which the site is located. In addition, many of the original objections to the proposal raise concerns similar to those about Policies WI1 and WI2 that the scale of development proposed for the area generally is unsustainable. I have recommended elsewhere in the report that Policies WI1 and WI2 should be deleted from the Plan, but the scale of the proposed allocation at Greenways is not so great in my view that it would be inappropriate in principle for Winchcombe. It would enable some provision to be made for affordable housing, for which there is a need in the settlement, and it would entail modest growth that would appear to be in keeping with its function and character as a local service centre. Accessibility to local facilities within Winchcombe would be generally within RPG10's guidelines on maximum walking distances, although distances to a convenience shop and primary school would be a little in excess of the guideline figures. While public transport services do not offer good accessibility to Cheltenham or other centres of employment and services, the potential of the site to minimise car use for short journeys would be reasonably good and it would not have a marked effect on overall travel by car.
- 2.39.3 So far as the effect on the SLA is concerned, the site is visible from some longer distances views from the AONB, but it is well-contained within the landscape framework formed by the trees and hedgerows along the River Isbourne and the northern boundary of the site. Its ground levels relate sympathetically to the adjacent Greenways development and it would be unlikely to be visually prominent from Broadway Road or from Greet Road. Even though it would entail development of an area that is currently designated as SLA, I consider that a carefully designed residential development on this site could be integrated successfully into its surroundings. Whether or not the SLA designation is retained

on this land<sup>35</sup>, I consider that the interests of protecting the setting of the AONB and the appearance of the countryside in general would not be harmed by the allocation. Objections to the requirement for the landscape corridor and to its uncertain definition are relevant to this matter. However, I agree with the Council that the dell between Greet Road and the River Isbourne is an important part of the landscape setting of the site and that its protection and management should be secured as part of the allocation. This does not imply any requirement for the whole of the area to be laid out as open space, since it appears to be considerably larger than would normally be required for a development of this size. In my view the wording of the revised policy allows sufficient flexibility for the precise boundaries and treatment of this area to be agreed at the detailed design stage.

- 2.39.4 The impact of the proposal, especially the increased number of dwellings that are envisaged, on the amenity of existing properties in Greenways is of concern to a number of objectors. The safeguarding of this interest is specifically included as a policy criterion, and in my view this would help to ensure that careful attention is given to the issue. I do not consider that the proposed increase in the site's capacity would inhibit the design of a scheme that would be sympathetic to its surroundings, including the nearby dwellings, since there is no reason to equate higher density with poor, unsympathetic design. The proposed net site density is about 32dph; this is close to the lowest point in the range of acceptable densities advised by PPG3 and there is no evidence that would support a reduction below this figure. The Council's policies on the environment, conservation, landscape and other matters are not necessarily incompatible with the suggested density of development on the site, and I expect that any detailed proposals would be carefully evaluated against the aims and objectives of these policies.
- 2.39.5 Other matters raised in the objections include concerns about flood protection, but none of the evidence indicates that the site is incapable of being developed for housing, and the precise layout and design to ensure adequate flood protection can be resolved at the detailed design stage. The requirement for a medical centre on the site is no longer relevant and can be deleted from the policy. In accordance with my recommendations under LPOL – General, the reasoned justification should be modified to include an explanation of the need for educational contributions, and the reference to the design and development brief should also be modified; this would address the concerns raised on these matters. I consider that the objection in respect of the required affordable housing provision on the site should also be addressed by the modifications that I recommend under LPOL – General. On this basis the policy requirement for about 10 units of affordable housing would be the starting point for negotiations.
- 2.39.6 It appears that a safe access point to the site can be provided and there is no indication from the highway authority that the junction of Greenways with Greet Road could not safely accommodate the increased traffic generated by the development. Finally, the Council acknowledges that the reference to the site's location in Greet is in error and that the reasoned justification should be modified accordingly.

## ***Recommendations***

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<sup>35</sup> See my recommendations under Policy LAN2 in Volume One.

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

- 2.39.7 (i) Policy WI3 and its reasoned justification be modified by:
- a) deleting the words ‘...and makes provision for a medical centre’ from the final criterion;
  - b) replacing the policy wording and reasoned justification on affordable housing in accordance with my recommendations under LPOL- General;
  - c) replacing the policy wording on the design and development brief in accordance with my recommendation under LPOL – General;
  - d) inserting a new reasoned justification for seeking contributions to educational provision in accordance with my recommendation under LPOL – General, and
  - e) correctly identifying the location of the site on the northern edge of Winchcombe.
- (ii) No other modification be made to the Plan in response to these objections.

## **WO1      Woodmancote Housing Site**

### ***Objections***

*See Appendix D for the list of objections to this policy*

### ***Main Issues***

- *site suitability and scale of development*
- *landscape, ecological and archaeological impact*
- *accessibility*
- *access arrangements*
- *contributions to affordable housing provision*
- *contributions to improvement of other facilities*

### ***Inspector's Considerations and Conclusions***

- 2.40.1      Policy WO1 of the RDDLP proposes the allocation of a site for about 130 dwellings on land to the rear of Station Road, Woodmancote. This would entail an increase in the capacity of the site by ten dwellings, compared with the Deposit Draft allocation. The policy criteria include requirements for safe pedestrian and cycle access to local facilities and the town centre and for a landscaping scheme that is sensitive to the site's location.
- 2.40.2      Some of the objections question the fundamental suitability of the site, especially with regard to its location between the edge of Woodmancote and the AONB and the impact of the size of development proposed on existing facilities and on the local character of Woodmancote. The proposed increase in the number of dwellings to be accommodated has heightened the level of concern expressed. In terms of compatibility with the overall strategy laid down by the GSPSR, Bishops Cleeve/Woodmancote is treated as a Principal Settlement within the CSV and therefore I consider that it is generally appropriate to look to this location for sites for new residential development. The Council's Urban Capacity Study (CD46) post-dated the publication of the RDDLP, but it confirms that there are very limited opportunities within the existing urban areas to accommodate new development on previously developed land. In the light of all the evidence to the Inquiry it is clear that some greenfield sites in the form of urban extensions are required to fulfil the GSPSR's housing requirement for the Borough. The Council regards the Woodmancote housing site as partly brownfield, in respect of the former nursery land on the corner of Butts Lane and Bushcombe Lane, with the majority of the site being greenfield. The classification of the former nursery as previously developed land would not in my view accord with PPG3, but in any event, the extension of Woodmancote by the development of a greenfield site on its periphery would not conflict in principle with the overall strategy of the GSPSR.

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

- 2.40.3 I understand the concerns generated by any proposal for development on a site that adjoins the AONB and the Special Landscape Area (SLA), as in this case, especially since proposals for a smaller scale of new housing on it have been dismissed in the past. However, for the reasons given above it is necessary to review the potential of sites to contribute to a more sustainable pattern of development, even though this may sometimes require changes to the character of greatly valued areas on the urban fringe. This site occupies lower ground than the designated areas and I consider that new housing on it would generally be seen within the limits of development on Butts Lane and Bushcombe Lane that adjoin the AONB and SLA. For these reasons I do not consider that the proposal would appear obtrusive in the countryside, albeit it would undoubtedly change the character of the site and would be open to view from the AONB. Sensitive design and landscaping could ensure that the edges of the development would be of particularly high quality, thereby addressing the concerns raised on previous applications and appeals about the effect on the setting of the AONB.
- 2.40.4 It has been suggested that if the site is allocated for development it should only be on the basis of a reduced density, to harmonise with the low-density development on Station Road, Bushcombe Lane and Butts Lane and provide a more sympathetic transition to the AONB/SLA. However, Government policy encourages designs and layouts that make more efficient use of land without compromising the quality of the environment. I see no reason in principle why a much higher density of development on this site than is characteristic of the locality should be equated with poor design, visual disharmony or a lack of sympathy with the surroundings. CD38 envisages a net residential density of about 31dph for this site. This is only just above the minimum of the recommended range of 30-50 dph set out in PPG3. The actual density achieved could differ from this figure, depending on the outcome of detailed design work, but I consider that 31dph is an appropriate guideline figure for the allocation.
- 2.40.5 Particular attention has been drawn to the impact of any development of the site on existing trees and wildlife corridors. There is no special nature conservation designation on the lands but the old orchard trees on part of the site have some value in this respect. However, residential development need not be incompatible with the protection of such interests, and may even afford opportunities to increase biodiversity in some circumstances. Policies LAN8, LAN10 and LAN11 of the RDDLP set out the expectations for new development with regard to landscaping and the protection of trees and hedgerows, while Policies NAT8 and NAT10 seek to protect and enhance biodiversity. In my view there would be sufficient scope within the context of a design and development brief to guide development of the site so that it would accord with the important principles set out in these policies. Potential archaeological interest could also be explored and protected as necessary by this means. A specific objection seeks the re-designation of adjacent areas as SLA if Policy WO1 is retained. But for the reasons set out under LAN2, I do not consider that any additional areas, over and above those already designated on the Proposals Map, merit inclusion and the existing designations should be reviewed. In effect, the Policy WO1 site is already contained by land that is designated as SLA or AONB or which is already developed.
- 2.40.6 The relationship of proposed housing sites to existing facilities and the capacity of infrastructure to cope with additional development are important sustainability

criteria. The Council has not published a formal comparative sustainability assessment of the proposed housing allocations in the RDDLP and therefore my findings in respect of individual sites are based on the available evidence. Woodmancote is perceived locally as a separate village with an identity that is distinct from Bishops Cleeve, but the continuous urban area formed by the two offers a good range of facilities and services. Within this context, the enlargement of Woodmancote by some 130 houses would not be excessive. The proposed site scores well against a number of the indicators proposed in RPG10 Annex A as measures of accessibility. The nearest primary school which has spare capacity is only 100m from the site, and a convenience store/post office is about 500m walking distance. Two supermarkets, a wider range of shops and medical/dental services are available in Bishops Cleeve, about 1km from the site.

- 2.40.7 Cleeve School, providing secondary education, is 1km away, and there is a range of employment opportunities in Woodmancote and Bishops Cleeve, many of which are within convenient cycling distance. The M27 bus route along Station Road provides a half-hourly service in the peak period between Bishops Cleeve and Cheltenham with hourly services for the rest of the day, and there are limited evening and Sunday services. The County Council considers that public transport facilities would need to be improved, but I am satisfied that residential development of this site has the potential to offer a realistic choice of means of transport to essential facilities and services that should help to reduce reliance on the private car.
- 2.40.8 The policy requires just one access point off Station Road. An amended policy wording and reasoned justification was proposed by the Council at the Inquiry (TBC57b), based on more detailed consideration of the objections and alternative development schemes. This wording is less prescriptive about the details of the access arrangements, other than to require that provision be made for safe and convenient pedestrian and cycle access and that traffic calming in the vicinity of the site would be provided. I consider that this amended wording is preferable to that in the RDDLP, since it provides flexibility to consider alternative layouts that would meet the fundamental objectives of protecting highway users' safety and securing an integrated approach to the development of the whole site. It would not satisfy all of the objections in this regard, some of which are related to the particular interests of the landowners, but it is adequate for the purposes of the Plan. The precise scope and extent of traffic calming would be determined at the detailed planning stage. The concerns expressed about the impact of additional traffic on the road network and on particular users are understandable. However, much of the congestion in the area seems to relate to school traffic that could be relieved by other measures outside the scope of the Plan. There are no fundamental highways constraints to development on the scale proposed, and I consider that the detailed design of a scheme for the site could address safety and convenience issues in a satisfactory way. Also, the accessibility of the site by non-car modes to a good range of facilities would assist in reducing the need to travel by car.
- 2.40.9 Objection is also made in respect of the affordable housing requirement. My recommendations under LPOL – General would address this matter. As clarified in TBC57b, the reference to 31 dwellings in the RDDLP is in error and the intended figure for this site is 39 affordable dwellings, based on a 30% proportion of the overall allocation. In response to an objection that affordable housing

provision on the site should be limited to the needs of Woodmancote only, I consider that this would be an unreasonable limitation on the potential to address needs that may arise within the area but not necessarily within the parish.

- 2.40.10 Requirements for contributions to public transport improvements and local educational needs are inserted in most of the site allocation policies. In response to an objection in respect of this site the Council has agreed to a modified form of wording (see TBC57b) that makes clear that contributions would be sought 'where appropriate' and that, on this basis, corresponding modifications should be made to the other local policies. In my view the County Council has made clear that there is a need for public transport improvements in connection with this development; therefore the suggested modification is unnecessary in this regard. So far as educational needs are concerned, the recommended addition to the reasoned justification of the relevant local policies as set out under LPOL – General explains the basis on which contributions would be sought, and this provides sufficient flexibility to address local circumstances. Therefore I do not consider that the suggested modification is necessary; nor would it enhance the clarity or precision of the Plan's policies.
- 2.40.11 In response to a specific objection regarding the Woodmancote School entrance, the Council accepts that the reference in the reasoned justification to the relocation of the main entrance should be deleted; TBC57b addresses this point. Drainage issues have been raised in the objections but there is insufficient reason to conclude that the site is not capable of being developed without exacerbating any existing flooding problems. There is no need for the Plan to include a reference to consultation with the Parish Council about the draft design and development brief for the site since this would take place in any event. One of the objections seeks to have a small area of orchard land included within the allocation on the grounds that it would become landlocked, but this is not sufficient reason to enlarge the site into an area that is currently designated as part of the SLA.
- 2.40.12 Finally, as a consequence of my recommendations under LPOL – General, the reference to the design and development brief should be modified accordingly.

### ***Recommendations***

- 2.40.13(i) Policy WO1 and the reasoned justification be modified in accordance with TBC57b except that:
- a) the words 'as appropriate' be deleted from the third and fourth criteria;
  - b) the policy wording and reasoned justification in respect of affordable housing be replaced in accordance with the recommendations under LPOL – General;
  - c) the policy wording on the design and development brief be replaced in accordance with the recommendation under LPOL – General, and
  - d) a new reasoned justification for seeking contributions to educational provision be included in accordance with the recommendation under LPOL – General.
- (ii) No other modification be made to the Plan in response to these objections.

## LPOLNP

## Alderton: Omission Sites

### *Objections*

17/1/TBLP/DEPOST	/ 2	Slatter
1707/1/TBLP/DEPOST	/ 2	Gilder
1817/1/TBLP/DEPOST	/ 2	Burton
2244/1/TBLP/DEPOST	/ 2	Wheeler (Builder) Ltd

### *Main Issues*

- *sustainability*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.1.1 Various sites on the edge of the settlement of Alderton are proposed as alternatives to Policy AL1 of the Deposit Draft Plan. One suggests that an area on Beckford Road opposite playing fields would be in keeping with nearby housing and would enable supervision of the playground and the construction of a footway towards it. The objector gives no details of the exact area involved but suggests that it could extend as far to the west as the boundary of the playing fields. In my view this would significantly extend the village into open countryside and harm its setting.
- 3.1.2 Another large area is proposed south of Church Road and east of St Margaret's Drive, extending beyond Lower Farm, and it is claimed that the land is large enough to ensure a high standard of development. But this would also extend the village into open countryside, well beyond the existing pattern of development, and it would be visually prominent from the south.
- 3.1.3 As an alternative to Policy AL1, the field immediately to its south is proposed; it is contended that development could still maintain an open aspect to the south and protect the amenities of nearby residents. However, I consider that this land would also extend the village into open countryside and be visually prominent from the south.
- 3.1.4 Alderton is currently defined as a 'larger settlement' in terms of Policy HSG2 but I have recommended that the village be deleted from the policy. The RDDLP also deletes Policy AL1 on the basis that the settlement has poor public transport services and is remote from a good range of employment, retail and community facilities. The same objection applies to the suggested omission sites. Moreover, these sites are prominent in the open countryside and their development for housing would have an adverse impact on the landscape. For these reasons I conclude that the omission sites are not appropriate for allocation. I note that a proposed site at Dibden Lane has recently been developed.

### *Recommendation*

- 3.1.5 No modification be made to the Plan in response to these objections.



## **LPOLNP**

## **Alstone**

### ***Objection***

2034/1/TBLP/DEPOST / 2

Fisher

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.2.1 A small area comprising parts of two fields on the Gotherington Road, on the southern edge of Alstone, is proposed for inclusion in the Residential Development Boundary (RDB). It is said that this land is opposite dwellings and, if restricted to no more than two properties, development would not harm the character of the settlement. However, Alstone has few community facilities and poor public transport and it is an 'other settlement' in terms of Policy HSG3. The RDB is tightly drawn to accord with the strategy of limiting development in settlements such as Alstone with few facilities. This approach is entirely consistent with national, regional and structure plan policies on the location of new development. Moreover, the proposed site, although opposite dwellings, would clearly intrude into the open countryside and breach the firm boundary of the settlement formed by the road. In my view its allocation for development would endanger the setting of Alstone and the protection of the countryside for its own sake.

### ***Recommendation***

- 3.2.2 No modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Apperley: Land South of Green Farm**

### ***Objection***

2406/1/TBLP/DEPOST / 2

Lewis

### ***Main Issues***

- *sustainability*
- *impact on the character and appearance of Apperley*

### ***Inspector's Considerations and Conclusions***

- 3.3.1 The objector supports the deletion of Policies DE1 and DE2 in accordance with the RDDLP but suggests that the Residential Development Boundary (RDB) is too tightly-drawn and should be extended to include some 0.5ha of land on the western side of the lane to the south of Green Farm. It is contended that residential allocation of this land would accord with the pattern of development while balancing recent housing on the northern side of the village, and that it would also provide scope for infilling or small groups without harming the framework of the village or its landscape context.
- 3.3.2 In my view the Council's reasons for deleting Policies DE1 and DE2 apply equally to this site. Given the relative inaccessibility of Apperley to a good range of employment, retail, community and leisure facilities by a choice of means of transport, its selection as a location for new residential development on any significant scale would not accord with national, regional and structure plan policies. There is no substantive evidence of a need to underpin any of the local facilities by housing expansion in the settlement, nor is there any evidence that the potential for infill development within the defined RDB is too limited to address any local needs. Also, the development of this greenfield site, next to an acknowledged focal point, would detract from the character of the village and its rural setting. I conclude therefore that there is no justification to extend the RDB and that the omission site should not be allocated for development.

### ***Recommendation***

- 3.3.3 No modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Apperley: Other Omission Sites**

### ***Objections***

*See Appendix E for the list of objections on this matter<sup>1</sup>*

### ***Main Issues***

- *sustainability*
- *impact on the setting of the settlement*

### ***Inspector's Considerations and Conclusions***

- 3.4.1 General considerations that are relevant to these omission site proposals are set out under DEGEN, DE1 and DE2 and under HSG2.<sup>2</sup> I support the deletion of Policies DE1 and DE2 from the RDDLP and recommend that Apperley should be deleted from the list of Policy HSG2 settlements.
- 3.4.2 An objector proposes extending the Residential Development Boundary (RDB) to include 0.4ha on the southern side of Gabb Lane. It is contended that the existing line artificially bisects an access drive between two dwellings and does not properly reflect the physical circumstances and that the proposed revision would acknowledge the presence of the dwellings and adjacent farm buildings. This land is close to the centre of the settlement but it is on rising ground. I consider that its development for housing would harm the setting of Apperley, as well as being unacceptable for the reasons that Policies DE1 and DE2 have been deleted from the RDDLP. Also, while the RDB bisects a drive, I consider that its line is logical.
- 3.4.3 A number of objections propose an allocation at Oak House for up to ten dwellings, in some cases as an alternative to Policies DE1 and DE2. This land is close to the centre of Apperley, can be accessed straight from the highway, and is described as an unobtrusive infill site. However, in my view it is too large to be regarded as an infill site. And whether or not its development would be logical in terms of the pattern of the settlement, its allocation would be in clear conflict with the RDDLP strategy for the sustainable location of new housing development. Therefore the RDB should not be extended to include this site.
- 3.4.4 Three objectors propose housing on two almost adjoining areas of land on the southern side of Sawpit Lane, to the south-east of the settlement, as alternatives to allocation DE1. One, a site of about 1.2ha, is behind Stora Lund and is also described as Brindles Acres. The other is a site of about 2ha. However, both sites would extend well beyond the existing built-up area into open countryside and I consider that to develop either or both would harm the setting of Apperley, as well as being unacceptable for the sustainability reasons referred to above.

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<sup>1</sup> References to objections 1/1/TBLP/DEPOST/3 and /4 by DOE appear to have been entered in error. The same references, relating to Iacopi, have been considered under this heading.

<sup>2</sup> See under Volumes Two and One respectively.

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

- 3.4.5 An objection seeking an extension of employment land at Highfield Business Park has been considered under Policy EMP 3.

### ***Recommendation***

- 3.4.6 No modification be made to the Plan in response to these objections.

**LPOLNP**

**Ashchurch: Aston Fields**

***Objection***

3015/1/TBLP/DEPOST /2

Hallam Land Management Ltd and Heron Land  
Developments Ltd

***Main Issues***

- *compatibility with GSPSR*
- *sustainability*
- *development of rail freight*

***Inspector's Considerations and Conclusions***

- 3.5.1 The objection, which was originally made by Bruton Knowles on behalf of Mr Mitchell, seeks the allocation of land to the north of Ashchurch Camp mainly for residential development. Proposals for various scales of development from 500-1000 dwellings have been put forward on a number of occasions, but the evidence to the Inquiry suggests that there is capacity for 1000 dwellings to be completed by 2011.
- 3.5.2 The site is in agricultural use and extends to about 120ha, not all of which is proposed for development. It lies in undesignated open countryside to the east of the Birmingham-Bristol railway line and to the north of a rail spur into the MoD depot at Ashchurch. Aston Fields Lane bisects the site and traverses the rail line at a level crossing. Carrant Brook flows through the northern part of the site which is proposed as a new country park.
- 3.5.3 I deal with the overall housing requirement and Policy HSG1 in Volume One of this report. My conclusion on these matters takes account of my findings on the objections to the proposed residential allocations in the RDDLP. On this basis I recommend that Policy HSG1 should be modified by the deletion of some of the allocated sites and that new sites be identified to meet the GSPSR's overall housing requirement. For these reasons the omission site at Aston Fields falls to be considered as a possible means of addressing the housing land deficit.
- 3.5.4 This and linked objections raise more general concerns about the compatibility of the RDDLP housing allocations with PPG3's advice which are considered under HSGGEN in Volume One of the report, and site-specific objections are taken into account under the relevant policies in Volume Two.

## **Compatibility with GSPSR**

- 3.5.5 Concerns about the strategy of the RDDLP and its compatibility with the GSPSR, including the appropriate balance of development between the CSV and Tewkesbury/Ashchurch are considered elsewhere in the report<sup>3</sup> and I will not repeat the arguments here. Suffice to say that I do not consider that the weighting of the proposed housing allocations in the RDDLP towards the CSV, amounting to some 77%, compared with 13% for Tewkesbury/Ashchurch, is excessive or not in harmony with the GSPSR strategy. It shows a clear focus on the CSV; this is the correct approach. Whether the individual sites that are allocated in the RDDLP meet PPG3's tests for sustainability is a different matter that was fully tested during the Inquiry, but this does not invalidate the broad strategy of the RDDLP. Therefore in broad terms I do not consider that the omission site proposal is supported by any need to increase the percentage of the housing allocation for Tewkesbury/Ashchurch.
- 3.5.6 I have also considered the balance that would emerge from my recommendations that the Council should delete some of the RDDLP's allocations and consider bringing forward other sites. These would shift the balance further in the CSV's favour, while reducing the allocation in Tewkesbury/Ashchurch by the deletion of Policy AS5. However, even if the proportion of the Plan's allocation in Tewkesbury/Ashchurch were to be reduced to 6-7%, it would still accord with the Policy H.4 of the GSPSR, so far as most of the development outside the CSV would be located in Tewkesbury/Ashchurch. If on the other hand the omission site were to be allocated in place of the CSV sites that are recommended for deletion, the balance of allocations would be more akin to 40% in Tewkesbury/Ashchurch.<sup>4</sup> I do not consider that this would accord with the GSPSR's strategy. The word 'most' in Policy H.4 could mean as little as 51%; but in my view the clear intention of the GSPSR, and its re-affirmation in the more recent RPG10, that new development should be concentrated in the CSV (or in the PUAs in accordance with RPG10) would be seriously undermined by a scale of development in Tewkesbury/Ashchurch of the order of 40% of the residual housing requirement. Nothing in the emerging Gloucestershire Structure Plan Third Alteration indicates a different conclusion.

## **Sustainability**

- 3.5.7 Notwithstanding the above, I have considered whether the omission site would represent a sustainable location for new housing development in accordance with national policy guidance, especially that in PPG3. My reasons for recommending the deletion of the Policy AS5 site, upon which this proposal would rely for vehicular access, are set out elsewhere

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<sup>3</sup> See HSGGEN in Volume One. .

<sup>4</sup> This assumes that Policy AS5 would not be deleted, since the omission site relies principally on the former for access.

in the report.<sup>5</sup> These include concerns about its inaccessibility to a range of day-to-day needs by a choice of means of transport. The indicative scheme for the development of the omission site would appear to address a number of these concerns by the provision of a local centre with retail, community and other facilities, a new primary school, and improved bus connections to Tewkesbury town centre. Also 4ha of employment land are proposed to improve the mix of uses on the overall site. On this basis the scale of development proposed here might appear to offer the potential to build a community.

3.5.8 However, the site would suffer from physical separation from Northway by the rail line, from Tewkesbury by both the rail line and the M5 motorway, and from Ashchurch by the rail spur into the MOD depot. These would make it difficult to integrate the new development into the rest of the settlement and to take full advantage of the community, educational, retail and other facilities available in the wider area. The proposed vehicular access arrangements to the site highlight its relative isolation. These would not allow for car linkages to/from Northway via the level crossing on Aston Fields Lane; as a result, travel to Northway or Tewkesbury by this mode would require a relatively long and tortuous connection via the Policy AS5 site and the A46. In my view this would be likely to have significant disadvantages by increasing private car mileage and discouraging the full integration of the new community.

3.5.9 Travel by modes other than the car is to be encouraged, and pedestrian and cycle access to local facilities in Northway would be assisted by elements of the scheme. But these facilities, together with those in the new local centre would offer relatively limited choice. There are proposals to improve pedestrian, cycle and bus linkages with the Northway, Ashchurch and Tewkesbury areas, but in many cases the connections from this site would be tortuous and excessively long. For example, a walk to the train station or to the nearest bus stops in Northway could take 8-12 minutes and require crossing over a pedestrian footbridge. Also there is uncertainty about when proposed cycleway improvements will be implemented. There may be potential to extend existing bus routes into the site but there are no details of how this would be sustained in the long-term. Train services are available from Ashchurch station to Cheltenham, Gloucester and other locations, and therefore this site could offer a greater choice of transport modes than most other housing sites proposed in the RDDLP. It also offers the benefit of bolstering station usage. Services to and from Cheltenham are generally good but other services are not so frequent or access to the station so convenient that this advantage outweighs the other factors counting against the proposed allocation. On balance, and notwithstanding the measure of agreement reached on this general issue by the objector and the Council at the Inquiry, I consider that the site's relatively isolated position on the edge of Ashchurch would be likely to generate a reliance on car travel, contrary to PPG13's aims. And its ability to build new communities in accordance with paragraph 31 of PPG3 would be severely constrained by the factors set out above.

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<sup>5</sup> See Policy AS5 in Volume Two.

- 3.5.10 Also, development of this site would entail major expansion into the open countryside. Rather than completing the Tewkesbury/Ashchurch area, it would breach the well-defined boundary that is formed by the main rail line and encroach into the rural landscape that is visible from some distance, including from Bredon Hill. Significant new public open spaces are proposed but these would not compensate for the development of a very large area of countryside. There appears to be a need to improve public open space provision in the area, but the benefits of this proposal would not outweigh its disadvantages in other respects. Taking all of these matters into account, and notwithstanding any view on this location that may have been expressed in the recent past by the Council's officers, I do not consider that the proposal can be regarded as relatively sustainable.

### *Development of Rail Freight*

- 3.5.11 The benefits of developing rail freight facilities at Ashchurch and the need for the pump-priming investment that would be provided by this development are advanced in its favour. General objections regarding the treatment of rail freight matters in the RDDLP are considered under Policy TRPNP in Volume One of the report and I shall not repeat the arguments here. But having regard to all of the evidence in this case, I do not consider that the need for any pump-priming investment to develop rail freight facilities at Ashchurch, or the benefits of an enlarged facility that would complement any on the MoD site, would outweigh the policy objections to the scale of housing development proposed.

### *Other Matters*

- 3.5.12 Other matters raised by the proposal concern the vehicular access arrangements and the effect of increased traffic generation on the highway network, although it does not appear that there are objections in principle from the Highways Agency in this regard. Also, it is not certain that the site could come forward for development within the Plan period, given the land release issue affecting Policy AS5. However, these are subsidiary to the main issues discussed above.

## **Recommendation**

- 3.5.13 No modification be made to the Plan in response to this objection.



## **LPOLNP**

## **Ashchurch: North Fiddington**

### ***Objection***

500/1/TBLP/DEPOST /1

Robert Hitchins Ltd

### ***Main Issues***

- *scale of development at Tewkesbury/Ashchurch*
- *need for additional employment land*
- *sustainability and landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.6.1 The objection seeks the allocation of about 72ha of land at North Fiddington for a mixed use development comprising some 960 dwellings, 19ha of employment land, new facilities including a local shopping centre and primary school and an hotel. At the Inquiry the objector accepted that the hotel element could be deleted from the proposal. The site lies in the south-eastern quadrant of the M5/A46 junction and comprises open farmland, traversed by Tirl Brook. The motorway, the A46, and the main Birmingham-Bristol rail line form the site's western, northern and eastern boundaries respectively, while Fiddington Lane and a public bridle path and the Gloucestershire Way long-distance public footpath abut the southern edge.

### **Scale of Development at Tewkesbury/Ashchurch**

- 3.6.2 I deal with the overall housing requirement and Policy HSG1 in Volume One of the report. My conclusion on these matters takes account of my findings on the objections to the proposed residential allocations in the RDDLP. On this basis I recommend that Policy HSG1 should be modified by the deletion of some of the allocated sites and that new sites be identified to help meet the GSPSR's overall housing requirement. For these reasons the omission site at North Fiddington falls to be considered as a possible means of addressing the housing land deficit.
- 3.6.3 Concerns about the strategy of the RDDLP and its compatibility with the GSPSR, including the appropriate balance of development between the CSV and Tewkesbury/Ashchurch are considered elsewhere in the report<sup>6</sup> and I will not repeat the arguments here. Suffice to say that I do not consider that the weighting of the proposed housing allocations in the RDDLP towards the CSV, amounting to some 77%, compared with 13%

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<sup>6</sup> See HSGGEN in Volume One. .

for Tewkesbury/Ashchurch, is excessive or not in harmony with the GSPSR strategy. It shows a clear focus on the CSV; this is the correct approach. Whether the individual sites that are allocated in the RDDLP meet PPG3's tests for sustainability is a different matter that was fully tested during the Inquiry, but this does not invalidate the broad strategy of the RDDLP. Therefore in broad terms I do not consider that the omission site proposal is supported by any need to increase the percentage of the housing allocation for Tewkesbury/Ashchurch.

3.6.4 The balance that would emerge from my recommendations to delete some of the RDDLP's allocations and bring forward other sites is discussed under HSGGEN and there is no need to repeat the conclusion here. The considerations in respect of the omission site at Aston Fields are also relevant.<sup>7</sup> Compared with the Aston Fields proposal, the North Fiddington option would result in a slightly lower percentage allocation for Tewkesbury/Ashchurch, taking account of the lower capacity figure for North Fiddington and assuming that Policy AS5 is deleted from the Plan. Nonetheless, at about 35%, I consider that it would not be compatible with the objective of concentrating new development in the CSV and that it would seriously undermine the overall strategy of the GSPSR, as re-affirmed more recently by RPG10's strategy for the PUAs.

3.6.5 The emerging Gloucestershire Structure Plan Third Alteration (GSPTA) identifies Tewkesbury/Ashchurch as an 'other designated centre for growth', but it is clear that the proposed strategy carries forward the RPG10 focus on the PUAs and the covering report confirms that the GSPTA reinforces the GSPSR strategy. It also states that the level of growth accommodated in the 'other designated centres for growth' should relate to the role and function of the settlement rather than accommodating growth that should be provided for in the PUAs.

3.6.6 This area was considered during the preparation of the Tewkesbury/Ashchurch Local Plan as an option for development post-2001. However, it was not included in the final document (the proposed modifications published in November 1992), and in any event the overall strategy for development in the Borough has changed significantly since that date. In the light of the strategy considerations referred to above, I do not consider that the proposal now put forward is any more acceptable than at that time.

### Need for Additional Employment Land

3.6.7 The Deposit Draft identified an employment allocation at North Fiddington. That policy (EMP6) is deleted from the RDDLP and I have recommended elsewhere<sup>8</sup> that it should not be re-instated as an allocation. There has been a rapid take-up of sites at Tewkesbury Business Park in recent years, and a result only some 16ha (or perhaps

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<sup>7</sup> See LPOLNP Ashchurch: Aston Fields, in Volume Three.

<sup>8</sup> See Policy EMP6 in Volume One.

three to four years' supply) remains to be developed<sup>9</sup>. Nonetheless, the speed of recent take-up may have been a response to suppressed demand during the late 1990s while some of the lands did not come forward as employment sites. Also, I agree with the Council that market demand should not be the sole determinant in this matter; the GSPSR's employment strategy is clearly focussed on the CSV, and this proposal would entail a significant attraction in a non-CSV location that would not accord readily with the adopted strategy. The endorsement given by the GSPSR's EIP Panel to the advantages of Ashchurch for new employment sites does not in my view diminish the weight that should be accorded to the finally adopted strategy. Moreover, this proposal would not encourage the regeneration of existing employment sites in sustainable locations. And in Borough-wide terms it is not required; even with the loss of some employment land to housing at the Gloucester Business Park, there would still be a surplus of some 26ha of employment land over and above the GSPSR's indicative figure for the Borough.

- 3.6.8 I find no support in the emerging review of the structure plan for this proposal. No new major employment sites are proposed in the GSPTA, the only strategic sites identified in the Borough being the existing ones at Tewkesbury Business Park and Gloucester Business Park. The GSPTA makes clear that the portfolio of sites is yet to be finalised, but it carries forward the focus on the PUAs for major employment sites. Draft Policy SD15 refers to locally significant employment sites, to be identified in local plans, but that these should be less than 12ha. The scale of development proposed here is clearly in excess of that. Its location on a greenfield site adjacent to the motorway junction would also be particularly attractive to footloose industry and therefore it could contribute to the unsustainable dispersal of employment uses from the PUAs.

#### *Sustainability and Landscape Impact*

- 3.6.9 Notwithstanding the above, I have considered whether the omission site would represent a sustainable option for new housing development in accordance with national policy guidance, especially that in PPG3. Some greenfield development will be essential to meet the housing requirement for this Plan and therefore it is accepted that the first criterion of paragraph 31 of PPG3 cannot be satisfied in every case. There is no substantive evidence to indicate that the third criterion could not be satisfied. In respect of the final criterion, the layout of any future development would be affected by flooding constraints along the Tirlle Brook; as a result, much of the developed area would be to the south of the brook, furthest away from the existing facilities in Northway and Ashchurch. Noise constraints alongside the M5 motorway, the A46, and the main rail line would also reduce the developable area of the site.
- 3.6.10 The location and accessibility criterion would be partially satisfied by the proposal for a new local centre with retail, community and other facilities, a new primary school, and the employment element on the site.

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<sup>9</sup> This figure is based on December 2002 information.

However there would be limited choice on-site, and for the majority of their day-to-day needs the future residents could be expected to travel further afield. Trips for main food shopping, secondary education, other shopping and leisure activities would be likely to entail crossing the motorway junction, while access to the facilities in Northway and much of Ashchurch, including the substantial areas of employment uses, would require crossing the A46. It is proposed that significant improvements to crossing facilities on both corridors would be brought forward in association with the scheme, but in my view these would not compensate for the relatively isolated position of the site in the south-east quadrant of the motorway junction. North Fiddington would be likely to function as an isolated enclave, and walking and cycling trips from the site to facilities in the wider area would be discouraged by the distances and the psychological, if not physical, barriers to ease of movement that would be entailed. Also, there is nothing to indicate that significant improvement of crossing facilities for the benefit of existing residents of the area could not be achieved without the development of this site.

3.6.11 There are a variety of bus services available on the A46, and the objector proposes to contribute to their improvement, including the provision of a bus route around the site. But details of how this might be achieved and maintained in the long-term have not been provided. Train services are available from Ashchurch station to Cheltenham, Gloucester and other locations; while the services to and from Cheltenham are generally good it appears that others are not so frequent. Overall, this location is reasonably well served by public transport and the benefit of train services and of bolstering station usage is a significant factor. But the site itself is not well suited to maximising public transport accessibility, because many of its residents would have to walk distances of about 1.1-1.5km to reach the rail station; and the walking distances to bus stops that offer frequent services to a range of destinations are also likely to be considerable. On balance, I consider that the site's relatively isolated position on the edge of the motorway would be likely to generate a reliance on car travel, contrary to PPG13's aims, and therefore it does not score well against the location and accessibility criterion of PPG3. And its ability to build new communities in accordance with the penultimate criterion of paragraph 31 of PPG3 would be constrained by its severance from the existing communities of Tewkesbury, Northway and Ashchurch.

3.6.12 Development of this site would entail a major expansion into the countryside. Contrary to the objector's case, I consider that the site is relatively open, especially to views from the motorway, the A46 and from the public rights of way to the south. This would lead to a visually prominent development that would have a significant impact on the rural appearance of the area. Taking all of these matters into account, I do not consider that the proposal can be regarded as relatively sustainable.

### ***Recommendation***

3.6.13 No modification be made to the Plan in response to this objection.

## LPOLNP

## Ashchurch: Other Omission Sites or Local Policies

### *Objections*

1784/1/TBLP/DEPOST	/ 2	Quayle
1985/1/TBLP/DEPOST	/ 2	Brown
3005/1/TBLP/DEPOST	/ 11	Goodchild
3028/1/TBLP/DEPOST	/ 1	Brown & Hill

### *Main Issues*

- *sustainability*
- *landscape impact*
- *highway safety*

### *Inspector's Considerations and Conclusions*

- 3.7.1 The RDDLP designates Ashchurch as an 'other village' that is subject to Policy HSG3. However, in my report on Policy HSG2 I recommend that Ashchurch should be re-defined as a 'larger settlement' under the terms of that policy.
- 3.7.2 Some objections promote large, new allocations to the north-east or south of the settlement that are addressed elsewhere, and the RDDLP includes an allocation under Policy AS5 on the eastern edge of Ashchurch. My conclusions on the relative isolation of that site from a range of everyday facilities are also applicable to the omission sites below.
- 3.7.3 As an alternative to Policy AS4, deleted from the RDDLP, a site is suggested to the south of Fitzhamon Park, which is on the southern side of the A46. The existing access to the main road would be used. The site extends to slightly over 3ha of flat land bounded on the south by the Tirl Brook. I accept that this area is close to the primary school and village hall – and on the same side of the A46. Access to employment areas, as well as to the railway station and its bus terminus are also possible by a controlled crossing over the road. However, the distance of this site from retail and other community facilities in my view outweighs these factors.
- 3.7.4 Amongst representations on housing allocations in Winchcombe, an objector promotes a scatter of sites, including 40 dwellings next to ex-army properties opposite the main gate of the Ashchurch depot. This objection appears to relate to a small brownfield area next to Fitzhamon Park but, despite the advantage of developing such land, it is even further away from retail and other facilities than the area to the south of the existing development, and so less sustainable. Moreover, it would intrude into a currently open stretch of countryside to the south of the A46, harming the setting of Ashchurch.
- 3.7.5 Some 36ha of land is proposed for housing to the south of Ashchurch, west of Pamington and east of the railway, to help provide the Plan's housing requirements in an appropriate location, and as an alternative to allocation AS4. This area encompasses the site behind Fitzhamon Park, as well as land to its east, south and west, including a field with a frontage to the A46. Part appears to be brownfield. In my view similar strategic principles apply to this proposal as to the other omission

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sites in Tewkesbury/Ashchurch which I consider elsewhere in this volume of the report. Also, development on this site would be relatively isolated from shops, services and a range of facilities and would not assist in building communities. Moreover, this large development would significantly extend the built-up area into the open countryside and I do not agree that its landscape impact would be minimal; development here would be prominent and intrusive when viewed from both the south and east. I consider that this harmful impact exacerbates the unsuitability of the site for new housing, despite the possibility of linked highway improvements.

3.7.6 For the reasons above I conclude that none of the omission sites are appropriate for allocation.

3.7.7 An objector believes that significant movements from the housing areas of Northway and Ashchurch to the Alexandra Way industrial area increase existing traffic problems at the junction with the A46. Pedestrian, cycle or preferably light vehicle routes between the two are suggested as a means of shortening journeys and reducing congestion. In my view the creation of new vehicular routes could introduce highway safety hazards into residential areas, and in any event the RDDLP's policies on transport matters generally seek to encourage improved access by non-car modes to new developments. Policy AS3 makes provision for footpath and cycleway links from Alexandra Way to the residential area to the north and to the railway station; the related planning permission contains a condition requiring pedestrian and cycleway links to be constructed to the site boundaries<sup>10</sup>. On this basis I do not consider that the Plan needs to be modified to address this objection.

### ***Recommendation***

3.7.8 No modification be made to the Plan in response to these objections.

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<sup>10</sup> See under Policy AS3 in Volume Two.

**LPOLNP**

**Ashchurch: South of Ashchurch**

**Tewkesbury: South of Wheatpieces**

***Objection***

81/1/TBLP/DEPOST /21 Persimmon Plc

***Main Issue***

- *benefits of expansion of Tewkesbury/Ashchurch*

***Inspector's Considerations and Conclusions***

- 3.8.1 The objection contends that expansion of Tewkesbury/Ashchurch on two fronts, one to the south of Wheatpieces and the other at North Fiddington, would help to balance housing and employment growth, reduce in-commuting and represent a sustainable means of accommodating the requirement for additional housing land. The precise areas of land entailed or scale of the expansion proposed are not specified in the objection.
- 3.8.2 The relevant considerations on the appropriate balance between the CSV and Tewkesbury/Ashchurch is set out under HSGGEN in Volume One of the report, and my conclusions in respect of the omission site proposals at Aston Fields and North Fiddington are also relevant; there is no need to repeat them here. Taking account of the strategic policies to concentrate growth in the CSV, and the potentially harmful visual impact of large-scale expansion into the countryside to the south of Ashchurch and Wheatpieces, I do not consider that there is merit in this general objection.

***Recommendation***

- 3.8.3 No modification be made to the Plan in response to this objection.

**LPOLNP**

**Ashleworth: Omission site**

***Objection***

3044/1/TBLP/DEPOST / 1

Phelps

***Main Issue***

- *sustainability*
- *landscape impact*

***Inspector's Considerations and Conclusions***

- 3.9.1 An area of some 2ha of land to the north-west of the settlement is proposed for housing. It consists of the eastern parts of two fields next to the Residential Development Boundary (RDB). The objector says that the site would be available if allocated sites elsewhere do not proceed.
- 3.9.2 Ashleworth is an 'other village' in terms of Policy HSG3, and the RDB is drawn tightly in recognition of the lack of facilities. Although there are some community services in the village, public transport is particularly poor. In these circumstances I consider that any extension of the RDB, let alone to include such a large area which would compromise the Plan's strategy, is not justified. Moreover, the land in question would represent a major incursion into the open countryside, harming the village's setting. The absence of any policy designation of these lands does not diminish the harm that would be caused to its rural character and appearance by significant residential development. For these reasons I conclude that the omission site is not appropriate for allocation.

***Recommendation***

- 3.9.3 No modification be made to the Plan in response to this objection.



## **LPOLNP**

## **Badgeworth: Cold Pool Lane**

### ***Objections***

316/1/TBLP/DEPOST/5	Bovis Homes Ltd
316/1/TBLP/DEPOST/6	Bovis Homes Ltd
3074/1/TBLP/DEPOST/4	Alfred McAlpine Developments/Crest Strategic Properties
3074/1/TBLP/DEPOST/6	Alfred McAlpine Developments/Crest Strategic Properties

### ***Main Issues***

- *effect on the Green Belt*
- *sustainability*
- *effect on playing facilities*
- *exceptional circumstances*

### ***Inspector's Considerations and Conclusions***

#### ***Preamble***

- 3.10.1 These objections concerns two sites on Cold Pool Lane in Badgeworth, on the south-western edge of the built-up area of Cheltenham. The M&G Sports Ground comprises an area of about 5ha, while the adjoining site known as Golden Yolk and Middle Farms extends to about 4.3ha. Cold Pool Lane forms part of the south-west distributor road that links the A40 with the A46 via Up Hatherley and Badgeworth. The M&G site is a privately-owned sports ground that closed in 2001. Golden Yolk and Middle Farms comprises a complex of disused farm buildings, some dwellings and open paddocks. Both sites lie within the approved Green Belt.
- 3.10.2 In April 2000, following consideration of representations on the Deposit Draft, the Council's Local Plan Working Group recommended to the Executive Committee that the combined sites should be allocated for 250 dwellings as part of a package of proposed changes to the Plan.<sup>11</sup> However, these were not accepted and the draft plan was re-appraised, with the result that the sites were not included within the RDDLP as a housing allocation.
- 3.10.3 The objections seek the deletion of the sites from the Green Belt and their allocation for housing. An alternative of safeguarding the sites for possible long-term development needs has also been put forward by one

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<sup>11</sup> See Policy BA1 in CD58.

of the objectors, although this did not form part of the duly-made objections.

- 3.10.4 In the light of my recommendations<sup>12</sup> that the Plan be modified by the deletion of some of the allocated housing sites, the omission sites at M&G Sports Ground and Golden Yolk/Middle Farms fall to be considered as potential replacement sites. Although the objections were pursued separately, I consider them together on the basis that the cases have much in common.

### *Effect on the Green Belt*

- 3.10.5 There is no dispute that the sites lie within the CSV and therefore within the area where the Council should seek to concentrate new residential development in accordance with GSPSR Policy H.4. In terms of the Plan's sequential ranking of sites, they would fall within Category A3 as Green Belt lands within the CSV. The relevant policy background to the consideration of Green Belt sites for potential future development needs is set out elsewhere in this report<sup>13</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated. The objectives of the Green Belt's designation, as set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishop's Cleeve, and prevention of urban sprawl.
- 3.10.6 The omission sites form a wedge of land that extends into the built-up area and is clearly separated from the swathe of Green Belt to its south-west by the distributor road. Unlike the other parcels of open land that remained inside the line of the distributor road, all of which have been subsequently removed from the Green Belt and developed, the omission sites have been protected from development. However, in my view they are not required to prevent the merging of Cheltenham and Gloucester. This function would be served by a Green Belt boundary that followed the line of the distributor road, thus continuing to protect the lands that extend westwards and south-westwards towards Churchdown and Brockworth. The Green Belt gap between The Reddings and the eastern-most extremities of Churchdown, which is rightly of concern because of its narrowness, would not be diminished if the omission sites were to be developed, nor would there be any significant effect on the gap between Badgeworth and the south-western edge of Cheltenham.
- 3.10.7 So far as the second objective is concerned, any loss of Green Belt land could be said to entail urban sprawl, but a small, planned extension to the urban area as in this case would not in my view fundamentally

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<sup>12</sup> See HSG1 in Volume One.

<sup>13</sup> See GBTGEN and GBT1 in Volume One of the report.

compromise the Green Belt's second objective. Even though the semi-rural appearance of the farmlands and of the M&G Sports Ground would not be preserved, the development of the omission sites would have very little effect on the open character of the land between the two urban areas. In my view the sites are seen as part of the urban context of Cheltenham, bounded by the distributor road, the railway line and by housing. Also, the rural, open character of the gap between the edge of Cheltenham and the small hamlet of Badgeworth would not be harmed by development of the sites, because the distributor road already provides a strong, well-defined edge to the urban area and this would not be changed. For these reasons I consider that the deletion of these lands from the Green Belt would not compromise the objectives of the policy designation.

## **Sustainability**

- 3.10.8 The sites are located about 1.3kms from the centre of Cheltenham and are readily accessible to the many facilities offered by this large urban area. There is easy access to the city's cycle network and to a range of bus services, including one at 15-minute frequencies to the town centre. As a result, a very wide range of employment, educational and recreational opportunities could be conveniently reached by bus or cycle modes. The nearest primary school is about 850m-1km away and there are convenience shops within about 700m and 850m in different directions; while these distances exceed the recommended maximum walking distances put forward in Annex A of RPG10, pedestrians would be able to follow reasonably safe and convenient routes through residential areas and in my view they would not act as a disincentive to walking. Also they appear to be fairly typical of walking distances to local facilities and schools across much of the Cheltenham PUA. A wider range of retail services and facilities could be reached by a ten-minute walk to the large foodstore and other shops at Up Hatherley. In general, the accessibility of these sites to a range of day-to-day and higher-order facilities by modes of transport other than the car is superior to most of the other allocations proposed by the RDDLP.
- 3.10.9 There is no evidence of any infrastructure or other constraints to the development of the sites for housing purposes. The visual impact of such development would be unlikely to be harmful, subject to the normal requirements for the retention of important trees and the implementation of a landscaping scheme. Concerns about the effect on the landscape setting of Cheltenham and on the architectural and historic character of its south-western fringes, including proposed conservation areas have been raised. But in my view, the development of the sites would have no significant effect on the existing context that is predominantly urban to the north and east of the distributor road and open and rural to the south-west. In this respect the existing containment of the M&G site by substantial tree belts would help to screen and soften new development. I do not consider that the setting of the Badgeworth SSSI to the south of the distributor road would be harmed by an appropriately designed and landscaped scheme for the omission sites. And I can find nothing to

indicate that the additional traffic that would be generated by new housing on the sites would cause such harm to local equestrian interests as to render the site unsuitable for residential development. The effect on recreational provision is considered below. Taking all of these matters into account, I find that the sites offer the potential for very sustainable urban extensions that would comply with all except the first criterion of paragraph 31 of PPG3. In this respect, I do not accept that any of the Golden Yolk and Middle Farms site can be regarded as previously developed land since there is no evidence that its lawful use is not for agriculture.

### ***Effect on Playing Facilities***

- 3.10.10 The recreational facility at the M&G site closed in April 2001 since when the grounds have become overgrown. In effect therefore it has not been available as a sports facility for some time. The Council has not yet undertaken an overall assessment of the need for recreational facilities in the area, nor has the objector provided such an assessment. Therefore it is difficult to ascertain whether the permanent loss of the M&G Sports Ground could give rise to a shortage of facilities locally, albeit that the grounds remain closed and in private ownership. Research carried out on behalf of Cheltenham Borough Council appears to indicate that in general there is a need for additional pitch provision in this area, although it is not clear to what extent this might be addressed by improved management and upgrading of existing facilities, including maximising the potential for shared use.
- 3.10.11 PPG17 places considerable emphasis on the protection of existing facilities where there is a demonstrable need, and paragraph 15 sets out the limited circumstances in which planning permission might be given for development on playing fields where a robust assessment of need has not been undertaken. The objector accepts that for any planning application on the site to be successful, it would have to pass the tests set out in paragraph 15. In my view the allocation in principle of the M&G site for residential development would not conflict with or prejudice the implementation of PPG17's approach. On balance, I conclude that the uncertainty surrounding the precise needs for playing field provision in this south-west Cheltenham area is not a good enough reason for not allocating the site. If it appears subsequently that the site is not surplus to requirements for playing fields and that satisfactory alternative provision cannot be made, other sites may have to be brought forward for new housing. However none of the evidence indicates that this uncertainty could not be addressed satisfactorily through the application of the Plan, Monitor and Manage (PMM) approach.

### ***Exceptional Circumstances***

- 3.10.12 Insufficient land is available within the existing urban areas of the Borough to meet the housing requirement and this part of the Cheltenham urban area is particularly tightly constrained by the Green Belt boundary. There is enough evidence to demonstrate that in looking to the next most

sustainable options, the omission sites should be preferred over many of the RDDLP's allocations, even though the latter are generally not in the Green Belt. The allocation of the lands at Cold Pool Lane would help to compensate for the loss of dwelling numbers entailed by my recommendations that Policies SH1 and DH1 should be deleted from the Plan. In Borough-wide terms it would also help to address the need for suitable replacement sites for the other RDDLP allocations that I recommend should be deleted. The alteration that would be required to the Green Belt boundary would not compromise the objectives of the designation. I consider that these are exceptional circumstances that indicate that review of the Green Belt boundary should be undertaken in accordance with the advice in PPG3. The Council has made clear that it would wish to consider all potential Green Belt options in a comprehensive manner, and not just those put forward for consideration through the Inquiry, if my recommendations are to delete some of the RDDLP sites. In these circumstances, I conclude that the lands at Cold Pool Lane should be included in the assessment of potential allocations for residential development in the Plan period and that the Green Belt boundary should be reviewed accordingly.

- 3.10.13 Proposed policy wording for the allocation of the M&G site was put forward at the Inquiry and my views on the elements in dispute may be helpful for the Council. While there is no detailed evidence on the capacity of either of the sites it appears to me that in principle a density close to 40dph would be appropriate for these lands<sup>14</sup>. In respect of affordable housing, my recommendations under LPOL - General provide for closer adherence to the guiding principles of negotiation set out in Government policy on the provision of affordable housing and I consider that all of the site allocation policies should be modified accordingly. Any reference to a precise number of affordable dwellings in an allocation policy for the Cold Pool Lane lands should therefore be taken as the starting point for negotiation, not a constraint on it. I expect that it would be based on the most up-to-date assessment of needs that is available at the time. A criterion relating to the provision of replacement sports facilities, should they be required, should be included in any policy for the M&G site.

### ***Recommendation***

- 3.10.14 In accordance with my recommendations under HSGGEN, GBTGEN and GBT1, the omission sites at M & G Sports Ground and Golden Yolk and Middle Farms, Cold Pool Lane, Badgeworth be included in the assessment of potential allocations for residential development in the Plan period, and any necessary modifications to the Plan be brought forward accordingly.

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<sup>14</sup> Therefore, although Policy BA1 indicated a total of 250 dwellings, it appears that in excess of 300 dwellings could be accommodated.

**LPOLNP  
Crossroads**

**Badgeworth: Land adjacent to the**

***Objection***

638/1/TBLP/DEPOST/ 1 James

***Main Issues***

- *sustainability*
- *effect on the Green Belt*

***Inspector's Considerations and Conclusions***

- 3.11.1 About 2.4ha of Green Belt land on the southern side of the crossroads in Badgeworth is proposed for housing. The objector regards this as an infill plot in the context of major development in Hucclecote and Brockworth and of a possible motorway service area.
- 3.11.2 Although on a regular bus route, Badgeworth has a very limited range of facilities and in my view is not a sustainable location for new residential development on any significant scale. It has no Residential Development Boundary and is properly subject to Policy HSG4. The site is far too large to comply with the Plan's definition of an infill plot; instead development here would join together the small group around the crossroads with that around Brook Farm and the church. In my view this would be a harmful consolidation of existing development and would seriously reduce the openness of this part of the Green Belt, which forms a narrow gap between the built-up areas of Churchdown and Shurdington. Therefore, the deletion of the site from the Green Belt would compromise the objectives of the designation, by contributing to the gradual coalescence of Cheltenham and Gloucester and to urban sprawl. It would also be a significant intrusion into the landscape that would harm the visual amenity of the Green Belt. For these reasons I consider that there is no justification to allocate this site for housing.
- 3.11.3 Some other omission sites in Badgeworth Parish are closely related to Bentham, Brockworth or Shurdington and I consider them under those headings.

***Recommendation***

- 3.11.4 No modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Bentham: Omission Sites**

### ***Objections***

3024/1/TBLP/DEPOST / 4  
3159/1/TBLP/DEPOST / 1

Aphrodite Management Ltd  
Wilsdon

### ***Main Issues***

- *sustainability*
- *effect on the Green Belt*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.12.1 Policies and proposals in the Deposit Draft relating to a motorway service area at Junction 11a of the M5 are deleted by the RDDLP. The objectors also sought the amendment of Policy TRP13 to enable Green Belt sites to be considered for roadside services on primary routes; I consider this in Volume One of the report. As either an alternative to a modified policy, or in addition to it, the objectors also promote an allocation of a trunk road service area on about 4ha of land at the southern side of the A46/A417 junction. It is intended that this would cater specifically for users of the A417, a need that was recognised in the Deposit Draft allocation under Policy TRP15. It is argued that this would be smaller than a motorway service area and commensurate with the needs of the A417's users. It is recognised that the site is in the Green Belt but it is claimed that only limited highway works would be needed. The objector also contends that the necessary landscape mitigation could be carried out in a way that would be in keeping with the surroundings.
- 3.12.2 Not only is this land within the Green Belt, it is also in the AONB, whose western boundary is the A46. The site is set lower than the adjacent roads and roundabout, but is still very visible from them. I consider that any development here would harm the AONB. This would breach a criterion of Policy TRP13 on new petrol filling stations on trunk and A roads. Another criterion is that such facilities should not be in the Green Belt; but in this case the development would erode a very sensitive area of Green Belt between Brockworth and Shurdington. In my view no case has been made that would outweigh these strong objections and the site is not appropriate for allocation.
- 3.12.3 In response to Policy HSG4, an objector says that there is no provision for housing on sites with planning permission for development and that these would make a valuable contribution to housing supply. He promotes the allocation of a site at Witcombe. Although no plan was provided, the objection appears to relate to an area of almost 2ha in extent outside any settlement and in the AONB. It received planning permission on appeal in 1992 for ten holiday log cabins and a house.

Conditions limited the use to holiday accommodation, with the house being for a person working on the site.

- 3.12.4 The planning history indicates to me that, without such restrictions, any form of housing would be unacceptable. This is not a sustainable location for new housing development in general, being away from any community facilities and served by only a rudimentary bus service. In addition, I consider that a more intensive form of development would be likely to harm the AONB's character and appearance. The permission was clearly granted only for a specific purpose and I agree with the Council that the site's unsustainable location and the likely impact on the AONB make it unsuitable as a housing allocation. The existence of a planning permission for one form of development does not in my view thereby make it appropriate for housing.

***Recommendation***

- 3.12.5 No modification be made to the Plan in response to these objections.



## **LPOLNP**

## **Bishops Cleeve: Homelands Farm**

### ***Objection***

134/1/TBLP/DEPOST /41 George Wimpey (UK) Ltd

### ***Main Issues***

- *sustainability*
- *impact on the landscape and countryside*

### ***Inspector's Considerations and Conclusions***

#### ***Preamble***

3.13.1 The omission site known as Homelands Farm comprises an area of some 14ha<sup>15</sup> that lies on the northern edge of Bishops Cleeve, straddling Gotherington Lane. To the south it is bounded by existing housing and public open spaces within Bishops Cleeve, to the east by the embankment of the Gloucestershire-Warwickshire railway<sup>16</sup>, to the west by a track leading from Evesham Road, and to the north by existing farmland. The site is generally level but to the east of Gotherington Lane there is a slight incline towards the railway embankment. A detailed assessment undertaken by the objector's agricultural consultants indicates that the Agricultural Land Classification of the site includes some 33% within Grade 2 and a further 58% within Grade 3a with the remainder being Grade 3b. It forms part of a larger agricultural holding of about 124ha.

3.13.2 In the light of my recommendations that some of the RDDLP's housing allocations should be deleted, this site falls to be considered as a possible replacement in order to provide for the housing land requirement. At the Inquiry the objector indicated that the site has capacity for about 500 dwellings.

#### ***Sustainability***

3.13.3 As I have concluded elsewhere, it is appropriate in principle to look to Bishops Cleeve to accommodate some of the Plan's housing requirement.<sup>17</sup> So far as the quantum of development is concerned, there

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<sup>15</sup> This represents a reduction in the size of the omission site from earlier proposals. In 1995 the objector put forward a scheme for some 1600-1800 houses on land extending as far north as Dean Brook. In 2000, a scheme that would provide 700 houses on a smaller site was proposed. .

<sup>16</sup> Policy TRP27 refers.

<sup>17</sup> See under Policy BC4 in Volume Two.

is not enough evidence to conclude that Bishops Cleeve/Woodmancote does not have the capacity to accommodate further expansion of the scale envisaged by the Plan. However, I consider that much depends on the nature of the proposals and the potential to integrate them into the framework of the settlement. And in assessing potential sites to bring forward as modifications, the Council will need to consider the implications for Bishops Cleeve of RPG10's reference in paragraph 3.11 to development related to the PUAs leaping the Green Belt to nearby commuter towns.

- 3.13.4 Turning to more detailed issues of suitability, the site wraps around the northern edge of the built-up area and it would offer relatively easy access for pedestrians and cyclists to the wide range of essential facilities that are available in the village centre. With a choice of routes available from different parts of the site, pedestrians could reach local shops, schools and places of employment by an easy 0.5-0.7km walk. The larger employment areas at Smiths Industries, Malvern View and Zurich Insurance are all within a 2km radius that could be reached on foot or bicycle. The existing bus route D and E provides a 15-minute frequency service to the centre of Cheltenham throughout the day, and it is not disputed that this service could be routed through the site and maintain its level of service without any need for investment in extra buses. This would bring up to an additional 600-650 dwellings within 400m of a 15-minute frequency bus service, including the omission site itself and the proposed allocation at Dean Farm (Policy BC3). As well as serving Cheltenham, it would give bus access from the site to or near most of the large employment areas within Bishops Cleeve. Having regard to the guidance in Annex A of RPG10 and to PPG13, it is apparent that residential development on the site would be well placed to make a significant contribution to reducing the need to travel, especially by car.

## **Impact on the Landscape and Countryside**

- 3.13.5 The site does not have any special landscape designation and in a recent review of the matter the Council decided that it would not be appropriate to make any change in this respect. Nonetheless, the site lies at the foot of Nottingham Hill where the Severn Vale abuts the Cotswolds escarpment, and land to the east of the railway embankment on the foothills of the Cotswolds AONB is designated as a Special Landscape Area (SLA) in accordance with Policy LAN2. This area serves as part of the foreground setting of the AONB and, irrespective of my recommendation on Policy LAN2, the effect on that setting is an important consideration. Residential development of the site would alter the setting of the foothills to a limited extent by intruding into views from Gotherington Lane and points further to the west. However the intention to carry through the existing open space on the northeastern boundary into the site and thereby set back housing from the railway embankment would soften the transition from urban to rural. With careful attention to layout planning it should also be possible to retain views of the foothills

from within and around the site.

- 3.13.6 Seen from the AONB, I consider that the visual impact of new housing on the site would be unlikely to be significant. It would entail a relatively small outward expansion of the northern edge of Bishops Cleeve within the well-defined edges of the railway embankment and the track to the north of Evesham Road. At the omission site's northern boundary it would not protrude further than the existing development on the northern side of Evesham Road or the tip of the proposed Dean Farm allocation. Nonetheless, the precise northern edge of any allocation would need careful consideration so that it could be softened and contained by appropriate landscaping treatment, especially where the omission site boundary does not follow any existing hedgerows. But taken as a whole, I consider that a well-designed scheme on the site would not have a detrimental impact on the important landscape to the east or on the wider countryside. It would entail a minor reduction in the physical separation between Bishops Cleeve and Gotherington, but it would not give rise to any real danger of coalescence and the individual, historic character of the smaller settlement would not be harmed.
- 3.13.7 So far as the agricultural implications are concerned, the reduction in the overall size of the Homelands Farm holding would be unlikely to have any significant effect on the viability of the farm business. And the loss of some 12.7ha of best and most versatile agricultural land would not necessarily be in conflict with PPG7, as amended in March 2001. This advises that where development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality, except where other sustainability considerations suggest otherwise. A comparative assessment may indicate that this site should be favoured over potential alternatives. In the light of all the evidence, I do not consider that there are any nature conservation interests of special importance on or near the site. Potential archaeological interest has been raised, but there is no substantive evidence that the approach recommended in PPG16 would not be appropriate in this case; therefore it should not militate against an allocation.

### *Conclusion*

- 3.13.8 Taking all of these matters into account, I consider that the omission site has the potential for a sustainable urban extension to Bishops Cleeve. Compared with Policy BC4, it would result in a more compact urban form, avoid dispersal to the west of the by-pass, and offer greater potential accessibility by public transport. Therefore, it merits inclusion in the assessment of potential replacement sites for those that are recommended for deletion from the Plan, provided that the implications of paragraph 3.11 of RPG10 are addressed as part of the comparative work. The Homelands Farm proposal also offers potential for a new site for Cleeve School on land immediately north-west of the site boundary, should the need arise, but this is a matter for detailed consideration by the appropriate authorities. The draft policy proposed by the objector covers these and other relevant matters, and this could form the basis of an

allocation policy, subject to the modifications recommended under LPOL-General in respect of local policies generally.<sup>18</sup> The appropriate size of any allocation should be examined as part of the work referred to above; but if the whole of the omission site were to be allocated, the potential to achieve 500 dwellings at an average net residential density of 40 dwellings per hectare may be inhibited, due to the highway authority's requirements for estate roads. On this basis, about 450 dwellings may be a more realistic capacity. Nonetheless, in the light of PPG3 I consider that a density of about 40 dwellings per hectare would not be inappropriate on this site.

### ***Recommendation***

- 3.13.9 In accordance with my recommendations under HSGGEN, the omission site at Homelands Farm be included in the assessment of potential allocations for residential development in the Plan period, and any necessary modifications to the Plan be brought forward accordingly.

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<sup>18</sup> See LPOL-General in Volume Two.

## **LPOLNP Extension**

## **Bishops Cleeve: North West Bishops Cleeve**

### ***Objections***

94/1/TBLP/REVISE	/10	Redrow Homes (SW) Ltd
500/TBLP/REVISE	/15	Robert Hitchins Ltd

### ***Main Issues***

- *sustainability*
- *impact on the landscape and settlement form*
- *potential site for Cleeve School*

### ***Inspector's Considerations and Conclusions***

#### **Preamble**

- 3.14.1 The omission site, described as the extension of North West Bishops Cleeve, has an area of about 56ha. It extends further to the north and west of the allocation proposed by Policy BC4. Dean Brook would form the northern boundary while new development limits on the western boundary would be broadly in line with the western boundary of the Malvern View employment site. The eastern boundary would be formed partly by the A435 and by allotments that lie on the western side of the A435.
- 3.14.2 Two alternative development options for the omission site have been put forward; both would provide for up to 1,000 dwellings, employment land, a new local centre and primary school. Under Option 1 there would be 29ha for housing, about 10ha for employment that would form an enlargement of the extended area of the Malvern View Business Park as proposed under Policy BC5, about 16ha of open space, and about 1ha for a new primary school and local centre. Option 2 differs by containing a site of nearly 6ha for a replacement secondary school for Bishops Cleeve and a reduction in the employment area by a little over 3ha. It would also require some land to the north of Dean Brook for school playing fields that could be made available for dual use by the public. Residential densities of about 34dph are proposed.

#### **Sustainability**

- 3.14.3 I have recommended elsewhere in this report that the proposed allocation at North West Bishops Cleeve for 400 dwellings in accordance with

Policy BC4 should be deleted from the Plan for reasons concerned with its impact on the landscape and on the settlement form of Bishops Cleeve and its relatively poor accessibility to important day-to-day facilities. Overall, I consider that the Plan allocation would be likely to generate increased reliance on the use of the private car.

- 3.14.4 The promoters of the omission site support Policy BC4 but regard their proposed extension of the site as a more sustainable and preferable option than the Plan allocation because it would accommodate a better mix of uses with a lower, more appropriate residential density. They also consider that there is a need for more land to be released at Bishops Cleeve to compensate for the inappropriate and less sustainable allocations proposed elsewhere in the Borough. I agree that there is a need to find suitable, replacement sites in sustainable locations for those that are recommended for deletion from the Plan. However, in my view the scale of this proposal, taken together with the other housing allocations in Bishops Cleeve/Woodmancote, raises issues of potential conflict with Policy S.2 of the GSPSR and SS 2 of RPG10.
- 3.14.5 Bishops Cleeve is not defined as a Principal Settlement in the Plan; as I have concluded in respect of the objections to Policy HSG2, the Plan does not provide an adequate assessment of the function of the Borough's settlements and their role in accommodating further residential development. Notwithstanding the measure of agreement that Bishops Cleeve is within the CSV, there is a lack of clarity in the Plan about how it is intended to function, especially in relation to Cheltenham. The omission site, together with the Policy BC3 and WO1 sites, would lead to an expansion of Bishops Cleeve by about 1260 dwellings. On the basis of all the evidence before me it is very difficult to accept that this would be in keeping with the scale and character of the settlement. Having regard to Policy SS 2 of RPG10 and to paragraph 65 of PPG3, I consider that this proposal also raises issues about the most sustainable options for developing outside urban areas that in my view ought first to be considered at structure plan level. While RPG10 post-dated the RDDLP, this proposal highlights the need to scrutinise the implications for Bishops Cleeve of paragraph 3.11 of the regional guidance.
- 3.14.6 Turning to more detailed aspects of this proposal, the provision of a new primary school on the site, together with a local centre containing some retail facilities and a community hall, would help to reduce some of the need to travel by car that would be likely to arise from the Policy BC4 allocation. But in my view this would be outweighed by the location of a significant number of dwellings even further from the range of facilities that are available in and around the village centre of Bishops Cleeve. This limitation might be addressed to some extent if developer-funded contributions were to enable a bus service to be routed around the site. This is the intention, but there is no certainty that it could be maintained as a viable public transport service in the longer term, and also it is far from clear that it could provide a 15-minute frequency service in accordance with the LTP's objective. The extent to which re-routing of the existing services through Bishops Cleeve would provide a local service, as opposed to one primarily meeting the needs of commuters

between the settlement and Cheltenham, is also uncertain.

- 3.14.7 Bishops Cleeve is an important employment destination in its own right; it has witnessed a significant growth in job opportunities in the last 10-12 years, thereby reducing the need to travel elsewhere to work. Travel to work data from the 1991 Census illustrates a high degree of mutual interaction between Bishops Cleeve and Cheltenham in terms of commuting patterns, although it indicates that only some 24% of the population of the Bishops Cleeve sub-area worked within it. The provision of additional employment land on the omission site could theoretically yield a close match between the number of new jobs created and the numbers of economically active people resident on the omission site. It would create potential for more balance between housing and jobs in the settlement and in this respect the mix of uses proposed could contribute to greater sustainability. Nonetheless, I do not consider that this benefit would outweigh the relative disadvantages of the location in terms of public transport accessibility. Given the absence of substantive evidence that a good quality bus service to serve the site would be available over the long-term, it is reasonable to conclude that those employees travelling to the site from beyond walking or cycling distance would be likely to rely on private car transport.

*Impact on the Landscape and on Settlement Form*

- 3.14.8 Compared with the proposed allocation under Policy BC4, development of the omission site would have a far greater impact on the open countryside by reason of its sheer size. It would be especially obtrusive on its western edge where there is an absence of any strong, containing landscape features. The new urban edges could be softened in time with screen planting, but this would take years to mature and I do not consider that it would adequately mitigate the impact of such a large-scale expansion of development into the open landscape on this side of Bishops Cleeve. The degree to which the site is already subject to urban influences or could be enhanced by landscaping are not good reasons to devalue its role as open countryside that should be protected for its own sake.
- 3.14.9 I do not consider that there would be a significant visual impact when seen from the AONB because the site would appear as a relatively distant extension of the Bishops Cleeve built-up area. Also the site's low-lying topography would reduce the potential generally for longer-distance views. But, the visual impact from nearer views on the A435 and the Stoke Orchard road and other public vantage points nearby would be difficult to screen, even with careful layout of open space and planting. Also, the form of the settlement would be dramatically changed by a very large expansion to the north-west of the by-pass. This would be at a relatively low density in PPG3 terms and it would exacerbate the east-west elongation of the settlement that has taken place with the development to the south of Hayfield Way. In my view it would fail to grasp the opportunity that would be presented by some expansion of Bishops Cleeve to develop a more compact and integrated urban form.

*Potential Site for Cleeve School*

3.14.10 The number of pupils at Cleeve Secondary School is significantly in excess of its capacity and is forecast to increase. The education authority is exploring ways of providing suitable expansion of the school and it is considered that these would require its relocation. While not wishing to preclude other options and opportunities for relocation, the authority is keen to continue exploring the proposal put forward for a new school on the omission site. I accept that this could meet the community need's for a new school but its location would be peripheral to the settlement as a whole and it would be severed from the main core of Bishops Cleeve/Woodmancote by the A435 by-pass. I have no doubt that pedestrian and cycle linkages would be improved as part of the development but in my view its location would not encourage use of these modes as alternatives to the private car. The potential to release the existing school site for residential development would arise whether the omission site or some other location were eventually selected as the site for a new school. In summary, I do not consider that this factor weighs in favour of the omission site.

3.14.11 In conclusion, I consider that the proposal would not accord in principle with the advice in paragraph 65 of PPG3 or with Policy S.2 of the GSPSR. In terms of its detailed aspects, it would be unlikely to reduce reliance on the private car and its impact on the landscape and settlement form of Bishops Cleeve would be unacceptable. Accordingly, this site is not commended as a potential allocation.

***Recommendation***

3.14.12 No modification be made to the Plan in response to these objections.



## LPOLNP

## Bishops Cleeve: Other Omission Sites

### *Objections*

257/1/TBLP/DEPOST	/2	Smiths Industries
701/1/TBLP/DEPOST	/4	Mace
1149/1/TBLP/DEPOST	/1	Wellbrook Road Residents' Association

### *Main Issues*

- *sustainability*
- *Green Belt*
- *landscape protection*

### *Inspector's Considerations and Conclusions*

- 3.15.1 An objection seeks the allocation of land next to the A435 as an alternative to sites in Winchcombe, saying that the main roads and employment opportunities at Smiths Industries and Eagle Star would be an attraction for more housing. No further details of the land in question were provided, but from the objection's context it appears that it relates to land on the eastern side of the A435, opposite the Smiths Industries site.
- 3.15.2 This area is very close to a large employment area and next to a designated public transport corridor, and being within reach of facilities in Bishops Cleeve and Cheltenham it appears to offer some advantages in terms of sustainability. However, the land consists of most, if not all, of the Green Belt area next to the A435 between Bishops Cleeve and the edge of Cheltenham. In my view development here would clearly conflict with the objectives of the Green Belt as set out in the GSPSR. Amongst others, these include the prevention of the coalescence of Cheltenham with Bishops Cleeve and of urban sprawl. Development in this general area would contribute to the merging of the two urban areas by eroding the narrow gap between them. As far as landscape impact is concerned, the area between the road and the railway to the east has no protective designation. Nonetheless, it is the foreground of views from the main road towards the Special Landscape Area and the AONB at Cleeve Common. I consider that housing development along this sensitive road frontage would harm the landscape setting both of Bishops Cleeve and the AONB. Notwithstanding the need to look for sustainable sites to replace the allocations that are recommended for deletion from the Plan, I conclude that this omission site is not appropriate for allocation.
- 3.15.3 An objection seeking a protective designation for the landscape between Gotherington and Bishops Cleeve is addressed under Policy LAN2. Another concerned with land to the north-west of Smiths Industries has been partially met by the introduction of Policy BC6 in the RDDLP and the linked objection at the Revised Deposit stage is considered under that policy.

### *Recommendation*

- 3.15.4 No modification be made to the Plan in response to these objections.

## **LPOLNP**

## **Boddington: Omission Sites**

### ***Objections***

500/1/TBLP/DEPOST / 8  
1784/1/TBLP/DEPOST / 2

Robert Hitchins Ltd  
Quayle

### ***Main Issues***

- *sustainability*
- *effect on the Green Belt*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.16.1 An objection claims that proper consideration has not been given to requirements for a new settlement in the vicinity of Junction 10 of the M5 motorway, as envisaged in the Consultation Draft of the GSPSR. It is contended that this would meet the housing and employment needs of Gloucester and Cheltenham during and beyond the period of the GSPSR, whose Deposit Draft indicated that this option would probably be needed after 2011. The EIP Panel that considered the Deposit Draft GSPSR advised that the option of a new settlement be kept open and noted that this would probably need amendments to the Green Belt. If objections to Policy HSG1 and to a number of the RDDLP's housing allocations are sustained, the objector proposes that consideration should be given to a new settlement option now, in order to find additional or replacement land for development.
- 3.16.2 The proposed new settlement has an area of some 316ha and includes the settlements of Boddington and Barrow. It is bounded by the M5, A4019, the river Chelt and power lines about 1.8 km south of Junction 10. The A4019 forms the boundary of this part of the Green Belt. The objection refers variously to approximately 2500-3000+ dwellings to be built in the Plan period; ultimately the settlement could have about 5000. A range of community facilities and about 30ha of employment land would be included.
- 3.16.3 In accordance with PPG3, proposals for new settlements which would have a significant impact on the sub-regional pattern of development and transport should be brought forward through regional or sub-regional planning guidance, and it makes clear that more sustainable alternatives should be sought in the first instance. In my view the scale of development proposed here would be likely to have a very significant impact, as well as requiring major alterations to the Green Belt, but there is no support for it either in the adopted GSPSR or in RPG10. Paragraph 5.5.5 of the GSPSR states only that it is possible that a new settlement will be required in the next review of the structure plan. In accordance with RPG10, new settlements should be considered and identified in structure plans only where they are clearly more sustainable than meeting

development needs in PUAs, or urban extensions to PUAs or by the designation of other centres for growth. The emerging GSPTA seeks to provide for the future housing requirement without the need for any additional greenfield allocations of a strategic nature, let alone a new settlement within the Green Belt. While the GSPTA strategy remains to be tested, I have no reason to conclude at this stage that RPG10's housing requirement might not be fulfilled without the development of a new settlement in Gloucestershire. Also, I agree with the Council that, notwithstanding the provision of employment land and the possibility of extending bus routes, the objection proposal would be likely to function mainly as a commuter settlement serving Gloucester, Cheltenham and further afield. The promotion of an improvement to Junction 10 would also tend to encourage private car use.

- 3.16.4 In accordance with my recommendations elsewhere in the report<sup>19</sup> the Council should undertake a review of the Green Belt in order to identify more sustainable sites for the provision of the required new housing. But the level of need that I have identified would not justify the scale of the proposed loss of Green Belt land. The proposal would also be less sustainable than urban extensions in appropriate locations. And it would entail a significant encroachment into an extensive area of open countryside which, although not subject to any protective designation, and relatively secluded in distant views, is nevertheless attractive. In my view the openness and visual quality of this part of the Green Belt would be materially compromised. In all these circumstances, I do not consider that the allocation of land for a new settlement would be appropriate.
- 3.16.5 As part of an objection to allocations at Winchcombe, another objection suggests that 50 dwellings should be provided as part of a small town at Boddington. But in my view this would be an unsustainable allocation which would be likely to generate increased reliance on the private car for access to a range of day-to-day facilities. There is no justification for the loss of Green Belt land in these circumstances.

### ***Recommendation***

- 3.16.6 No modification be made to the Plan in response to these objections.

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<sup>19</sup> See GBTGEN and GBT1 in Volume One.

## **LPOLNP**

## **Brockworth: Green Street/Kennel Lane**

### ***Objection***

331/TBLP/DEPOST /2 David Wilson Estates

### ***Main Issues***

- *sustainability*
- *landscape impact*
- *traffic impact*

### ***Inspector's Considerations and Conclusions***

- 3.17.1 The objection seeks the allocation of a 3.2ha site to the south of Kennel Lane for residential development within the Plan period. The land comprises two fields laid to pasture on either side of a central strip that is formed by domestic gardens. The residential area of Brockworth adjoins the site to the north and east, while the southern and western boundaries adjoin Watermead Lane and Green Lane respectively, beyond which lies the designated AONB. The objector anticipates that the site could accommodate about 60 dwellings that would be accessed from Kennel Lane via Green Bank.
- 3.17.2 It is appropriate to consider the suitability of the site for residential purposes in the light of my conclusions under HSGGEN in Volume One of the report that new, sustainable housing sites should be brought forward in place of the allocations that are recommended for deletion from the Plan.

### **Sustainability**

- 3.17.3 The Council accepts that the omission site is a relatively sustainable one and I agree. In accordance with the Council's classification it is in a category A1 location, and it would represent a small urban extension of Brockworth, affording relatively convenient access by a choice of modes of transport to a wide range of services and facilities nearby. There is a convenience shop within about 150m walking distance from the site and other shopping and community facilities at Abbotswood Road and Court Road, between 700-800m away. Two primary schools lie within 600m and 1km of the site respectively. The nearest bus stop is on Ermin Street, a walk of about 650-750m from the site and therefore not particularly convenient. Nonetheless, during peak periods this route has a 10-minute frequency bus service to Gloucester city centre and I consider that it would be close enough to the site to offer future residents a potential alternative mode of transport to the car.

- 3.17.4 There are no local cycle facilities, but connections to the Gloucester city network are likely to be improved with the development of the Policy BR1 allocation. The site would be within convenient cycling distance of a range of employment and other facilities in Brockworth, Hucclecote and other parts of the Gloucester urban area. In accordance with my recommendation under Policy BR3, a new district centre on Ermin Street/Hucclecote Road would be within cycling distance of the site. And there may be potential for improvements to pedestrian routes in the wider area that would bring the site within walking distance of the facilities at Gloucester Business Park and the Policy BR1 and BR3 areas. In general, the maximum walking distance guideline figure in Annex A of RPG10 would be satisfied only in the case of the local shop, but there is a range of other facilities that could be accessed by non-car modes without much difficulty. Therefore I consider that the omission site would be a reasonably sustainable choice for residential development in terms of its accessibility to day-to-day facilities and requirements.

## **Landscape Impact**

- 3.17.5 The planning history of the site includes some planning applications and appeals that have entailed assessments of the impact of residential development on the landscape. Also, it was proposed in 1983 that the south-eastern part of the site should be included within the AONB. However I consider that these assessments should be placed in the context of the Countryside Commission's reasoning for not including any of the site within the formally designated AONB; it concluded that development at this location would not be damaging to the AONB. It is important that the setting of the AONB should be respected, but I do not agree with the Council that the development of the omission site would harm these interests. In general there are very limited views of the site, and it is not readily observable from the AONB. The main visual impact of any development would be on the existing residential area to the north, and especially on the outlook from the properties on Kennel Lane and Green Bank, but vistas of the AONB, especially of Castle Hill, would not be obliterated by any development. With careful design and siting of buildings the potential to view the AONB from the residential area to the north would not be significantly affected. The more local landscape impact of development would mainly arise from the loss of a greenfield site, but I do not consider that this is a good enough reason to oppose the allocation of this sustainable site. In my view it is difficult to accept that its development would entail any greater conflict with Policy LAN4 of the RDDLP than other greenfield allocations identified in the Plan, and any conflict is outweighed by the need for suitable residential sites. Detailed matters about the most appropriate boundary treatment adjacent to the AONB and means of securing its management in the long-term could be resolved at the design and development brief stage.

## **Traffic Impact**

- 3.17.6 There are local concerns about the effect of increased traffic on the relatively narrow sections of the proposed access route from Ermin Street and also about the unsuitability of Green Street for additional vehicular traffic. However, earlier planning decisions and an appeal that are relevant to this issue date back to the late 1980s and early 1990s, since when there has been a marked change in policy about the relative priorities of different modes of transport. As a result, and in the light of a transport assessment that has been carried out, there is nothing to indicate that the highway authority would find the development of the site for about 60 dwellings unacceptable. Also, it would be reasonable to expect that the development would contribute to improvements to the local highway network, including the proposed traffic calming scheme on Ermin Street and the provision of cycleway facilities, thereby helping to reduce traffic conflicts.

## **Overall Conclusion**

- 3.17.7 Development of the omission site would accord with the Plan's overall focus on the CSV and it is in a sustainable location that is accessible to a wide range of facilities by non-car modes. It seems likely that the visual and traffic impact issues that have been raised could be resolved by the detailed planning of development. It would be appropriate for the Council to consider the allocation of this site as a means of addressing the shortfall that arises from my recommendations elsewhere in the report. Suitable criteria should be included in any allocation policy concerning contributions to local educational requirements and improvements to public transport, in keeping with my recommendations under LPOL – General in Volume Two and with other local policies. A criterion requiring the provision of a landscaping scheme that would be sensitive to the adjacent AONB, safe pedestrian and cycle access to local facilities, and the provision of approximately 18 units as affordable housing would also be appropriate. The affordable housing requirement would represent a basis for negotiations in accordance with my recommendations under LPOL – General. Reference to the preparation of a design and development brief and its status as a material consideration should be included in any reasoned justification for the policy, as set out in LPOL – General.

## ***Recommendation***

- 3.17.8 In accordance with my recommendations under HSGGEN, the omission site at Green Street/Kennel Lane, Brockworth be included in the assessment of potential allocations for residential development in the Plan period, and any necessary modifications to the Plan be brought forward accordingly.

## LPOLNP

## Brockworth:

## Other Omission Sites

### *Objections*

556/1/TBLP/DEPOST	/ 8	Brockworth Parish Council
3027/1/TBLP/DEPOST	/1	King
3051/1/TBLP/DEPOST	/ 3	Rogers
3076/1/TBLP/DEPOST	/ 13	Bryant Homes Technical Services Ltd

### *Main Issues*

- *sustainability*
- *effect on the Green Belt*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

3.18.1 As an alternative to allocation BR1, it is suggested that land between the Brockworth by-pass and the northern edge of the settlement, currently within the Green Belt, should be allocated for housing. It is argued that this is a more sustainable location. The land, extending to around 50ha, is on the northern side of Mill Lane. However, as I have concluded in respect of the objections to Policy BR1, that allocation carries forward Policy H.5 of the GSPSR and it accords with PPG3's guidance on the sustainable location of new housing development. My conclusions on the omission site to the south of Mill Lane<sup>20</sup> and on the case for a review of the Green Belt boundaries<sup>21</sup> are also relevant to this objection. There is a need to identify more sustainable sites for new housing to meet the requirements during the Plan period, but I consider that the development of the land to the north of Mill Lane would compromise the objectives for which it was designated as Green Belt. This is a prominent area of Green Belt that helps to maintain the separation of Gloucester from Cheltenham. Its visual prominence also indicates that development here would be likely to be intrusive in the countryside. Therefore I do not recommend that it be included in the list of potential sites for allocation at the modifications stage.

3.18.2 The Parish Council considers that this area should be protected by designation as an important open space or visual gap. It is argued that it has special landscape value because it permits views of the Cotswold escarpment from the approach to Brockworth. However, while I understand the concerns of the Parish Council about development pressures, I do not consider that this area has any particular value in landscape terms which would justify special protective designation. A linked objection is also considered under Policy LAN6.

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<sup>20</sup> See under LPOLNP Brockworth: South of Mill Lane.

<sup>21</sup> See under GBTGEN and GBT1.

- 3.18.3 About 1.3ha of land at Henley House, Brockworth is within the Green Belt and AONB. An objector argues that it is some 600m from Brockworth and its facilities, and would be a 'natural progression for the settlement'. It is contended that it is suitable for housing to meet the area's needs and that it should be deleted from the Green Belt. However, even though it is not far from the employment and other facilities of Brockworth and is on a bus route, this land is on the eastern side of the A46 and in my view is separate from the built-up area of Brockworth. There are some buildings around, largely agricultural in appearance, but this is still a mainly open area. Its deletion from the Green Belt to facilitate development would consolidate the existing loose groupings of buildings, reducing the openness of the area and encroaching on the open countryside and the AONB. It would conflict with the objective of conserving the natural beauty of the landscape for which the AONB was designated and would also make it more difficult to secure a long-term defensible boundary for the Green Belt in this area. Notwithstanding my general recommendations under GBTGEN and GBT1, I do not consider that this site would represent an appropriate alteration to the Green Belt boundary to provide for housing requirements within the Plan period.
- 3.18.4 Finally, the expansion of development to the south-east of Gloucester Business Park in the area of Abbotswood Farm is promoted for employment purposes. This land is in the AONB and I consider that its development would be likely to be visually intrusive and undermine the objective of AONB designation. There is no evidence of any pressing need for additional employment land in the Borough that might override these considerations. Accordingly, I do not recommend that it be considered as an allocation site.

### ***Recommendation***

- 3.18.5 No modification be made to the Plan in response to these objections.



## **LPOLNP**

## **Brockworth: South of Mill Lane**

### ***Objection***

3344/1/TBLP/DEPOST / 2

Brockworth House Club & Institute Ltd

### ***Main Issues***

- *effect on the Green Belt*
- *sustainability*
- *exceptional circumstances*

### ***Inspector's Considerations and Conclusions***

- 3.19.1 Green Belt land to the south of Mill Lane and north of a stream includes Brockworth School, a nursing home and some grassland with farm buildings. The latter area, extending to some 3.2 ha and located between the school and nursing home, is promoted as a potential housing site for up to 80 dwellings at a density of at least 30dph. The suggested policy would have criteria relating to such matters as access from Mill Lane, footpath links, a play area, affordable housing, landscaping, and contributions to local facilities.
- 3.19.2 As I have recommended elsewhere in the report, modifications should be made to the Plan to bring forward more sustainable housing sites in replacement for those that should be deleted, and alterations should be made to the Green Belt boundary where there are demonstrable exceptional circumstances<sup>22</sup>. In principle therefore this site falls to be considered as a potential allocation if the objectives of the Green Belt's designation would not be compromised and it would be suitable in other respects.
- 3.19.3 The objectives of the Green Belt designation are the prevention of the coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl. So far as the effect on the first objective is concerned, this site is physically contained by Mill Lane, the secondary school complex, and the nursing home and other buildings to the east. While these lands have a generally open character, in my view they are not required to prevent the coalescence of Cheltenham and Gloucester. This function would be served by a Green Belt boundary that followed the line of this part of Mill Lane, thus continuing to protect the open countryside that extends northwards towards the A417 and beyond that to Shurdington and Cheltenham. With regard to the second objective, any loss of Green Belt land could be said to entail urban sprawl, but a small, planned extension to the urban area as in this case would not in my view fundamentally compromise the objective. The semi-rural appearance of the site would be changed, but I consider that it relates more closely to Brockworth than to the countryside north of Mill

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<sup>22</sup> See HSGGEN and GBTGEN and GBT1 in Volume One.

Lane, and its development would have very little effect on the open character of the land between the two urban areas. For these reasons I consider that the deletion of the land from the Green Belt would not compromise the objectives of the policy designation. And in terms of the impact on its visual amenities, a well-designed scheme that takes account of the levels of the site in relation to Mill Lane and the built-up area to the south would be unlikely to have any detrimental effect on the appearance of the surroundings.

- 3.19.4 As an extension to the urban area of Brockworth, this site has considerable merit in sustainability terms. It would provide accessibility by a choice of means of transport to the wide range of facilities available in the Gloucester PUA, including the employment, educational, community and other facilities that are either existing or proposed in Brockworth. Existing bus routes within about 400m of the site provide a 10-minute frequency service between Cheltenham and Gloucester. Subject to the provision of facilities for improved pedestrian linkages and accessibility to public transport services and other facilities in Brockworth, there is potential for development in this location to reduce the need to travel.
- 3.19.5 The Horsebere Brook flows along the southern boundary of the site and flood protection measures would need to be included in detailed planning for the development of this land, but there is no evidence that this is an obstacle to its allocation. Similarly, there is nothing to indicate that there are any constraints in terms of highway access or other infrastructure requirements. In my view therefore the site's allocation would accord with almost all of the criteria in paragraph 31 of PPG3, and its greenfield nature is not a barrier to its development in the circumstances of this Plan.
- 3.19.6 Insufficient land is available within the existing urban areas of the Borough to meet the housing requirement and this part of the Gloucester urban area is very tightly constrained by the Green Belt boundary. There is enough evidence to demonstrate that in looking to the next most sustainable options, this site should be preferred over many of the RDDLP's allocations, even though the latter are generally not in the Green Belt. The allocation of the land to the south of Mill Lane would help to compensate for the loss of dwelling numbers entailed by my recommendations that Policies SH1, DH1, HM2 and others should be deleted from the Plan. The alteration that would be required to the Green Belt boundary would not compromise the objectives for which the Green Belt was designated. I consider that these are exceptional circumstances that warrant the review of the Green Belt boundary in accordance with the advice in PPG3. The Council has made clear that it would wish to consider all potential Green Belt options in a comprehensive manner, and not just those put forward for consideration through the Inquiry, if my recommendations are to delete some of the RDDLP sites. In these circumstances, I recommend that the land south of Mill Lane be included in the assessment of potential allocations for residential development in the Plan period and that the Green Belt boundary be reviewed accordingly.

- 3.19.7 The scope of the allocation policy put forward by the objector is broadly appropriate, but its wording should accord with my recommendations under LPOL – General. Also, I consider that a density of close to 30dph would be unacceptably low in principle in this location, and critical appraisal of the potential for a higher density, closer to 40dph, should be undertaken. A criterion seeking a contribution to the improvement of local public transport provision would also be justified by the need to accommodate the additional demand arising from the development.
- 3.19.8 Finally, the objection seeks the safeguarding of this land for future development needs if it is not allocated for development in the Plan period. The general approach to safeguarding is considered under GBTGEN; the recommendations set out there would apply to this case if the site is not allocated for development but, nonetheless, the Council undertakes a review of the Green Belt boundary.

***Recommendation***

- 3.19.9 In accordance with my recommendations under HSGGEN, GBTGEN and GBT1, the omission site to the south of Mill Lane, Brockworth be included in the assessment of potential allocations for residential development in the Plan period, and any necessary modifications to the Plan be brought forward accordingly.

## **LPOLNP**

## **Churchdown: Brickhampton Court Farm**

### ***Objections***

472/1/TBLP/DEPOST /2      Countryside Properties (South Western Ltd)  
1152/1/TBLP/DEPOST   /1 Evans

### ***Main Issue***

- *impact on the Green Belt*

### ***Inspector's Considerations and Conclusions***

- 3.20.1      The objections seek the deletion of land adjacent to the redeveloped Brickhampton Court Farm, Churchdown from the designated Green Belt and its allocation for residential development. The site comprises about 0.9ha and is used as a paddock. It is bounded generally on three sides by existing built development, some of which is well screened by trees and shrubs, while on its north-western side it adjoins an open field. A public footpath adjacent to the south-eastern boundary forms part of a network that links Down Hatherley with the B4063. Access to the site is proposed from the B4063 via the existing privately maintained access road though the Brickhampton Court golf complex and the residential area at Brickhampton Court Farm.
- 3.20.2      In the light of my recommendations<sup>23</sup> that the Plan should be modified by the deletion of some of the allocated sites, the land at Brickhampton Court Farm falls to be considered as a potential replacement housing site. The relevant policy background to the consideration of Green Belt land for potential future development needs is set out elsewhere in this report<sup>24</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances are demonstrated. The objectives of the Green Belt designation, set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.20.3      Churchdown forms a very substantial 'island' of development in the Green Belt between Cheltenham and Gloucester and any erosion of the gaps between it and the main urban areas is likely to be significant. In this case the site lies on the western edge of the gap between Cheltenham and Churchdown, in an area that is under substantial pressure for

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<sup>23</sup> See under HSGGEN in Volume One.

<sup>24</sup> See GBTGEN and GBT1 in Volume One.

development and which contains a number of smaller islands of employment development along the B4063. The adjacent golf club buildings and the dwellings at Brickhampton Court Farm are clearly built incursions into the Green Belt, but they remain washed over by this policy designation and I do not consider that they provide any justification for lessening the protection afforded to the omission site. Also, the particular reasons for which the Brickhampton Court Farm scheme was permitted do not apply in this case.

3.20.4 Given the small size of the omission site and its relationship with surrounding development, it may appear of little strategic importance. However, it forms one of the links in a chain of Green Belt land that extends along the eastern side of RAF Innsworth and the residential estate at Highgrove, and it has a clearly defined and defensible boundary marked by a ditch and an almost continuous belt of trees and shrubs. As such it helps to contain the eastern extension of Churchdown into the wider area of Green Belt generally to the east of the site. If it were to be released for development it would be very difficult to protect other areas of Green Belt in this very sensitive location and in particular the adjacent field to the north-west. The cumulative impact of even relatively small changes could compromise the objectives of the designation. Also, by infilling the gap between Purcell Road/Grenville Close and the Brickhampton complex, the proposal would clearly diminish the open character of the land between Gloucester and Cheltenham in a particularly vulnerable area. It would therefore contribute to coalescence of these urban areas by partial infilling of the Green Belt lands that separate them. For these reasons I consider that the deletion of the omission site from the Green Belt would be unacceptable.

3.20.5 Attention has been drawn attention to the location of the site within the CSV and in this sense to its sustainability qualities. I agree that the site has potential to be integrated into local pedestrian and cycle networks and thus offer access to some essential facilities by means other than the car; but this would depend on the provision of good quality links via the adjacent estate of Highgrove and to the public transport corridor along the B4063. Overall, the relative isolation of the site from the local public highway network could make it more difficult to integrate it with pedestrian and cycle networks in the vicinity and might contribute to a high level of car dependency. In any event, I do not consider that sustainability factors that might point in favour of the proposal would outweigh its impact on the objectives of the Green Belt designation. Therefore the site is not commended as a potential allocation.

### ***Recommendation***

3.20.6 No modification be made to the Plan in response to these objections.

**LPOLNP**

**Churchdown: Buttermilk Lane**

***Objection***

3341/1/TBLP/DEPOST      /1      G Holtham Will Trust

***Main Issue***

- *effect on the Green Belt*

***Inspector's Considerations and Conclusions***

- 3.21.1      The objection seeks the allocation of a site of about 0.65ha for residential development. It comprises rectangular-shaped open paddocks with a frontage to Parton Road in Churchdown. The built-up area adjoins the western boundary, but the site itself and the swathe of land to the north, east and south-east are part of the designated Green Belt between Cheltenham and Gloucester. Buttermilk Lane is a narrow track (albeit an adopted highway) along the site's eastern boundary that gives access to Parton and Evergreen Farms and to Rowan House.
- 3.21.2      In the light of my recommendations<sup>25</sup> that the Plan be modified by the deletion of some of the allocated housing sites, the land at Buttermilk Lane falls to be considered as a potential replacement site. The relevant policy background to the consideration of Green Belt land for potential future development needs is set out elsewhere in this report<sup>26</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives of the designation and that exceptional circumstances are demonstrated. The purposes for which the Green Belt was designated, set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.21.3      Churchdown forms a very substantial 'island' of development in the Green Belt between Cheltenham and Gloucester and any erosion of the gaps between it and the main urban areas is likely to have a significant effect. This site lies in one of the narrower Green Belt gaps between Cheltenham and Churchdown, in an area that is under substantial pressure for development and which contains a number of scattered dwellings and other buildings that are washed over by Green Belt designation. The proposal seeks to infill open paddocks between some of this scattered development and the settlement edge of Churchdown, but these fields, by their very openness, help to contain the south-eastern extension of Churchdown into the Green Belt. If the site were to be

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<sup>25</sup> See HSGGEN in Volume One.

<sup>26</sup> See GBTGEN and GBT1 in Volume One.

released for development it would be difficult to protect other areas of Green Belt in this very sensitive location from creeping urbanisation, and the cumulative impact of even relatively small changes could be very harmful to the purposes served by the Green Belt. In my view Buttermilk Lane would be no more suitable as the boundary of the Green Belt than the existing line which abuts the Parton Mews and Chadbournes development. The proposal would clearly diminish the open character of the land between Gloucester and Cheltenham in a particularly vulnerable gap. It would therefore contribute to coalescence of these urban areas by partial infilling of the Green Belt lands that separate them. For these reasons I consider that the deletion of the omission site from the Green Belt would compromise the objectives of its designation.

- 3.21.4 The objector has drawn attention to the location of the site within the CSV and in this sense to its sustainability qualities. I agree that the site is relatively well placed to take advantage of existing services and facilities, but I do not consider that sustainability factors or any other need for more housing in Churchdown would outweigh the harm that would be caused to the Green Belt by the proposal. Accordingly, the site is not commended as a potential allocation.

### ***Recommendation***

- 3.21.5 No modification be made to the Plan in response to this objection.

## LPOLNP

## Churchdown: Cheltenham Road, Staverton

### ***Objection***

457/1/TBLP/DEPOST / 1

Ashville Properties Ltd

### ***Main Issues***

- *sustainability*
- *effect on the Green Belt*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.23.1 An objection seeks the exclusion of some 3.6ha of grassland at Ashville on the northern side of Cheltenham Road, Staverton from the Green Belt to enable the extension of an existing business park<sup>1</sup> and its allocation for employment purposes under policy EMP1. As an alternative, the release of approximately 1.7ha is proposed with the remainder, including along the main road frontage, being landscaped. The omission site lies generally to the north and east of the existing section of the park that is proposed for deletion from the Green Belt under Policy GBT4.
- 3.23.2 The objector argues that there are matters which together constitute exceptional circumstances justifying the release of this Green Belt land. The original long-term strategy of developing the allocated employment site has been changed, and the company seeks to maximise existing investments. It is contended that the land in question serves no Green Belt purposes while its allocation would meet needs for additional employment land in a natural extension to an existing long-established employment area on a good bus route. Substantial landscaping and other measures would give an opportunity for enhancement of the visual quality of the Green Belt, and allocation would provide a more realistic boundary. Alternative schemes are proposed, including a more limited one that would provide a viable plot for development to the north of the existing garage premises, and would align the new Green Belt boundary with the proposed re-drawing of the boundary under Policy GBT4.
- 3.23.3 In a further submission the objector proposes the deletion from the Green Belt of a strip of land, about 20 metres deep, to the rear of the existing site, to follow the line of the proposed deletion under GBT4. The existing access road into the business park was designed to serve the adjacent employment area, now proposed as housing allocation Policy DH1. However, after the road was built, the adjacent landowners revised their plans and access to their land is now to be from Hatherley Lane. As a result, an industrial access designed to serve 12ha now serves less than five, and has created a narrow strip with restricted development potential. At one stage the Council supported this minor realignment, which would have improved the practicality of developing the small remaining area.

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<sup>1</sup> Associated objections relating to additions to the Green Belt are considered under GBTNP in Volume One.



- 3.23.4 I note the Council's sympathy for the objector's situation but I do not consider that the changed circumstances affecting the business park amount to exceptional circumstances justifying a further erosion of the Green Belt in this very narrow and sensitive gap between Gloucester and Cheltenham. Also there is no compelling evidence of a need for more employment land in the Borough or in this area in particular that might justify further deletions from the Green Belt; nor is there any substantive evidence that the Plan's employment land strategy is not in accordance with the GSPSR or RPG10. This part of the Green Belt is under considerable pressure for development and it clearly meets one of the objectives of the designation, by helping to prevent coalescence of Cheltenham and Gloucester. The ready visibility of the omission site from Cheltenham Road emphasises its importance, and proposed visual improvements or planting schemes on open parts of the site, although beneficial, would not overcome the fundamental harm to the Green Belt that would be entailed. The proposed re-alignment of the existing boundary in accordance with Policy GBT4 would be a logical and defensible one and is not intended to allow new development. It does not to my mind justify a further re-alignment to the north in order to permit inappropriate development in the Green Belt. Also, the quality of the landscape is not relevant to the inclusion of land within the Green Belt or to its continued protection. For these reasons I do not consider that the omission site should be removed from the Green Belt and allocated for development.

### ***Recommendation***

- 3.23.5 No modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Churchdown: Cheltenham Road East**

### ***Objection***

3343/1/TBLP/DEPOST /2

Prowting Projects Ltd

### ***Main Issue***

- *effect on the Green Belt*

### ***Inspector's Considerations and Conclusions***

- 3.22.1 The omission site comprises about 19ha of land on the fringes of Gloucester within the designated Green Belt. It lies to the north of Cheltenham Road East (B4063) and is bounded on its northern and eastern sides by residential areas in Innsworth and Churchdown respectively. Gloucester city centre lies about 2.5kms to the south-west. A short distance to the south-west of the site is the large, five-armed signalised roundabout at Elmbridge Court where the B4063 intersects with the A40, A417 and other routes. The objection seeks the allocation of about 6.6ha of the site for residential development within the Plan period. An additional 2.85ha is proposed as open space and 9.55ha as safeguarded land.
- 3.22.2 In the light of my recommendations<sup>27</sup> that the Plan be modified by the deletion of some of the proposed housing allocations, the land at Cheltenham Road East falls to be considered as a potential replacement site. The relevant policy background to the consideration of Green Belt land for potential future development needs is set out elsewhere in this report<sup>28</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives of the Green Belt designation and that exceptional circumstances are demonstrated. The objectives of the designation, set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.22.3 I do not accept the objector's contention that the gap between Gloucester and Innsworth/Churchdown of which this site forms part is of only local significance. Churchdown is a very substantial 'island' of development in the Green Belt and any erosion of the gaps between it and the main urban areas is likely to be of wider significance. The omission site lies in one of these gaps, where the north-western edge of Churchdown is separated from Gloucester by a very narrow area of Green Belt, ranging

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<sup>27</sup> See HSGGEN in Volume One.

<sup>28</sup> See GBTGEN and GBT1 in Volume One.

in width from about 140m to 220m. The physical separation narrows even further to the north-west where the Green Belt gap between Innsworth and the Gloucester urban area is only 60m wide in places, but this is not a good reason to reduce the extent of the Green Belt by deleting the omission site. To do so would contribute to the coalescence of Cheltenham and Gloucester in a particularly vulnerable gap, by partially infilling the Green Belt lands that separate them.

- 3.22.4 Development of this site would also entail a significant visual intrusion into the swathe of countryside that extends from the southern edge of Innsworth towards Churchdown Hill and would be harmful to the visual amenities of the Green Belt. I do not consider that the proposal to treat some of the site as safeguarded land would overcome these objections since this would still entail a very harmful narrowing of the designated Green Belt in the area. Also, the boundary between the safeguarded land and the suggested residential allocation is not marked by any existing physical features. This would make it more difficult to protect the safeguarded land, at least in the short term.
- 3.22.5 Comparisons have been made between the Green Belt and visual functions of the omission site and other nearby lands that are being investigated for potential development for park and ride purposes. However, these do not outweigh the considerations above or override my conclusion about the impact on Green Belt objectives. The undoubted advantages of easy access from the site to a wide range of services and facilities, and the potential to improve public open space provision, including making good any existing deficit, have also been taken into account. However, I consider that the deletion of the site from the Green Belt would seriously compromise the objectives of its designation, and therefore it would be in conflict with the advice in paragraph 68 of PPG3. Accordingly, I do not commend this site as a potential allocation.

***Recommendation***

- 3.22.6 No modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Churchdown: Other Omission Sites**

### ***Objections***

1173/1/TBLP/DEPOST	/ 1	Brassington
3340/1/TBLP/DEPOST	/ 1	Western

### ***Main Issues***

- *sustainability*
- *effect on the Green Belt*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.24.1 Some 2.5ha of agricultural land on the southern side of Brookfield Road, between Goulters Gate and the M5 motorway, is proposed for allocation to help meet the required supply of housing. As well as questioning the concept of Green Belts, the objector says that development around Churchdown would accord with the aim to concentrate development in the CSV, and that there are good links to existing and potential employment areas. Churchdown has a range of facilities and the objector contends that the M5 would be a natural boundary to the village. Access and services to the site are said to be acceptable.
- 3.24.2 I consider that the area to the east of Churchdown, which forms a strip of Green Belt as narrow as 1km to the nearest part of Cheltenham, is critical to maintaining the separate identity of the settlements and reducing obvious encroachment into the countryside. The omission site is within this sensitive and vulnerable narrow section and would extend the ribbon of development on the southern side of Brookfield Road as far as the motorway. I consider that development on the site would significantly reduce the openness of this part of the Green Belt and seriously compromise the objectives of its designation. It would also impinge on views from the road towards Churchdown Hill. While Churchdown is a sustainable location in many respects and is clearly in the CSV, I do not consider that this warrants the release of especially sensitive Green Belt land. Therefore, notwithstanding my recommendations elsewhere in the report about the need to identify more sustainable sites for housing and to review the Green Belt boundary accordingly<sup>29</sup>, this site would not be suitable for allocation. Nothing in the planning history of the site that has been drawn to my attention alters my conclusion on this matter.
- 3.24.3 Another objection seeks the release of about 1.5ha of land on the eastern side of Oldbury Orchard from the Green Belt to enable its development for housing. It has a frontage to Oldbury Orchard, and the total site includes the curtilage of a dwelling off Brookfield Road, which is outside

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<sup>29</sup> See under HSGGEN and GBTGEN and GBT1 in Volume One.

the Green Belt and within the Residential Development Boundary (RDB). The land rises up from a stream on its eastern boundary, and to the north it adjoins the long rear gardens of housing on Brookfield Road. It is argued that the land is not a critical part of the Green Belt. However, although the site is not in the narrowest section at Brookfield Road, it is only some 300 metres away from it. In my view it would still materially erode this area of open Green Belt. It also adjoins land behind frontage development further south, and I consider that there would be an inevitable precedent for development there, which would further erode this sensitive area of Green Belt. Therefore, as in the case of the Brookfield Road site, I do not consider that this site is suitable for allocation for residential development; it would compromise the objectives of Green Belt designation by contributing to the coalescence of Cheltenham and Gloucester through the partial infilling of a very vulnerable gap between them.

***Recommendation***

3.24.4 No modification be made to the Plan in response to these objections.

**LPOLNP  
Road**

**Churchdown: Parton Grange, Parton**

***Objection***

2335/1/TBLP/DEPOST /1 Mr and Mrs A Coe

***Main Issue***

- *effect on the Green Belt*

***Inspector's Considerations and Conclusions***

- 3.25.1 The objection concerns a triangular-shaped area of land adjacent to Parton Grange, with a frontage on Parton Road next to the overpass of the A40. It lies within the swathe of designated Green Belt land that extends from the north-eastern edge of Churchdown towards Cheltenham. The objectors seek the removal of the site from the Green Belt or alternatively, its inclusion (together with adjacent properties) in an area where infilling only would be permitted.
- 3.25.2 In the light of my recommendations<sup>30</sup> that the Plan be modified by the deletion of some of the proposed housing allocations, there is a need to bring forward replacement sites in sustainable locations. The relevant policy background to the consideration of Green Belt land for potential future development needs is set out elsewhere in this report<sup>31</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances are demonstrated. The GSPSR sets out the objectives of the Green Belt designation as prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.25.3 Churchdown forms a very substantial 'island' of development in the Green Belt between Cheltenham and Gloucester and any erosion of the gaps between it and the main urban areas is likely to have a significant effect. This site lies in one of the narrower Green Belt gaps between Cheltenham and Churchdown, in an area that is under substantial pressure for development<sup>32</sup> and which contains a number of scattered dwellings and other buildings that are washed over by Green Belt designation. The proposal seeks the removal from the Green Belt of a

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<sup>30</sup> See HSGGEN in Volume One.

<sup>31</sup> See GBTGEN and GBT1 in Volume One.

<sup>32</sup> Including a number of unsuccessful applications for development and a dismissed appeal on this site.

small, undeveloped parcel within this area of scattered development, but even this overgrown area of land helps to contain the south-eastern expansion of Churchdown into the Green Belt. If the site were to be released for development it would be difficult to protect other areas of Green Belt in this very sensitive location from creeping urbanisation, and the cumulative impact of even relatively small changes could seriously compromise the objectives of the designation.

3.25.4 In my view it would be even less acceptable for a larger area encompassing the site to be retained within the Green Belt but subject to a policy that would permit infill development, since the loss of openness that would occur would be likely to be much greater. But in either case the proposal would contribute to the gradual coalescence of Gloucester and Cheltenham across a particularly vulnerable gap. For these reasons I consider that the deletion of the omission site from the Green Belt would compromise the objectives of its designation.

3.25.5 I have noted the overgrown nature of the site, its relatively contained position between the overpass and Parton Grange, its location within relatively easy reach of facilities and all of the other matters raised, but none of these outweigh the harm that would be caused to the Green Belt. Therefore, I do not commend this site as a potential allocation.

### ***Recommendation***

3.25.6 No modification be made to the Plan in response to this objection.

**LPOLNP**

**Churchdown: The Orchard, Sandycroft Road**

***Objections***

*See Appendix E for the list of objections on this matter*

***Main Issue***

- *need to designate the land as Important Open Space or a local nature reserve*

***Inspector's Considerations and Conclusions***

- 3.26.1 Many representations relating to The Orchard, Sandycroft Road, were clearly made in the context of a refusal of planning permission for 14 dwellings in 1997. The objectors want the land to be protected from development, by designation as an Important Open Space, a local nature reserve, or both. Others consider that the local road system cannot cope with the additional traffic which would be generated if the site were to be developed.
- 3.26.2 Policy LAN6 defines Important Open Spaces as 'of amenity value to the public, clearly visible and important to the character of the settlement and the street scene'. The land is pleasant, but does not in my view accord with LAN6's criteria and does not merit designation as an Important Open Space.
- 3.26.3 Policy NAT5 was deleted from the RDDLP because a local plan policy is not required to designate local nature reserves, in the light of other powers available to the Council. In any event, no firm evidence has been supplied of any particular nature conservation value of this land, sufficient to justify designation.
- 3.26.4 Concerns about the impact of traffic generated by development on the land would be addressed as part of the consideration of any planning application. I have been provided with no evidence to show that the impact on nearby roads would make any such development inappropriate.

***Recommendation***

- 3.26.5 No modification be made to the Plan in response to these objections.



**LPOLNP**

**Down Hatherley: Brook Lane**

***Objection***

1836/1/TBLP/DEPOST / 1

Masek

***Main Issues***

- *sustainability*
- *effect on the Green Belt*

***Inspector's Considerations and Conclusions***

- 3.27.1 Land the south of the A38, on the eastern side of Brook Lane, is proposed as a housing site. The defined area extends to about 2ha, although the objector refers to 10 acres. It is behind a garden centre on the main road, just south of the junction of Down Hatherley Lane. The lane is poorly surfaced and unadopted; it also serves about six dwellings, five of them in a block which the omission site surrounds on three sides. The objector points to the benefit of improvements to the lane if associated with new housing. The owners do not live nearby, and it is said that the land adjoins development, rather than farmland, although rented to a local farmer. However, the objector recognises that the land is in the Green Belt.
- 3.27.2 The site is in an isolated rural location, well outside any identified settlement, and development would consolidate small scatters of housing. Although the A38 is a bus route and there is a shop on a nearby caravan site, I consider that this is an unsustainable location for new housing. Accordingly, the omission site is not one to which the Council should look as a potential replacement for the housing allocations that I recommend should be deleted from the Plan.<sup>33</sup>
- 3.27.3 The A38 marks the Green Belt boundary and PPG2 advises that, once established, Green Belt boundaries should only be altered in exceptional circumstances. I find that none exist here, and nothing in PPG3's advice about the sustainable location of new housing development would support this proposal. For these reasons I conclude that the omission site is not appropriate for allocation.

***Recommendation***

- 3.27.4 No modification be made to the Plan in response to this objection.

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<sup>33</sup> See my recommendations under HSGGEN in Volume One.

## **LPOLNP**

## **Gotherington: Omission Sites**

### ***Objections***

*See Appendix E for the list of objections on this matter*

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.28.1 Gotherington is a 'larger settlement' subject to Policy HSG2. In accordance with my recommendations<sup>34</sup>, the Council should re-examine the status of these settlements. The RDDLP deletes the housing allocation Policy GO1 following the review of the overall strategy in the light of the GSPSR, and as I have recommended elsewhere<sup>35</sup>, the allocation should not be re-instated.
- 3.28.2 As an alternative to Policy GO1 an objector suggests allocating some 0.2ha behind his repair garage on the western side of the A435 at Gotherington Cross. It is contended that this is already a brownfield site with commercial activity and so would not encroach on the countryside. However, there are no community facilities at Gotherington Cross and there is a poor level of public transport. Therefore, I do not consider that the allocation of this site for residential development would accord with the Plan's overall strategy or with the advice in PPG3.
- 3.28.3 Three objectors suggest land on the southern side of Malleson Road as an alternative to Policy GO1. Two provide no plan, but appear to promote frontage development; one envisages 10 or 12 dwellings opposite existing houses while the other suggests 25 up to Evesham Road. The third proposes a site of some 1.5ha running up to Shutter Lane, with the development accompanied by a landscaping belt to provide a firm edge to the village. But in my view, nothing in the cases put forward by the objectors outweighs the reasons for which Policy GO1 has been deleted from the RDDLP, and therefore I find no justification for residential expansion of the settlement on the scale envisaged.
- 3.28.4 Another objector promotes land on the western side of Manor Lane, with a frontage of some 80 metres, as an infill site. This is the majority of an open gap between a ribbon of housing to the north and a small group to the south. In my view the site is too wide to be an infill plot. Although there is a farm on the opposite side of the lane, I consider that development would intrude into the open countryside in an area that is designated as part of the Special Landscape Area.
- 3.28.5 Land in excess of 5ha, to the south of Lawrences Meadow and east of the allocation proposed by Policy GO1, is said to be well-related to the existing settlement pattern

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<sup>34</sup> See under HSG2 in Volume One.

<sup>35</sup> See under GO1 in Volume Two.

and to possess the necessary infrastructure. However, I consider that this site is so large that development at the densities promoted by PPG3 would be in serious conflict with the Plan's settlement strategy. Moreover, it is not surrounded by housing and its development would entail a significant encroachment into the countryside.

3.28.6 About 0.7ha on the eastern side of Woolstone Lane is proposed as a housing site; the objector says that it is well-related to the pattern of development, has a highway frontage and is self-contained by mature hedges and existing housing. However, I consider that the proposal would entail a significant extension of the village into the open countryside and it would also harm the landscape setting of Gotherington. Taking account of the reasons for the deletion of Policy GO1 from the RDDLP, I find no justification for the scale of development proposed here.

3.28.7 For the reasons above I conclude that the omission sites are not appropriate for allocation.

### ***Recommendation***

3.28.8 No modification be made to the Plan in response to these objections.

## LPOLNP

## Greet: Omission Sites

### *Objections*

633/1/TBLP/DEPOST / 6  
1789/1/TBLP/DEPOST / 2

Wall, James and Davies  
Tarling

### *Main Issues*

- *sustainability*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.29.1 An objector promotes two sites to meet a claimed shortfall of housing land in the Plan. One extends to some 4ha, east of the B4078 and south of the railway; the other is a little under a hectare, on the western side of the B4078, immediately north of the Residential Development Boundary (RDB). Both sites are said to have minimal landscape impact and to be close to various facilities. The larger site adjoins Winchcombe School but is clearly separated by the railway from the built-up area of Greet. It forms part of an open area between Greet and Winchcombe and I consider that this openness is very apparent despite the presence of the school buildings. The gap's separating function would be strengthened by my recommended deletion of Policy WI1, but development of this omission site would erode it. I consider that this proposal would not accord with the settlement pattern and would be detrimental to the setting of Winchcombe. The smaller site would extend the settlement along the main road towards the small group of dwellings at Littleworth; to my mind this form of development would be out of character with the form of Greet and would be intrusive in the countryside.
- 3.29.2 As an alternative to Policy WI1, another objector suggests that housing sites are considered on the B4078 beyond Littleworth and towards the B4632 at the bottom of Becketts Lane. He says that both would have good access to Winchcombe and that the second has an alternative route to Cheltenham along the B4077. No plans were provided, but both areas appear to be well outside the settlement and its RDB. Accordingly, both would be out of character with the pattern of development and in my view would harm the setting of Greet and the character and appearance of the countryside.
- 3.29.3 Greet is an 'other village', subject to Policy HSG3. In recommending the deletion of Policy WI2, which adjoins the eastern side of the RDB, I have concluded elsewhere that the allocation would not accord with Policies H.6 of the GSPSR or SS 19 of RPG10 and that it would have a harmful impact on the landscape. All of the omission sites referred to above would be unacceptable for the same reasons, and their lack of integration into the pattern of settlement in the area would be particularly

harmful. Therefore I do not commend any of these sites as potential allocations.

***Recommendation***

3.29.4 No modification be made to the Plan in response to these objections.

## **LPOLNP Gretton: Omission Sites**

### ***Objections***

1707/1/TBLP/DEPOST	/ 3	Gilder
1762/1/TBLP/DEPOST	/ 2	Lee
1784/1/TBLP/DEPOST	/ 2	Quayle
3025/1/TBLP/DEPOST	/ 1	Townsend

### ***Main Issues***

- *sustainability*
- *landscape impact*
- *rural employment policy*

### ***Inspector's Considerations and Conclusions***

- 3.30.1 Amongst representations on housing allocations in Winchcombe, an objector promotes a scatter of sites, including 40 dwellings south of the Gretton to Stanley Pontlarge road. But development here would extend a small ribbon of housing well beyond the existing Residential Development Boundary (RDB) and close to the northern boundary of the AONB. In my view such a large development would significantly harm the surrounding landscape. Moreover, as Gretton is classified as an 'other village' under Policy HSG3, this proposal added onto a settlement with only a small range of facilities would be in serious conflict the Plan's housing strategy and with PPG3's overall aim of sustainable development.
- 3.30.2 This objection was not accompanied by a plan showing the area involved, but a further objection appears to involve part of the same area. This relates to Gretton Farm Bungalow, which would be demolished, and about 0.4ha to its west. The bungalow is within the RDB but the remainder of the omission site is not. As the undeveloped land is some 80m wide, housing on it would not accord with the Plan's definition of infilling.
- 3.30.3 The same points about sustainability apply to a proposal to develop some 10ha west of the settlement, within the AONB, as an alternative to development in Winchcombe. In addition, the site's sheer size would significantly harm both the AONB and the landscape setting of Gretton. Whether or not such a development would relieve traffic congestion in Winchcombe, its scale would be excessive and unsustainable in this location and there is no evidence that it would provide any necessary support for local facilities. The unspecified contribution to the local community does not outweigh the objections to this proposal.
- 3.30.4 As another alternative to development in Winchcombe, it is argued that Gretton Fields is a suitable location for housing. However, this area is away from any settlement or community facilities and is poorly served by public transport, so its location does not accord with the Plan's strategy for sustainable development. Indeed, the objector's rationale is that it has good access to the motorway, to Ashchurch and Cheltenham. Such a development clearly based on private car use

would be unsustainable. For the reasons above I conclude that these omission sites are not appropriate for allocation.

- 3.30.5 An objector suggests that a site at Marlborough Cottage, Gretton Fields should be identified for haulage and agricultural uses to address the rationalisation of the existing uses. He says that other land in his ownership should be included 'for a comprehensive rationalisation of employment uses', and he shows an area behind his existing premises. There is no information as to the nature of any problems and why additional land is needed. In any event, redevelopment and expansion of existing rural employment sites are covered by the Plan's employment policies and in my view there is no need for a specific policy or allocation here.

***Recommendation***

- 3.30.6 No modification be made to the Plan in response to these objections.

## LPOLNP

## Hardwicke: Omission Sites

### *Objections*

1707/1/TBLP/DEPOST	/ 6	Gilder
1707/1/TBLP/DEPOST	/ 9	Gilder
1707/1/TBLP/DEPOST	/ 10	Gilder

### *Main Issues*

- *sustainability*
- *landscape impact*
- *rural employment policy*

### *Inspector's Considerations and Conclusions*

- 3.31.1 It is suggested that in excess of about 20ha of farmland to the west of Ridgeway Farm be allocated for housing. This land is on a narrow lane, well outside any settlement, and is poorly served by public transport. I consider that housing here would be unsustainable and breach the Plan's strategy of concentrating new development in main settlements. It would also introduce a developed area which would appear intrusive in the landscape. There is no justification to allocate this land; to do so would be in clear conflict with the intent of my recommendations for modifications to the Plan, encapsulated under HSGGEN in Volume One.
- 3.31.2 The same points apply to an omission site of over 10ha, which includes Harrow Farm and land to its west and south.
- 3.31.3 The objector operates an agricultural and haulage use at Harrow Farm and suggests that a specific policy be introduced to rationalise the site, with further land added for a comprehensive rationalisation of employment uses. It is not clear whether this would involve introducing new uses. In any event, redevelopment and expansion of existing rural employment sites are covered by the Plan's employment policies and in my view there is no substantive evidence of any need for a specific policy or allocation here.

### *Recommendation*

- 3.31.4 No modification be made to the Plan in response to these objections.



## **LPOLNP**

## **Hawling: Omission Site**

### ***Objection***

3247/1/TBLP/DEPOST / 1

Alwyn Davies Consulting

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.32.1 An area of just over 1ha in the centre of the settlement is proposed for residential development, some of which would be affordable housing. Hawling is a small settlement in the AONB, remote from retail and employment facilities, and it has only a rudimentary bus service. In my view it is properly subject to Policy HSG4, relating to development in rural areas, and any housing other than that permitted under this policy would not accord with the Plan's strategy for sustainable development. Also, I consider that Hawling's AONB setting would be likely to be harmed significantly by development of the site.
- 3.32.2 No case has been made for the need for affordable housing in the area, and in any event, the remote location and poor level of services would not accord with the criteria of Policy HSG15 which deals with affordable housing in rural areas. For the reasons above I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.32.3 No modification be made to the Plan in response to this objection.

## LPOLNP

## Highnam: Omission Sites

### *Objections*

855/1/TBLP/DEPOST	/ 2	Frost
925/1/TBLP/DEPOST	/ 1	Folliard
1727/1/TBLP/DEPOST	/ 2	Michael H Keene & Son Ltd

### *Main Issue*

- *sustainability*

### *Inspector's Considerations and Conclusions*

- 3.33.1 Two objections to the Deposit Draft proposed Highnam as an appropriate location for new housing, including an affordable element, and pointed out the existence of village facilities, spare capacity in the local school, good public transport, a new cycle route and proximity to employment. Another objector referred to the need for an allocation for community and sports facilities and indicated that housing would be acceptable as a means of securing the facilities.
- 3.33.2 The RDDLP allocates two sites in Highnam under Policy HM2 (a housing site) and Policy HM3 (extension to Highnam Business Centre). It appears to me that these resolved the objections, but I have recommended that the policies be deleted from the Plan for the reasons set out elsewhere.<sup>36</sup>

### *Recommendation*

- 3.33.3 No modification be made to the Plan in response to these objections.

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<sup>36</sup> See HM2 and HM3 in Volume Two. .

## LPOLNP

## Hucclecote: Land at Hucclecote Road

### *Objection*

256/1/TBLP/DEPOST / 5

Shell UK Ltd

### *Main Issues*

- *impact on the Green Belt*
- *sustainability*
- *exceptional circumstances*
- *effect on open space provision*

### *Inspector's Considerations and Conclusions*

- 3.34.1 The Deposit Draft sought to add part of the site of a former petrol filling station on the northern side of Hucclecote Road and next to the new Gloucester Business Park link road, to the Green Belt. This occupies some 0.5ha. The objectors sought to reverse this alteration and instead to have the land allocated for housing. They also wished an adjacent area of 0.6ha, currently within the Green Belt, to be removed from it and either allocated for housing or safeguarded under Policy GBT3. In response to this objection, the RDDLP deleted the proposed addition to the Green Belt, and designated this area as a housing site under Policy HU1, for approximately 25 dwellings. However, the element of the objection relating to the 0.6ha area (Area 3 on the objector's drawing), which in effect seeks to extend the housing area into that proposed as public open space, or alternatively to have it safeguarded for potential future development needs, remains to be considered.
- 3.34.2 I have recommended elsewhere that the Plan should be modified by the deletion of a number of the proposed allocations and these should be replaced by more sustainable alternatives<sup>37</sup>. In doing so the Council will need to consider Green Belt sites in accordance with my recommendations under GBTGEN and GBT1<sup>38</sup>. As I have concluded there, it would be appropriate to consider the deletion of land from the Green Belt to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated.
- 3.34.3 This area of Green Belt has been affected by the construction of the link road to Gloucester Business Park. The omission site in particular lies within a small wedge of Green Belt between the link road on one side and the existing built up area of Brockworth on the other. In my view deletion of the omission site from the Green Belt would have no effect on the objective of maintaining the separation of Gloucester from Cheltenham or from the island of development at Churchdown. The wider extent of Green Belt that performs this function lies to the north of the site, beyond the Horsebere Brook, and it would be unaffected by the suggested deletion.

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<sup>37</sup> See under HSGGEN in Volume One.

<sup>38</sup> See GBTGEN and GBT1 in Volume One.

While Green Belt deletion in general could be said to contribute to urban sprawl, I do not consider that a minor review of the Green Belt boundary in this location for a planned urban extension would fundamentally compromise that objective of the designation. So far as the identification of a new Green Belt boundary is concerned, the existing boundary at the northern end of the omission site is not permanently defined. But a new hedgerow could be planted here in the same way as one is proposed under Policy HU1 for the proposed boundary to the south, between the housing area and open space. For these reasons I do not consider that the deletion of the omission site from the Green Belt would compromise the objectives for which it was designated.

- 3.34.4 This location is one of the most sustainable in the Borough. It offers easy access by a choice of means of transport to a wide range of facilities, including employment opportunities on Gloucester Business Park, education, retail, community and other facilities. With planned improvements in public transport, cycleway and pedestrian facilities associated with the development of the Policy BR1 strategic site, the sustainability of the location will be further increased.
- 3.34.5 Turning to the test of exceptional circumstances, insufficient land is available within the existing urban areas of the Borough to meet the housing requirement, and this part of the Gloucester urban area is particularly tightly constrained by the Green Belt boundary. There is enough evidence to demonstrate that in looking to the next most sustainable options, the omission site should be preferred over many of the RDDLP's allocations, even though the latter are generally not in the Green Belt. The allocation of additional land at Hucclecote would help to compensate for the loss of dwelling numbers entailed by my recommendations that Policies SH1, SH3 and DH1 should be deleted from the Plan. In Borough-wide terms it would also help to address the need for suitable replacement sites for the other RDDLP allocations that I recommend should be deleted. The alteration that would be required to the Green Belt boundary would not compromise the objectives of the designation. I consider that these are exceptional circumstances that warrant the review of the Green Belt boundary in accordance with the advice in PPG3.
- 3.34.6 Notwithstanding this, the allocation of the 0.6ha area for housing would not accord with the intention of Policy HU1 that this part of the site should be developed as public open space. The RDDLP refers to an existing shortfall of open space provision in the area that would be addressed by this proposal. However, there is no available quantitative or qualitative assessment of open space provision in this area or more generally in the Borough, and so it is difficult to assess precisely the contribution that could be made by this site to meeting any local needs. The potential to meet any such needs by new provision elsewhere in the area should also be taken into account. In the absence of this information it is not possible to make a judgement on the balance that should be struck between the competing uses for this land.
- 3.34.7 The Council has made clear that it would wish to consider all potential Green Belt options in a comprehensive manner, and not just those put forward for consideration through the Inquiry, if my recommendations are to delete some of the RDDLP allocations. In these circumstances, I recommend that the land at Hucclecote Road be included in the assessment of potential allocations for residential development in the Plan period, provided that any demonstrable need for public open space in the area can be met by an element of provision within the site or on a suitable alternative

site. In the relation to the case for safeguarding, my recommendation under GBTGEN and GBT1 on this matter apply to this site; therefore, in making any alteration to the boundary of the Green Belt, the need to safeguard land, including this site, between the urban area and the Green Belt for longer-term development needs should be taken into account.

### ***Recommendations***

- 3.34.8 (i) In accordance with my recommendations under HSGGEN, GBTGEN and GBT1, the omission site at Hucclecote Road to the north of the area proposed for housing development under Policy HU1 be included in the assessment of potential allocations for residential development in the Plan period, provided that any demonstrable need for public open space in the area can be met by an element of provision within the site or on a suitable alternative site, and any necessary modifications to the Plan be brought forward accordingly.
- (ii) In making any alteration to the boundaries of the Green Belt as part of the modifications to the Plan, the need to safeguard land, including this site, which may be required to meet longer-term development needs be taken into account.

## LPOLNP

## Longford: Rear of 107 Tewkesbury Road

### ***Objection***

648/1/TBLP/DEPOST / 1

Edwards

### ***Main Issues***

- *sustainability*
- *impact on the landscape*
- *flood prevention*

### ***Inspector's Considerations and Conclusions***

- 3.35.1 This objection seeks the extension of the Residential Development Boundary (RDB) at Longford to include a field of about 1ha. The site is on the western side of the A38 and is immediately north of an estate within the RDB. The objector says that housing on this land would comply with Policy HSG5, which he supports. However, this policy does not relate to development between existing housing and the open countryside, which would be the case here.
- 3.35.2 Longford is designated as a 'larger settlement' under Policy HSG2, is close to Gloucester city, and the A38 is a regular bus route identified as a public transport corridor under Policy TRP11. I have recommended elsewhere<sup>39</sup> that the status of the Policy HSG2 settlements should be re-examined in terms of their sustainability, although I accept that Longford as a location in general could perform well in PPG3's search sequence. But in this case there is inadequate justification to extend the settlement to the west of the A38. The proposal would be relatively isolated from the main part of the settlement to the east of the road and would entail a prominent and obtrusive extension into the open, sensitive landscape between Longford and the River Severn.
- 3.35.3 The Proposals Map shows that the majority of this land is within the floodplain of the Severn. The objector challenges this, but on the assumption that the Proposals Map is correct, housing development on this land could fail to comply with the requirements of the Plan's policy on flood prevention.<sup>40</sup> Taking all of these matters into account, I do not consider that this site would be appropriate as a housing allocation, notwithstanding the need to identify replacement sites for those that are recommended for deletion.

### ***Recommendation***

- 3.35.4 No modification be made to the Plan in response to this objection.

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<sup>39</sup> See under HSG2 in Volume One.

<sup>40</sup> In accordance with my recommendations under Policies ENV5, ENV6 and ENV7, the RDDLP policy framework on this matter would be modified and consolidated.

## **LPOLNP**

## **Longford and Innsworth**

### ***Objection***

500/1/TBLP/DEPOST /7

Robert Hitchins Ltd

### ***Main Issues***

- *effect on the Green Belt*
- *site suitability*
- *exceptional circumstances*

### ***Inspector's Considerations and Conclusions***

- 3.36.1 The original objection sought the allocation of about 70ha of land within the designated Green Belt at Longford/Innsworth for residential and employment development. At the Inquiry it was clarified that only the south-western part of the omission site adjacent to Longford Lane is being promoted for development within the Plan period, while the larger eastern section, adjacent to the suburb of Innsworth, is put forward as a potential development opportunity post 2011. Thus, the objector contends that the scheme can be seen either as a stand-alone proposal which would help to meet the housing requirement up to 2011, or as the first part of a larger-scale adjustment to the Green Belt boundary which would provide additional mixed use development as a major urban extension to Gloucester in the period after 2011.
- 3.36.2 The smaller site proposed for development up to 2011 (hereinafter referred to as the omission site) extends to some 32ha and is located between Longford Lane and the Horsebere Brook. The draft development scheme envisages about 720 dwellings at an average density of 35dph on a net developed area of about 20ha, a small local centre comprising shops and a community hall, and a new one-form entry primary school. About 25ha would be provided as public open space and a country park and this would extend to the north of Horsebere Brook and include a new lake to the south of Hatherley Brook. The country park proposal is seen as part of a major public open space that could be extended north-eastwards in any Phase 2 development in the period after 2011. Three separate access points to the Longford section of the site are envisaged, from the A38, the A40, and from Longford Lane, although there is no firm indication that an access from the A40 would be acceptable in principle.

### ***Effect on the Green Belt***

- 3.36.3 The relevant policy background to the consideration of Green Belt sites for potential future development needs is set out elsewhere in this report<sup>41</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated. The objectives of the designation, as set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl. Regarding the potentially 'strategic' or 'significant' nature of this proposal's effect on the Green Belt, I understand the Council's concern that the Plan should not prejudice the outcome of the co-ordinated studies required by Policy SS 5 of RPG10. But I do not consider that the Council should be absolved from an assessment of the most sustainable options for development within the Plan period on the basis that this is a strategic matter.
- 3.36.4 The omission site is partly contained by urban development to the east, west and south. In a general sense it helps to maintain openness between Cheltenham and Gloucester by separating Innsworth from Longford but these form parts of the Gloucester urban area. I do not consider that development of the site would contribute to the merging of the two cities because it would not encroach into the gap between them. The critical gap, so far as the omission site is concerned, is along the A40 axis through Churchdown, between The Reddings and Elmbridge, and this would not be reduced if the omission site were to be developed. The Council regards the openness of the area between Longford and Uckington as the key to the maintenance of the Green Belt, but it is already breached by the existing development at Churchdown and Innsworth and development of the omission site would not therefore have strategic significance for this gap. For these reasons I do not consider that the proposal would conflict with the first objective of the Green Belt designation. Any loss of Green Belt land could be said to increase urban sprawl, and this proposal entails a large incursion into open countryside. But I do not consider that a comprehensively planned urban extension on the omission site, if justified by a comparative sustainability appraisal of options, should be rejected because of apparent conflict with the Green Belt's second objective.
- 3.36.5 PPG2 advises that Green Belt boundaries should be clearly defined, using readily recognisable features such as roads, streams, belts of trees or woodland edges. If the omission site were to be developed as suggested by the objector, the new Green Belt boundary would follow the Horsebere Brook. In my view this would provide a readily recognisable and defensible Green Belt boundary.

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<sup>41</sup> See GBTGEN and GBT1 in Volume One of the report.



*Site Suitability*

- 3.36.6 The site is located within 2-3kms of the centre of Gloucester and therefore is indisputably within the CSV wherein Policy H.4 of the GSPSR requires that most new residential development should be provided. The Council accepts and I agree that it would offer the potential for genuine alternatives to the use of the private car for access to the wide range of employment, retail, leisure, community and other services in the Gloucester Principal Urban Area. It would, nonetheless, require the provision of some new local facilities and improved linkages with the surrounding area. Existing primary schools and convenience shops are some distance from the site and the schools would not have spare capacity, but a new primary school and local centre are proposed as part of the development. There are three secondary schools within 3.2 kms, and the site is also within cycling distance of the city centre and local employment centres and would benefit from existing and planned improvements to the cycle network. Community and leisure facilities are available within walking or cycling distance. A 30-minute frequency bus service between Gloucester and Cheltenham runs along Innsworth Lane to the east of the site and there is an hourly service on the A38. These would not provide a good level of accessibility by bus for the site. But it would be reasonable to expect that the scale of development proposed could help to underpin improvements to public transport, so that accessibility to frequent services would be much closer to the indicative targets in RPG10 Annex A. Connectivity with the main part of Gloucester is restricted by the limited crossing facilities of the A40, and therefore it would be important that pedestrian linkages could be improved significantly as part of any development.
- 3.36.7 There is a need for detailed survey work to assess the flood protection requirements for development of the site, but there is nothing to indicate at this stage that a substantial reduction in the potential development area is likely to be required. So far as agricultural land quality is concerned, the most detailed survey available does not make certain that no land of best and most versatile quality would be affected by this proposal; however the loss of best and most versatile agricultural land would not necessarily conflict with PPG7, as amended in March 2001. This advises that where development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality, except where other sustainability considerations suggest otherwise. If in this case it is demonstrated that there are no suitable alternatives of lower land quality, and that other sustainability considerations indicate that the site should be favoured over potential alternatives, then I consider that the loss of some best and most versatile agricultural land would not be an obstacle to the allocation of the site.
- 3.36.8 The proposed development of this land would clearly entail a large incursion into open countryside and therefore it would impact upon the rural landscape on the Gloucester fringes. The site has a generally flat, open character with little natural screening or landscape differentiation and it is traversed by a number of public rights of way. Its development

would require extensive planting works to soften and screen the visual impact of new development and create a landscaped edge to the countryside. However the proposed open space along the Horsebere Brook would define the northern limit of the development and it would be generally contained on its western and eastern sides by the existing development at Longford and Innsworth. Therefore I consider that the proposal's impact on the countryside could be screened and limited in an acceptable way.

- 3.36.9 Overall, I consider that the omission site offers the potential for a sustainable urban extension to Gloucester. Subject to the outcome of technical assessments on flooding and highways matters, it appears likely that it could satisfy all but the first criterion of paragraph 31 of PPG3. As I have concluded elsewhere, some greenfield development is necessary in the Borough to meet the GSPSR housing requirement, and therefore the failure to meet the first criterion would not be an obstacle to its allocation.

### **Exceptional Circumstances**

- 3.36.10 Insufficient land is available within the existing urban areas to meet the housing requirement. There is enough evidence to indicate that in looking to the next most sustainable options, the omission site should be preferred to HM2, DH1 and SH1, even though these sites are not in the Green Belt. If the whole of the omission site were to be allocated, it would fully compensate for the loss of dwelling numbers entailed by the deletion of those other allocations. And in Borough-wide terms it would help generally to address the need for suitable replacement sites for the other RDDLP allocations recommended for deletion. I consider that these are exceptional circumstances that warrant the review of the Green Belt boundary in accordance with the advice in PPG3. The Council has made clear that if my recommendations entail the deletion of some of the RDDLP's sites, it would wish to consider all potential Green Belt options in a comprehensive manner, and not just those put forward for consideration through the Inquiry. In these circumstances, I recommend that the land at Longford/Innsworth be included in the assessment of potential allocations for residential development in the Plan period and that the Green Belt boundary be reviewed accordingly.

### **Other Matters**

- 3.36.11 References were made during the Inquiry to the on-going investigations of the potential for a Park and Ride site and for the relocation of the Gloucester Cattle Market on lands within the larger omission site (i.e. to the east of the site that is proposed for development during the Plan period). Any consideration of the case for a larger urban extension in this area post-2011 would need to take account of the interrelationships between these various land use proposals, but this does not alter my conclusion about the acceptability in principle of developing the western

portion of the site. While the appropriate density of development is not a key issue in this proposal, I consider that a density of 35dph would be likely to be an inefficient use of land in this location and any allocation should seek a higher overall net density in accordance with PPG3's objectives. And as I recommend elsewhere,<sup>42</sup> in making any alterations to the boundary of the Green Belt, the need to safeguard land that may be required to meet longer-term development needs should be addressed. This is relevant to the larger omission site and to potential needs to accommodate new employment sites and other facilities.

### ***Recommendations***

- 3.36.12(i) In accordance with my recommendations under HSGGEN, GBTGEN and GBT1, the omission site at Longford and Innsworth between Longford Lane and the Horsebere Brook be included in the assessment of potential allocations for residential development in the Plan period and modifications to the Plan be brought forward accordingly.
- (ii) In making any alteration to the boundaries of the Green Belt as part of the modifications to the Plan, the need to safeguard land, including the larger omission site between Longford and Innsworth, which may be required to meet longer-term development needs be taken into account.

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<sup>42</sup> See under GBTGEN and GBT1.

## **LPOLNP**

## **Maisemore: Bell House Farm**

### ***Objections***

*See Appendix E for the list of objections*

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.37.1 Twelve objections promote the allocation of about 2ha of land at Bell House Farm on the northern edge of Maisemore for housing, in most cases as an alternative to the allocation under Policy MA1; the figure of 35 houses is mentioned. Apart from the farm buildings, the land concerned is outside the Residential Development Boundary (RDB). Maisemore is defined as a larger settlement in terms of Policy HSG2; there is some local employment, but few community facilities and I have recommended that the village should be deleted from the policy. Moreover, Policy MA1 has been deleted from the RDDLP on the basis that the proposed allocation of about 20 dwellings would not be in accordance with the GSPSR. The Council also points out that flooding of the River Severn can cut the village off from Gloucester.
- 3.37.2 It seems to me that the objections that led to the deletion of Policy MA1 also relate to this proposed allocation of an even larger area. Although accessibility by road to the village is good, I do not agree that the site is close to local shopping centres. In any event, with the current levels of bus services, travel to shops and to many types of community facility would be likely to be dependent on the private car. This would be contrary to the objectives of PPG13 and to national planning policies for the achievement of a more sustainable pattern of development.
- 3.37.3 One objector says that a shop could be built on the site; there was one here before and there is no alternative site for one in the village. While the provision of a village shop would be beneficial and could improve the sustainability of Maisemore as a whole, it has not been shown that a shop is either dependent on development of this site or indeed would be provided in connection with it. Nor has it been demonstrated that the village, even if extended as proposed, could support a viable shop.
- 3.37.4 Another objector suggests that affordable housing to meet identified needs could be provided, but no such needs have been set out. In any event, the level of community facilities and public transport services available in Maisemore mean that such housing would not accord with Policy HSG15.
- 3.37.5 An objector refers to compliance with Policy GEN11, relating to infrastructure provision, but has made no specific proposals. However, even if a proposal could comply with Policy GEN11, this would not outweigh the fundamental conflict with

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the overall strategy of the Plan that would occur if this site were to be allocated for housing.

- 3.37.6 I recognise that the land has no protective designation, but this does not make it appropriate for housing development. I do not agree that the site would provide a distinct end to the village; instead, it would extend it northwards into open countryside, and any development would be prominent when seen from the A417. Some objectors suggest that the site's environment is of poor quality, while unsightly land and buildings detrimental to the setting of listed buildings would be replaced as part of the development. It is also suggested that a large pond in the land's northern extremity could be the basis of an area of public open space, of recreational and wildlife interest. However, I do not consider that these benefits, or the ability to improve the existing access to the A417, would justify the proposal. Accordingly, I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.37.7 No modification be made to the Plan in response to these objections.

## LPOLNP

## Minsterworth: Omission Sites

### *Objections*

1988/1/TBLP/DEPOST	/ 2	Dauncey
2229/1/TBLP/DEPOST	/ 1	Penny
2229/1/TBLP/DEPOST	/ 2	Penny
3050/1/TBLP/DEPOST	/ 2	Markey Building Contractors <sup>1</sup>

### *Main Issues*

- *sustainability*
- *landscape impact*
- *works to Hygrove Lane*

### *Inspector's Considerations and Conclusions*

- 3.38.1 Minsterworth is an 'other village' under Policy HSG3. It is a long settlement characterised by small, dispersed groups of buildings separated by wide gaps; three of these groups have small Residential Development Boundaries (RDBs), with gaps of 600-800m between them.
- 3.38.2 The village does not have a full range of community facilities or a definable centre, although it appears to be served by two bus routes on the A48, each with an hourly daytime service. Nevertheless, the nature and location of community facilities indicate to me that any significant development in Minsterworth would not accord with the GSPSR or the Plan's settlement strategy.
- 3.38.3 Two objections relate to some 0.7ha south of Church Lane and about 2ha around Severn Bank, immediately south and west of the largest RDB respectively. Similar arguments are advanced for both sites and I consider them together. It is clear to me that neither site is within a built-up area and that development would intrude into the open countryside. It would not be well-integrated with the existing form of the settlement and would adversely affect its setting. Neither site would therefore accord with GSPSR Policy H.6. Moreover, all of the smaller site and part of the larger are within the floodplain of the River Severn as shown on the Proposals Map.
- 3.38.4 Another objection relates to some 2.4ha on three sides of The Redlands, a detached property on the A48 about 150m south-west of an RDB; the proposal includes the intervening land. It is claimed that screening and the landform make this land inconspicuous, but in my view it would be readily visible and be seen as harmfully consolidating the development on this side of the road. It would not be seen as a natural extension to existing housing. It is outside the floodplain and is not subject to any protective designation, but this does not of itself make development acceptable. The objector refers to other villages with allocations next to RDBs as justifying his proposal, but all those quoted have been deleted in the RDDLP. For the foregoing reasons I conclude that the omission sites are not appropriate for allocation.

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<sup>1</sup> The objector has made representations on the adequacy of the housing provision in Policy HSG1 in the context of this omission site. These are taken into account under HSG1 in Volume One. .

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- 3.38.5 Another objector seeks the upgrading of Hygrove Lane, a narrow lane without footways, to adoptable standard. I see no reason why it should be brought to this standard as it serves very few properties, but some improvement is needed. I consider this under Policy HSG18 in Volume One.

### ***Recommendation***

- 3.38.6 No modification be made to the Plan in response to these objections.

## **LPOLNP**

## **Norton: adjoining Mandalay Drive**

### ***Objections***

3159/1/TBLP/DEPOST/1

Mr. J. Wilsdon

3159/1/TBLP/DEPOST/2

Mr. J. Wilsdon

### ***Main Issues***

- *sustainability*
- *impact on the landscape*

### ***Inspector's Considerations and Conclusions***

- 3.39.1 The objection proposes the development of 18 dwellings on a site to the north west of Norton. The site is rectangular in nature and is bordered on three of its four sides by open countryside. The remaining south eastern flank of the site borders Mandalay Drive, which is a cul-de-sac with ten houses along it. Part of the site bordering Mandalay Drive has outline planning permission for two houses; approximately half of this section lies within the Residential Development Boundary (RDB) of the settlement. The remainder of the objection site is open countryside comprising rough grassland on a relatively flat plain. The planning history reveals that planning permission for housing outside of the identified RDB has been consistently refused because it would constitute intrusive development in the open countryside. This has been supported in an appeal against refusal of planning permission for two houses on part of the omission site in 1997.
- 3.39.2 The objector contends that Norton is distinct from other similar-sized villages in the Borough because it contains a number of important local services and employers that serve the village as well as other smaller settlements close by. The objector also states that the village is well served by buses to and from Gloucester and Tewkesbury and its location on the A38 also makes it an accessible and sustainable location for residential development.
- 3.39.3 Norton is relatively well served by bus transport in comparison with other rural areas, benefiting as it does from its proximity to the A38, which passes along the southern edge of the settlement. There is an hourly bus service throughout the working day with destinations in Gloucester and Tewkesbury and a more limited service in the evenings and on Sundays. While this offers residents the opportunity to travel to larger centres, the service level is not of a frequency that would offer a convenient enough alternative to the private car. The distances to Tewkesbury and Gloucester also mean that walking or cycling to work or for shopping in these centres is not practical. There is a reasonable



probability that the occupiers of the proposed new dwellings would be reliant on the private car for most of their day-to-day journeys, contrary to the objectives of PPG13.

- 3.39.4 The objector considers that local employment will generate a demand for additional housing, leading to unsustainable commuting into the village by employees from surrounding areas. The evidence presented by the objector is based upon a rudimentary survey of employers, some of which are not even located in the village. The survey is not sufficiently sophisticated or detailed enough to conclude that local employers are generating or will generate significant demand for workers that would justify allocating the site. As the Council has indicated, the objector's survey only confirms that there is a lack of employment opportunities within walking or cycling distance of the objection site.
- 3.39.5 There is a primary school in the village that is currently operating at or near capacity and there are no shopping facilities in Norton. The objector suggests that Norton is a local service centre that serves the needs of smaller settlements nearby. With the exception of the local school, I do not consider that this argument can be supported, given the limited range of services available in the settlement.
- 3.39.6 The proposal would not entail a logical extension or rounding-off of the settlement. It would extend the built-up area to the north-west of the village, causing a significant and harmful intrusion into the open countryside. As the Council has stated, the built-up area has a clearly defined linear edge. The vegetation that the objector considers would be a more logical boundary is in fact a hedge that separates two fields in the open countryside, with no relationship to the built-up area.
- 3.39.7 Taking all of these matters into consideration I conclude that there are no reasons why this site should be allocated for development. The justification for deleting Policy NO1 from the RDDLP applies equally to this site.<sup>43</sup> I consider that the proposal would be in conflict with the GSPSR and the Plan's strategy for the location of development in sustainable locations in the County.

### ***Recommendation***

- 3.39.8 No modification be made to the Plan in response to this objection.

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<sup>43</sup> See NO1 in Volume Two.

**LPOLNP**

**Norton: Lock's Paddock**

***Objections***

*See Appendix E for the list of objections on this matter*

***Main Issue***

- *allocation as a site for travelling showpeople*

***Inspector's Considerations and Conclusions***

- 3.40.1 A large number of representations support the designation of Lock's Paddock, on the western side of the A38 south of Norton school, as a site for travelling showpeople. Others refer in general terms to the absence of a policy relating to such uses, and support the needs of travelling showpeople. There is concern that no sites are allocated for them. These non-site specific representations are considered under a separate heading<sup>1</sup>.
- 3.40.2 Locks Paddock is clearly in the open countryside and its access is on a fast stretch of main road. No details have been provided, but the Council refers to an enforcement and appeal history which shows that any need has not been found to justify new development in the countryside and harm to highway safety. Policy HSG17 establishes criteria for such uses, and these appear to be breached in several respects at this site. Taking all of these matters into account I find no justification for a specific allocation of Lock's Paddock.

***Recommendation***

- 3.40.3 No modification be made to the Plan in response to these objections.

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<sup>1</sup> These objections are considered under LPOLNP Travelling Showpeople

## LPOLNP

## Norton: Other Omission Sites

### *Objections*

48/1/TBLP/DEPOST	/ 2	Walker
164/1/TBLP/DEPOST	/ 2	Pembridge
467/1/TBLP/DEPOST	/ 1	Duncliffe
1150/1/TBLP/DEPOST	/ 1	Phelps
3043/1/TBLP/DEPOST	/ 1	Three Landowners

### *Main Issues*

- *sustainability*
- *landscape impact*
- *Green Belt*

### *Inspector's Considerations and Conclusions*

- 3.41.1 My considerations under Policy NO1 in Volume Two and under the omissions sites adjacent to Mandalay Drive in Norton are relevant to these objections and should be read together with them.
- 3.41.2 Walnut Farm, to the south of allocation NO1, is proposed as a more satisfactory alternative to it. No specific details are provided about the area of land involved but the farm is outside the settlement and, like Policy NO1, a housing allocation here would entail an unacceptable conflict with the GSPSR strategy for the sustainable location of new development. Also, it would not be categorised as previously developed land since agricultural buildings are excluded from PPG3's definition. Moreover, this site is in the open countryside and its development for housing would be harmful to the setting of Cold Elm. Any benefits that might arise from removing a use that appears to cause nuisance would be more than outweighed by the harm that this proposal would cause to well-established policies for the location of new housing and the protection of the countryside.
- 3.41.3 A larger area to the south of Norton, next to the school, is also proposed for housing. It extends to about 20ha and includes allocation NO1, as well as the buildings at Walnut and Chestnut Farms. It is said that this land has no protective designation, fits into the existing ribbon development and partly involves brownfield land. Access to the A38 is said to be good and services are present. I consider that the objections to Policy NO1 and to the omission site at Walnut Farm apply with even greater force to this larger area.
- 3.41.4 An objector seeks to allocate land at Wildings Farm on the A38 and at Wainlodes Lane as alternatives to NO1. The first is said not to be as 'greenfield' as NO1, but it is conceded that neither is it truly brownfield. The second site, although 'not ideal' is said to be better than building in Cold Elm. No details are given of the sites or of the exact areas proposed, but they lie outside the existing settlement and in the open countryside. The same objections that apply to Policy NO1 apply to these sites. Although a site at Wildings Farm would not involve traffic through Cold Elm, I

consider that the introduction of development accessed directly off the A38 would be likely to be the more hazardous for road users.

- 3.41.5 An objector seeks large-scale development next to the A38. No details of boundaries are shown but the area appears to extend southwards from Norton into other parishes; for convenience I deal with it as a Norton omission site. It is said to involve 350 acres (about 140ha), 'immediately east of the A38 in the general location of Norton and Twigworth'. It is claimed that it is a sustainable site close to the Gloucester urban area and the employment growth area at Brockworth. Although the objection included a letter to the County Council referring to a location plan, none has been supplied. However, all the land to the east of the A38 between Norton and Twigworth is within the Green Belt and such a large development would be clearly contrary to advice in PPG2 that Green Belt boundaries should only be altered in exceptional circumstances. The development would significantly erode the openness of the Green Belt and, being adjacent to the A38, would materially impinge on the character of the open countryside. In any event, a site of this size in the countryside, and unrelated to settlements with a good range of facilities, would clearly breach the locational strategy both of the GSPSR and the Plan for the sustainable location of new development. There is nothing in PPG3's advice about the sustainable location of new development that would weigh in favour of the proposal. Therefore, I conclude that none of the omission sites are appropriate for allocation.
- 3.41.6 An objector seeks to extend the Landscape Protection Zone (LPZ) designation from Wainlodes Lane up to Mandalay Way and Norton Farm as he says that the rest of the land on this side of the lane is protected. Policy LAN3 identifies the LPZ as being related to the river environment of the Severn, Avon and other rivers, and seeks to give special protection to its visual amenity and ecology. I consider that the extension of the LPZ further from the river is not justified and I have recommended elsewhere that the need for the designation be re-appraised.<sup>44</sup>

### ***Recommendation***

- 3.41.7 No modification be made to the Plan in response to these objections.

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<sup>44</sup> See LAN3 in Volume One.

## LPOLNP

## Norton: Ronsons Reclamation

### *Objection*

3017/1/TBLP/DEPOST/1

Ronsons Reclamation and Restoration

### *Main Issues*

- *sustainability*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.42.1 The objectors seek to designate their premises as a housing site, which could accommodate some 25 dwellings. Its lawful use is as a specialist trade reclamation centre, museum and exhibition area with ancillary storage and craft workshops. The land is occupied by several buildings of various sizes and ages. The objection relates to them, an adjacent storage area, the whole of a paddock within the Landscape Protection Zone (LPZ), and the curtilage of a house next to the access. The objectors agree that the site is in the countryside, separated from Norton's settlement boundary by an open gap some 200 metres wide.
- 3.42.2 On 7 November 2002<sup>1</sup>, the Council granted planning permission to convert the buildings to 12 dwellings with associated office space; the application was undetermined at the time of the hearing of the objection. The terms of a Section 106 obligation include the provision of rented affordable units and improvements to the village hall. The application site extends a few metres into the paddock. At the Inquiry the Council agreed that its stance on the application contravened prevailing policies, but considered that this would be justified by the community benefits of the proposal.
- 3.42.3 A footway on the opposite side of the lane makes the site within easy walking distance of the main facilities in Norton, in the part of this scattered settlement next to the A38. However, there are no shops or range of employment opportunities there. The Proposals Map identifies the A38 as an important public transport corridor under Policy TRP11; buses link railway stations at Tewkesbury and Gloucester and also pass a small industrial area at Deerhurst. The County Council aspires to improve services, but excluding school buses, these are roughly hourly off-peak, with none in the evening. Norton is not in my view well served by public transport in terms of GSPSR Policy H.6 and is not a node in a good public transport corridor. It compares unfavourably with locations nearer to the main towns. Moreover, this busy road into Gloucester is to my mind unattractive to cyclists. Realistically, most journeys made by the residents of the site would be by car.
- 3.42.4 Despite favourable comparison with some other settlements, I do not consider that Norton is a sustainable location in terms of GSPSR Policy T.1 or of PPG3's search

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<sup>1</sup> The decision notice was dated, in error, 7 November 2001

sequence for allocating housing land. Following objections to the Deposit Draft Plan, a housing allocation in the village is deleted in the RDDLP, in accordance with the GSPSR's overall strategy for the location of new development.

- 3.42.5 The main buildings on the site are modern but of traditional appearance. Vegetation screens the storage yard, but houses would be seen above it from outside the site. In addition a public footpath passes next to the storage area and between the two main buildings. New housing beyond existing footprints, envisaged by the objection, would be obtrusive and appear out of place in this attractive landscape. The conversion scheme would retain the character of a farm complex but there would to my mind be a clear difference in terms of policy considerations and visual impact between this and new-build housing, which could involve demolition of the existing buildings and development beyond their footprints. I do not consider that the one justifies the other.
- 3.42.6 This is a rural area with an identified need for affordable housing and the Council is unaware of any exception sites to help meet this need. There would be benefits of providing some affordable housing as part of a scheme here. Removing the existing use would also be beneficial in terms of traffic and residential amenity, but there is no evidence that it has such an adverse impact that replacement by an unsustainable housing development is justified. Moreover, the benefits have already justified the Council's support of the conversion scheme.
- 3.42.7 At the Inquiry the Council agreed that employment uses would be acceptable on the site. Its consideration of the conversion application accepted the principle of a live-work scheme, which would reduce the need to travel to work. However, this was in the context of a conversion proposal which would have been acceptable even without this element, and the planning permission contains no conditions to control it. The objectors suggest that a site-specific policy could require provision of live-work units, but that these should not include affordable housing. However, the Council correctly assessed the objection on the basis of a primarily residential development. In my view the incorporation of working space would not justify a housing allocation.
- 3.42.8 The buildings and storage area clearly comprise a brownfield site, whose development would in principle accord with national and regional guidance. However, I consider that its unsustainable location and its visual impact mean that development beyond conversion would be unacceptable, notwithstanding the land's brownfield status and ability to accommodate high-density housing in accordance with PPG3's principles.
- 3.42.9 The paddock has not been lawfully used for commercial activities and to my mind is very different in status and character from the rest of the objection site, appearing as part of the undeveloped countryside rather than of either the commercial use or the adjacent domestic garden. It is not well screened, and any housing on it would be readily open to view, especially from the footpath; the objectors agreed that it has an open character. I do not consider that the small encroachments in the conversion scheme would materially affect the remainder. Even if housing were appropriate on the main part of the site, this would not justify allocating the paddock.
- 3.42.10 In conclusion, I consider that development on the objection site, over and above conversion of the existing buildings, would be intrusive in the landscape and highly unsustainable, conflicting with GSPSR Policies S.3, S.4 and H.6.

***Recommendation***

3.42.11 No modification be made to the Plan in response to this objection

## **LPOLNP**

## **Norton: West of Mandalay Drive**

### ***Objection***

432/1/TBLP/DEPOST / 4

JS Bloor (Newbury) Ltd

### ***Main Issues***

- *sustainability*
- *effect on the landscape*
- *need for affordable housing*

### ***Inspector's Considerations and Conclusions***

- 3.43.1 Norton is an 'other village' and subject to Policy HSG3. Although the Deposit Draft included an allocation under Policy NO1 for about 25 dwellings at Norton, this policy is deleted in the RDDLP and I have recommended elsewhere that it should not be re-instated.<sup>45</sup> This objection promotes a site of around 1ha on the northern side of the road to Bishops Norton as an alternative to NO1. Its eastern boundary adjoins the residential area at Mandalay Drive but it lies outside the Residential Development Boundary (RDB) and in the open countryside.
- 3.43.2 Although Norton has some community facilities and the A38 has a regular bus service, the settlement does not have a full range of facilities and in my view the proposal would not accord with the GSPSR or the Plan's strategy of locating new development in sustainable locations. The reasons for deleting allocation NO1 appear to relate equally to this land. While junction improvements on the A38 would benefit highway safety, this would not justify the scale of development proposed in this location.
- 3.43.3 The site has a road frontage of some 120m and lies between the RDB around the settlement of Cold Elm and a group of buildings at the Ronsons Reclamation site. In my view this gap is important to the setting of the village and the development of 30-50 dwellings within it would be visually intrusive and out of character with the rural surroundings; it is too wide to be an infill site.
- 3.43.4 No evidence has been produced by the objector about the need for affordable housing in the area that outweighs the sustainability and landscape reasons for rejecting this proposal. For the foregoing reasons I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.43.5 No modification be made to the Plan in response to this objection.

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<sup>45</sup> See NO1 in Volume One.



## **LPOLNP**

## **Sandhurst: Little Wallsworth Farm**

### ***Objection***

1853/1/TBLP/DEPOST / 1

Humphris

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.44.1 It is suggested that some 10ha at Little Wallsworth Farm is allocated as an alternative housing site, as there are no adverse constraints and good access to the A38. It is claimed that the land fits in with existing ribbon development, is partly brownfield, and has existing services. About 6.5ha are shown on the northern side of Sandhurst Lane and 3.5 on the southern.
- 3.44.2 The land is clearly in the open countryside outside any defined settlement and would not accord with the strategy of the Plan to concentrate new housing in main settlements. Its location is properly subject to restrictions on development. Existing farm buildings do not fall within the definition of previously developed land, and neither these nor the presence of a small ribbon of housing would justify any development in this stretch of open countryside; nor does the fact that the land is not subject to any protective designation. In any event the Proposals Map shows that most of the objection site south of Sandhurst Lane is within a floodplain, so Policy ENV6<sup>46</sup> would apply to it. For these reasons I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.44.3 No modification be made to the Plan in response to this objection.

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<sup>46</sup> As recommended for modification – see ENV6 and ENV7 in Volume One.

**LPOLNP**

**Shurdington: Badgeworth Lane**

***Objection***

432/1/TBLP/DEPOST/2      J. S. Bloor (Newbury) Ltd

***Main Issue***

- *effect on the Green Belt*

***Inspector's Considerations and Conclusions***

- 3.45.1      The objection concerns a greenfield site of about 2ha that lies on the western side of Badgeworth Lane, adjacent to its junction with Shurdington Road. It forms part of the swathe of designated Green Belt land that extends from the south-western fringe of Cheltenham towards Brockworth. The objector seeks the removal of the site from the Green Belt and its allocation for residential development.
- 3.45.2      The relevant policy background to the consideration of Green Belt land for potential future development needs is set out elsewhere in this report<sup>47</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances are demonstrated. The objectives of the designation, set out in the GSPSR, are prevention of the coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.45.3      Shurdington forms a small 'island' of development in the Green Belt and the development of this site would entail urban encroachment into the Green Belt gap along the A46 between Shurdington and Brockworth. This is an area that is under substantial pressure for development and which contains a number of scattered dwellings, some ribbon development, and other buildings that are washed over by Green Belt designation. The existing development is not a good reason to allow further encroachment. Contrary to the objector's view, I consider that the site does not have an enclosed nature and that its development for residential purposes would significantly reduce the openness of the Green Belt in a prominent location. It would contribute to the gradual coalescence of the Gloucester and Cheltenham urban areas by partial infilling of the Green Belt lands that separate them. For these reasons I consider that the deletion of the omission site from the Green Belt would compromise the objectives for which it was designated.

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<sup>47</sup> See GBTGEN and GBT1 in Volume One.

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

- 3.45.4 Each case should be considered on its own merits and the objections to the proposed housing allocation at Hillview Nurseries are considered elsewhere in this report<sup>48</sup>. The location of the site adjoining the Residential Development Boundary (RDB) of Shurdington, the limited opportunities for infill within the RDB, the need to support existing facilities, the availability of public transport and all of the other factors highlighted by the objector do not outweigh the Green Belt policy considerations in this matter. Linked objections to the overall strategy and to the balance of development between larger and smaller settlements are considered under HSGGEN and HSG2, 3 and 4 in the report<sup>49</sup>.
- 3.45.5 For the reasons set out above, I do not commend this site as a potential allocation.

### ***Recommendation***

- 3.45.6 No modification be made to the Plan in response to this objection.

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<sup>48</sup> See Volume Two, Local Policies.

<sup>49</sup> See Volume One. .

**LPOLNP  
End**

**Shurdington: Brizen Farm and Orchard**

***Objections***

3066/1/TBLP/DEPOST /2  
3343/1/TBLP/DEPOST /1

Mc Neil  
Prowting Projects Ltd

***Main Issues***

- *effect on the Green Belt*
- *landscape impact*

***Inspector's Considerations and Conclusions***

3.46.1 One of these objections concerns Brizen Farm, an area of some 10ha that lies on the southern side of the A46 in Shurdington, to the west of the residential area known as The Lanes. Up Hatherley Way joins the A46 at a roundabout at the western edge of the site. The farmhouse is a Grade 11 listed building towards the centre of the site and most of the holding is used for grazing. Its agricultural land quality is assessed as Grade 3b. The site forms part of the approved Green Belt between Cheltenham and Gloucester, the eastern boundary of which corresponds with the site boundary in this location. The other objection relates to a smaller, triangular-shaped parcel of land that lies in the north-eastern corner of the larger Brizen Farm site. For most purposes the two objections can be considered together.

3.46.2 The omission sites are on the south-western edge of Cheltenham and within the CSV. Therefore they lie within the area where the Council should seek to concentrate new residential development in accordance with GSPSR Policy H.4. As I have recommended elsewhere, the Plan should be modified by the deletion of a number of the proposed allocations and these should be replaced by more sustainable alternatives<sup>50</sup>. In doing so the Council will need to consider Green Belt sites. In accordance with my recommendations under GBTGEN and GBT1,<sup>51</sup> it would be appropriate to consider the deletion of land from the Green Belt to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated. The objectives of the Green Belt designation, as set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.

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<sup>50</sup> See under HSGGEN in Volume One.

<sup>51</sup> See GBTGEN and GBT1 in Volume One.

- 3.46.3 The omission sites are partly surrounded by urban development. On its northern, eastern and part of its southern boundaries, Brizen Farm adjoins existing residential areas and in effect it forms a small wedge of Green Belt extending into these area. Taken together with the existing development to the south of the A46 at The Lanes, the allocation of Brizen Farm would entail a minor rounding off of this developed area. For much the same reason the site was proposed for deletion from the Green Belt and allocation for residential development in a precursor document to the RDDLP in April 2000 (CD58), but the Council decided subsequently not to include it in the RDDLP. In any event I agree that the deletion of Brizen Farm from the Green Belt would result in the broad swathe of Green Belt between the south-western edge of Cheltenham and the nearest part of the Gloucester urban area at Brockworth remaining essentially unchanged. Therefore I do not consider that the proposal would conflict with the first objective of the Green Belt's designation in this area. So far as the second objective is concerned, any loss of Green Belt land could be said to entail urban sprawl, but a small, planned extension to the urban area as in this case would not in my view entail a fundamental conflict with the Green Belt's second objective. If the larger omission site were to be developed in the manner suggested by the objector, the new Green Belt boundary would follow the proposed access road from the A46 that would define the southern and western edge of the residential area. To its west and south a woodland edge is proposed. In my view this would provide a readily recognisable and defensible Green Belt boundary, the precise details of which would emerge from any final scheme for the site.
- 3.46.4 The objector's evidence about the sustainability of Brizen Farm's location was not contested at the Inquiry. And in my view it would be more sustainable than the Policy SH1 site because of its closer proximity to community facilities and greater ease of access to public transport. Nonetheless, it would entail development that would be visually prominent in the foreground views of the AONB escarpment from the A46. While it would be less obtrusive than the adjacent development at The Lanes, I consider that it would extend urban development into an attractive area of open countryside that is important for the setting of the AONB and the approach to Cheltenham. The Lanes lies between the Green Belt to the west and the undesignated open land<sup>52</sup> to the east in Cheltenham Borough, and it is an isolated built development against the background of the Cotswold escarpment. Development of Brizen Farm would add significantly to this isolated outlier, and in my view it would harm the character and appearance of the area. The proposal to concentrate development in the eastern and central parts of the site would not mitigate the visual impact to any significant extent, since it would be prominent in the foreground of attractive views towards the foothills of the AONB. Therefore, notwithstanding its suitability in other respects, I do not consider that Brizen Farm would be an appropriate allocation for new housing. Development of the smaller omission site of Orchard End

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<sup>52</sup> This land is protected by Policy CO 52 of the adopted Cheltenham Borough Local Plan. See also my considerations under Policy SH1 in Volume Two.

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

would have less visual impact but it would nonetheless be harmful, and I do not consider that there are any factors, including the need to identify sites in sustainable locations for new development, that would outweigh that harm.

### ***Recommendation***

- 3.46.5 No modification be made to the Plan in response to these objections.

**LPOLNP  
Leckhampton Lane**

**Shurdington:**

**Leckhampton View,**

***Objections***

211/1/TBLP/DEPOST/1  
401/1/TBLP/DEPOST/1  
1970/1/TBLP/DEPOST/1

Mr R Collinson  
Mr B Rowe  
J A Pye (Oxford) Ltd

***Main Issue***

- *effect on the Green Belt*

***Inspector's Considerations and Conclusions***

- 3.47.1 The omission site comprises a field of about 1.2ha located generally to the rear of frontage development on Leckhampton Lane and Shurdington Road (A46). Ham Brook adjoins the northern boundary of the site and beyond that is an area of woodland. The site and its surroundings form part of the Green Belt between Cheltenham and Gloucester. The objections in general seek the deletion of the site from the Green Belt and its allocation for residential development. One also proposes that the Residential Development Boundary of Shurdington should be extended to include the area bounded by Ham Brook, Leckhampton Lane and Shurdington Road; another appears to refer to the two small parcels of land formed by the lay-by on Leckhampton Lane, as well as to the 1.2ha field.
- 3.47.2 The relevant policy background to the consideration of Green Belt land for potential future development needs is set out elsewhere in this report<sup>53</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated. The purposes of the designation, set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.47.3 Shurdington forms a small 'island' of development in the Green Belt between Cheltenham and Gloucester. But apart from the proposal to delete Hillview Nurseries and a small area of developed land at Farm Lane, all of the land in this area to the east of the A46 lies within the Green Belt and the RDDLP proposes that it should remain so. This includes small ribbons of development and scattered dwellings and other

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<sup>53</sup> See GBTGEN and GBT1 in Volume One. .

buildings that intermittently dot the eastern side of the A46 between Chargrove and the edge of Brockworth. The triangular-shaped omission site is very well screened from public view and is surrounded on two sides by residential properties, but these characteristics do not diminish its importance to the Green Belt. Its undeveloped nature maintains the predominant openness of the lands on this side of the A46 and thereby helps to prevent the coalescence of south-west Cheltenham and Brockworth. Even small increments of development can lead to the eventual merging of urban areas and if this site were to be developed for housing it would contribute to gradual coalescence by partial infilling of Green Belt land. In my view this would be particularly harmful since it would weaken the policy protection for this relatively narrow area of Green Belt between the cities, where there is already substantial pressure for development. For these reasons I consider that the deletion of the omission site from the Green Belt would compromise the objectives of the designation.

3.47.4 Each case must be considered on its merits and the objections to the proposed allocation of Green Belt land at Hillview Nurseries for residential development are considered elsewhere in this report.<sup>54</sup> Also, the other proposed deletions from the Green Belt set out in Policy GBT4 are dealt with elsewhere<sup>55</sup>, but I do not consider that the circumstances in any of these cases are so similar to this one that they would support its deletion from the Green Belt. In general the advantages of locations within the CSV for a sustainable housing strategy are accepted, but none of the particular attributes of this site outweigh the harm that would be caused by its allocation for residential development.

3.47.5 For the reasons given above I do not support the deletion of the wider area of north-east Shurdington from the Green Belt or the inclusion of this area within the RDB. To do so would encourage the gradual infilling of substantially open residential curtilages, and this would have a cumulatively harmful impact on the openness of the Green Belt. The development of the two small areas of lay-by would also be unacceptable for the foregoing reasons. Accordingly, I do not recommend any of these parcels for allocation for residential purposes.

### ***Recommendation***

3.47.6 No modification be made to the Plan in response to these objections.

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<sup>54</sup> See Policy SH3 in Volume Two.

<sup>55</sup> See Policy GBT4 in Volume One.



## **LPOLNP**

## **Shurdington: Other Omission Sites**

### ***Objections***

3026/1/TBLP/DEPOST	/ 1	Vines
3038/1/TBLP/DEPOST	/ 1	Ganley
3039/1/TBLP/DEPOST	/ 1	Ham
3040/1/TBLP/DEPOST	/ 1	Vines
3066/1/TBLP/DEPOST	/ 2	McNeil

### ***Main Issue***

- *effect on the Green Belt*

### ***Inspector's Considerations and Conclusions***

- 3.48.1 A number of omission sites in Badgeworth parish are close to the built-up area of Shurdington and so are considered in this part of the report.
- 3.48.2 Firstly, a group of objections are based on a similar proposal for a new relief road around Shurdington and I consider them together. In one of these cases the objector argues that any new development in the Leckhampton area of Cheltenham, together with that proposed in the Plan at Brockworth and the GSPSR's provisions at Quedgeley, would increase traffic on the A46 through Shurdington. A relief road to the north and west of the village, running approximately from The Tynings, passing west of Badgeworth Nurseries, and joining the A46 near Normansbrook Farm, is suggested to resolve this problem. This would form the boundary of an area of residential development, necessary to partly fund the new road. In another case, a site of some 3.6ha at Gables Farm, on the northern side of Badgeworth Lane and immediately west of a ribbon of dwellings outside but adjoining the Residential Development Boundary, is proposed for housing. The line of the relief road promoted above roughly forms the western boundary. In the third case, an area in excess of 10ha at Huntcourt Farm, on the northern side of the A46 to the south-west of Shurdington, is proposed as a housing site. This land is between the A46 and Sandy Pluck Lane to the north, and lies outside the line of the suggested relief road. And finally, two areas of land at Normansbrook Farm, totalling over 10ha, are proposed for housing, again based on the same arguments. These are within the line of the suggested relief road, and are separated from each other by an area described as a landfill site.
- 3.48.3 All of these sites are within the designated Green Belt between Cheltenham and Gloucester. As I have set out elsewhere<sup>56</sup>, the Plan should be modified to bring forward more sustainable sites to replace those that are recommended for deletion. And in this regard, alterations should be made to the Green Belt where the objectives for which it was

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<sup>56</sup> See HSGGEN in Volume One.

designated would not be compromised and there are demonstrable exceptional circumstances<sup>57</sup>. In respect of the Green Belt objectives test, if all of these omission sites were to be allocated, the existing small 'island' of development in the Green Belt that is formed by Shurdington would be dramatically enlarged and extended almost as far as the A417. In my view this would seriously compromise the objectives for which the Green Belt was designated because it would contribute to the gradual coalescence of the two urban areas and significantly reduce the openness of the countryside between them. None of the factors advanced in favour of the proposals would outweigh this harm, and so far as the by-pass is concerned, there is no substantive evidence of any need for this road. Even if only one of the sites were to be developed, I consider that it would contribute to the incremental expansion of Shurdington and the coalescence of sporadic or ribbon development within the Green Belt that would damage its function and undermine the objectives for which it was designated. As a result, I do not consider that any of the above omission sites would be acceptable in Green Belt terms; therefore, there is no need to consider whether they would satisfy the other requirements of PPG3 in regard to sustainability.

- 3.48.4 As part of an argument relating the need to allocate more dwellings, a roughly triangular area at Orchard End, Leckhampton, is proposed as an additional residential allocation. This land is the northern extremity of the omission site at Brizen Farm, and I consider it under that heading.

### ***Recommendation***

- 3.48.5 No modification be made to the Plan in response to these objections.

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<sup>57</sup> See GBTGEN and GBT1 in Volume One.

## **LPOLNP**

## **Southam: North of Mill Lane**

### ***Objection***

101/1/TBLP/DEPOST /7      Pettifer Ltd.

### ***Main Issues***

- *access arrangements*
- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.49.1      The objection seeks the allocation of a site of about 3.2ha to the north of Mill Lane, Southam for residential development for about 100 dwellings. As a consequence of the new allocation, an amendment would be required to realign the boundary of the Special Landscape Area north of Mill Lane. To the south of Mill Lane an allocation is proposed by Policy SO1 of the RDDLP for residential development, with a frontage on Noverton Lane. The objection includes a proposal for integration of the vehicular access arrangements for both sites, in order largely to remove the need for access from either Noverton Lane or Mill Lane, other than for emergency vehicles or buses. Linked objections to the reduction in the capacity of the Policy SO1 site proposed by the RDDLP, and to its phasing, are considered under that policy in Volume Two of the report.
- 3.49.2      An important part of the case for the omission site rests on the perceived benefits of the access proposals for a new local distributor road from Southam Road that would serve both sites. However, as I conclude under Policy SO1, the technical and other difficulties that might be encountered in designing and implementing any highway improvements required by the allocation are unlikely to be insuperable obstacles to the successful development of that site<sup>58</sup>. Also, it appears that the highway authority has accepted in principle that a development of 110 houses on the site could be served by a single point of access off Noverton Lane. This would not preclude an emergency access onto Mill Lane being incorporated into any detailed development proposal. In my view therefore, the omission site proposal would not bring any overriding benefits in highway access or public safety terms, and would not be justified on this basis.
- 3.49.3      In general, I agree that a location on the edge of the Principal Urban Area of Cheltenham is likely to rank highly in the sequential assessment of sites for new residential development. The omission site proposal would

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<sup>58</sup> See Policy SO1 in Volume Two.

also appear to offer advantages of improved access arrangements for public transport to the Policy SO1 allocation. However, there is no substantive evidence that a viable, long-term public transport service that would offer a real alternative to private car use would be secured by the proposal, and therefore I do not consider that this factor can be accorded much weight. In terms of accessibility for pedestrians and cyclists to facilities in Prestbury and the wider urban area, development of the omission site would not have any particular advantages, compared with development of the Policy SO1 site in isolation, since distances and ease of access to primary schools, shops, and other facilities in the built-up area would not be changed significantly.

- 3.49.4 Unlike the Policy SO1 allocation, the omission site is in the Special Landscape Area, to which Policy LAN2 applies. In response to objections to that policy I have recommended elsewhere that the designation should be re-appraised, and failing any evidence of a particular need for the policy that it should be deleted from the Plan<sup>59</sup>. This does not imply that the particular qualities of rural landscapes should not be recognised and protected in land use planning decisions. I consider that the omission site is an attractive area of countryside on the fringe of the AONB and its parkland quality distinguishes it from the Policy SO1 site. Development on it would be obtrusive and detrimental to important foreground views of the AONB and the approach to Prestbury, and the landscape impact of the new distributor road would be particularly harmful. I do not consider that a sensitive landscaping scheme would overcome the fundamentally harmful change that would be wrought by development of the site. Taking all of the above into account, I conclude that the advantages of this general location for new residential development, and any other benefits of the proposal, would not outweigh its damaging impact on the landscape. Therefore, it would not be an appropriate housing allocation in replacement for the sites that are recommended for deletion from the RDDLP.

### ***Recommendation***

- 3.49.5 No modification be made to the Plan in response to this objection.

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<sup>59</sup> See Policy LAN2 in Volume One.

## LPOLNP

## Stanway, Toddington Newtown

### *Objection*

229/1/TBLP/DEPOST /1 Mr & Mrs F. Kennedy.

### *Main Issues*

- *sustainability*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.50.1 The omission site comprises 1.65ha of poor quality agricultural land. It is located in Toddington Newtown, a small area of ribbon development around a crossroads to the east of the identified settlement of Toddington. Toddington Newtown has no Residential Development Boundary (RDB) and falls within the scope of Policy HSG4 of the RDDLP; consequently the omission site is considered as open countryside. It falls within the designated Special Landscape Area. There is a shop/garage, garden centre and public house in close proximity to the site and a local primary school approximately 750m away. The site is bordered by newly planted woodland to the south, the Gloucestershire and Warwickshire Railway Centre and the garden centre to the east, and the public house to the north. The site's western boundary is formed by the Toddington Newtown to Greet road, and beyond that is open countryside.
- 3.50.2 Local public transport provision is limited to one daily return bus service to Cheltenham. There is no daily service to Tewkesbury. As a result, I consider that public transport provision in this area offers no practical alternative to the private car; this factor led to the Council's decision to delete Policy TO1 from the RDDLP. The facilities available nearby would not provide for the day-to-day needs of an increased population, and residents would be mainly dependant on travel by car to Cheltenham and larger service centres for their employment, shopping, leisure and a range of other needs. This would be contrary to the Government's objective of reducing the need to travel, as stated in PPG13. For the same reason I have recommended elsewhere that the employment allocation at Toddington (Policy TO2) be deleted from the Plan. The combination of that allocation with the development of this omission site for housing would be likely to increase the need to travel by car, since neither would form part of a settlement with an adequate range of facilities, including public transport provision.
- 3.50.3 There is no justification for increased residential development in this area

to accommodate potential job creation at Toddington Hall since there is no evidence that future residents would find employment there. Also, the objector has not presented any substantive evidence to suggest that existing services in the Toddington area are under threat or are not viable. Taking all of these matters into account I consider that the proposal would be in conflict with the Plan's settlement strategy and with Policy H.6 of the GSPSR.

- 3.50.4 About 25 dwellings are proposed on the omission site, but it appears that the site could accommodate at least 49 if developed at the lowest end of the density range advocated by PPG3. However, even the lower figure would be out of scale with the rural character of Toddington Newtown and it would entail a very significant expansion of development into the open countryside. The area of woodland to the south does not form part of the proposal for the omission site. Notwithstanding this, it offers little in the way of mitigating the effects of the proposed housing on views of the site from the attractive, rural surroundings. I consider that development of the site would represent an unacceptable intrusion into the open countryside that would detract from its character and appearance.
- 3.50.5 Linked objections to the Plan's overall provision for new housing are taken into account under HSGGEN and HSG1 in Volume One of the report.

### ***Recommendation***

- 3.50.6 No modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Staverton: Omission Sites**

### ***Objections***

*See Appendix E for the list of objections on this matter*

### ***Main Issues***

- *sustainability*
- *effect on the Green Belt*
- *impact on landscape*
- *future of the airport*

### ***Inspector's Considerations and Conclusions***

3.51.1 In the context of objections to proposed allocations in Winchcombe or Southam, several objectors promote development in the Green Belt at Staverton. Some suggest that a new settlement would satisfy housing needs without harming attractive landscape or being subject to flooding. There is claimed to be sufficient space for a development with the necessary shopping, educational and medical facilities, and that accessibility to urban areas and the motorway would be good. Others propose closing the airport and developing its site, claiming that it is 'a waste of space' and that closure would have environmental benefits. One objection is more specific and proposes a new settlement of about 5000 dwellings on some 263ha of largely agricultural land, but also including some employment and recreation areas, to the north of Staverton airport and the B4063. About 3000 of these houses would be built within the Plan period.

5.51.2 My conclusions in respect of the sustainability of the Plan's housing allocations, on the justification for making alterations to the Green Belt boundary, and on the case for a new settlement in the Boddington area are all of relevance to these objections<sup>60</sup>. In my view, the critical issue is whether the proposed deletion of land from the Green Belt at Staverton would compromise the objectives of the designation. Staverton is within the narrowest and most sensitive section of the Green Belt between Cheltenham and Gloucester. Churchdown already occupies a significant part of the intervening gap, and a new settlement at Staverton would fill most of the rest. This would seriously compromise the Green Belt's objective of preventing the coalescence of Cheltenham and Gloucester. For these reasons I do not consider that the impact of the proposals on the Green Belt would be acceptable, and therefore there is no need to examine whether they would accord with the other requirements of PPG3 in regard to sustainability. As far as the retention of the airport is

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<sup>60</sup> See under HSGGEN, GBTGEN and GBT1, and LPOLNP Boddington respectively.

concerned, GSPSR Policy T.15 protects it from any development that would interfere with its transport function. The objections seeking the closure of the airport would not comply with this policy. And in respect of the new settlement proposal for 3000 dwellings during the Plan period, this would entail a very large excess of housing provision over and above the GSPSR requirement, when the allocation at Brockworth in accordance with Policy H.5 is taken into account.

- 5.51.3 Turning to other objections, an omission site of some 6ha is proposed for employment purposes. It lies immediately west of the motorway and bounded by Bamfurlong Lane, the slip road to junction 11, and the eastern boundary of the Policy CH2 area. It is argued that this would enable a sustainable development on a key transport corridor between Cheltenham and Gloucester. The objection also refers to a larger area roughly between the motorway and the built-up area of Churchdown, including the airport and the Dowty-Rotol premises. It argues that the Green Belt unnecessarily washes over some extensive areas of development, and inconsistently includes or excludes certain business areas. Some of these points are addressed under GBTGEN and Policies CH1 and CH2.<sup>61</sup> The above conclusions on the proposed new settlement at Staverton are also relevant to this omission site, and in addition there is no substantive evidence of any need for additional employment land in this location.
- 5.52.4 Another objector suggests that a new settlement should be built on some 35ha of Green Belt land at Hayden Farm, on either side of the B4634 and next to the M5 motorway, about 500m to the east of Staverton village. The objector says that to move the Green Belt boundary to the M5 would not affect its objectives, as enough Green Belt would remain to the west. I do not agree since the proposal would entail a sizeable incursion into the Green Belt between Cheltenham and Churchdown, including the various outliers along the B4063. As a result, it would contribute to the gradual merging of the Cheltenham and Gloucester urban areas and it would detract significantly from the open character of the land that separates them. Therefore it would not satisfy PPG3's advice that any alterations to the Green Belt boundary should not compromise the objectives of the designation. Furthermore, I do not consider that the scale of development proposed would be sustainable; residents of the new settlement would be largely dependent on the private car for access to a wide range of facilities, including employment.
- 5.52.5 As an alternative to the suggestion for new-build housing at Hayden Farm, the objector promotes the conversion of redundant buildings at the farm to approximately five dwellings and argues that this would improve the setting of adjacent listed buildings. However, such proposals can be considered under policies relating to conversions of existing buildings in the Green Belt and a specific allocation is not necessary. For the foregoing reasons I conclude that none of the above omission sites would be appropriate for allocation.

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<sup>61</sup> See under CH1 and CH2 in Volume Two.



- 5.52.6 Another objection concerns land between Staverton Technology Park and Astwoods Business Park, on the southern side of Cheltenham Road. The RDDLP proposes that the former should be deleted from the Green Belt. To its east, a 35 metre wide gap separates it from the Astwoods Business Park, which has recently been permitted in the Green Belt and is not proposed to be deleted from it. It is claimed that the strip is unusable and overgrown and that its retention in the Green Belt is illogical. The objector envisages its development for business use as on the adjacent sites, where demand is high. However, a recent appeal decision on this land refused planning permission for its development for Class B1 and Class A2 (professional services) accommodation<sup>62</sup>. The Inspector concluded that the site contributes to the openness of the Green Belt and that much of the existing development in the area that has taken place on previously developed land does not justify the loss of an undeveloped paddock. I share this view; there is nothing in the evidence that amounts to very special circumstances sufficient to outweigh the harm that would be caused by the proposal. The demand for new business units in the area is not a good reason to reduce the openness of the Green Belt in one of its most vulnerable, narrow gaps between Cheltenham and Gloucester. Also the unkempt appearance of the site does not reduce its Green Belt role and is not a justification for development. Policy EMP2 of the RDDLP does not apply to this site because it lies outside a recognised settlement. Accordingly, the omission site should not be deleted from the Green Belt or allocated for employment development.

### ***Recommendation***

- 5.52.7 No modification be made to the Plan in response to these objections

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<sup>62</sup> Planning Appeal Ref: APP/G1630/A/02/1103572, dated 20 March 2003.

## LPOLNP

## Stoke Orchard: Omission Sites

### *Objections*

500/1/TBLP/DEPOST	/ 9	Robert Hitchins Ltd
1712/1/TBLP/DEPOST	/ 1	Mitchell
1784/1/TBLP/DEPOST	/ 2	Quayle
1923/1/TBLP/DEPOST	/ 1	Troughton
2405/1/TBLP/DEPOST	/ 2	Savidge

### *Main Issues*

- *sustainability*
- *landscape impact*
- *traffic issues*

### *Inspector's Considerations and Conclusions*

- 3.52.1 Some 4ha of land to the east of the Coal Research Establishment (CRE) site is suggested as an alternative to the allocation under Policy ST1, enabling development to be concentrated and creating a village centre; the CRE buildings could then be used for employment. The south-western part of this site would adjoin the CRE lands. However, the development of this site would clearly extend the settlement into the open countryside. And for the reasons set out under Policy ST1, Stoke Orchard is not a sustainable location for residential development on any significant scale<sup>63</sup>. Its expansion in the manner proposed would be in conflict with the Plan's overall strategy and with Policy H.6 of the GSPSR.
- 5.52.2 Another objector proposes around 4ha of land to the north-west of the CRE as a housing site to extend allocation ST1, with the possibility of a second access to the entire site. It is contended that additional development could increase the viability of that proposed in the village and help fund improvements to highways, footpaths and community facilities, including a new shop and pub. However, despite these and any other possible benefits, I consider that the proposed scale of development in Stoke Orchard would conflict with the overall strategy of the Plan for the sustainable location of new development and with Policies H.4 and H.6 of the GSPSR. It would also be very harmful to the character and appearance of the open countryside into which it would intrude.
- 5.52.3 An omission site on land bounded by Banady Lane, Stoke Road and a public footpath is proposed to be allocated; the area extends to about 3ha. It is argued that it is well-contained within the village and could be developed with a mixture of housing and open space in preference to the open land behind the CRE. However, my concern about Policy ST1 on sustainability grounds applies equally to this site and I consider that its allocation for residential development would be in conflict with the GSPSR strategy. It would also extend the existing development well beyond Banady Lane into open countryside, to the detriment of its rural character and appearance.

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<sup>63</sup> See Policy ST1 in Volume Two.

- 5.52.4 Amongst representations on housing allocations in Winchcombe, an objector promotes a scatter of sites, including 30 dwellings on the western side of the road to Tredington. No plan is provided with the objection but any site on the western side of the road would be in the open countryside and, moreover, on the opposite side of the road to most of the existing development. Its landscape impact would be very harmful and I consider that the proposal would be unacceptable for this reason and its incompatibility with the settlement strategy of the GSPSR.
- 5.52.5 In view of my recommendation that Policy ST1 should be deleted from the Plan, an objection seeking improved traffic management on the road between Bishops Cleeve and the A38 has less urgency and cannot be addressed in conjunction with new development at Stoke Orchard. However, this would not prevent traffic management and speed reduction measures being taken outside the remit of the Plan.

***Recommendation***

- 5.52.6 No modification be made to the Plan in response to these objections.

## LPOLNP

## Teddington: Other Omission Sites

### *Objections*

1707/1/TBLP/DEPOST / 4  
3003/1/TBLP/DEPOST / 1

Gilder  
Avent

### *Main Issues*

- *sustainability*
- *landscape impact*
- *rural employment policy*

### *Inspector's Considerations and Conclusions*

- 3.53.1 An objector suggests the allocation of Rainbow Fruit Farm, to the south-west of Teddington, for housing. This is an exceptionally large area, in excess of 25ha, and its development would be in clear conflict with the strategy of the Plan and of the GSPSR. I address the sustainability of Teddington in the section of the report on the omission site at Vine Tree Farm. If even a small amount of housing in the village would be unacceptable for sustainability reasons, the same would be even more true of development on even a small part of this land.
- 3.53.2 Leaving this point aside, the nearest part of the land is separated from the village by a gap some 200m wide, although the distance is less at the road frontage. Any development would not therefore appear to be part of the framework of the village. The impact on the landscape would be even more marked. The site extends for about 750m up the slopes of Overton Hill, all of which is included in the AONB. The AONB's northern boundary coincides with the site's road frontage and in my view any development on the land, especially of the size envisaged in the objection, would be particularly intrusive. It would significantly and unacceptably harm the landscape of the AONB.
- 3.53.3 Another objection seeks to allocate a generally open site of some 0.8ha to the west of Sandfurlong at Teddington Hands for employment use. The Ordnance Survey identifies it as a depot and the objector refers to 'its previous and existing uses and its relationship to existing and established services' as justifying the allocation, but gives no details of them. There are some facilities at the Teddington Hands roundabout but the site is isolated in open countryside, well away from any settlement. It is some 300m from a bus route but local buses do not run regularly and to my mind this is not a sustainable location for an employment allocation. It would not be well-located in relation to settlements and, because it is largely open, I do not consider that it would not comply with Policy EMP4. Moreover, it is in the designated Special Landscape Area and any employment development would not be easily assimilated into the open landscape: this would breach a further criterion of the policy. There is no evidence that the existing use is harmful in terms of Policy EMP5. In these circumstances I do not consider that an employment allocation is justified.

## **Tewkesbury Borough Local Plan to 2011: Inspector's Report**

3.53.4 For the reasons above I conclude that the omission sites are not appropriate for either allocation proposed.

### ***Recommendation***

3.53.5 No modification be made to the Plan in response to these objections.

## **LPOLNP**

## **Teddington: Vine Tree Farm**

### ***Objection***

59/1/TBLP/DEPOST

/ 1

Hall

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.54.1 Teddington is an 'other village' that is subject to Policy HSG3. It has a tightly-drawn Residential Development Boundary (RDB) around the built-up area of the village, but this excludes the objector's farm complex next to the southern section of the boundary. He considers that its exclusion is illogical and moreover that his property is a form of brownfield land.
- 3.54.2 The settlement has a garage/shop but not a range of facilities, and public transport is poor. In my view it is an unsustainable location for new development on any significant scale and I can see why the RDB has not been drawn more widely. In recognition of their generally agricultural use I consider that it can be right to exclude unconverted farm complexes from RDBs, and it is clear from PPG3 that land and buildings in agricultural use do not fall within the definition of previously developed land. In any event, the policy framework for conversion or re-use of farm buildings differs from that for new housing development, and the exclusion of this land from the RDB does not prevent conversion proposals from being considered.
- 3.54.3 The northern part of the complex protrudes into the RDB but its southern section extends beyond the limits of the rest of the built-up area. Moreover, the boundary of the AONB runs through the land in question, and I agree with the Council that this reflects the different landscape context of the southern part of the site. It is likely that the character of this part of the AONB would be harmed by new buildings within an extended RDB.
- 3.54.4 The objector refers to the need for affordable housing for local young people, but no assessment of any need is given. In any event Policy HSG15 seeks to locate such development in settlements where there are adequate local facilities, including public transport services. For the above reasons I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.54.5 No modification be made to the Plan in response to this objection.

**LPOLNP**

**Tewkesbury: Bredon Road Extension**

***Objection***

101/1/TBLP/DEPOST/2

Pettifer Ltd

***Main Issue***

- *landscape impact*

***Inspector's Considerations and Conclusions***

- 3.55.1 This objection seeks the enlargement of the proposed allocation for housing development at Bredon Road by extending the site to the north-east as far as the field boundary that marks the administrative boundary. The site area would be enlarged from about 8.6ha to 13.5ha and the objector estimates that it would have capacity for some 350 dwellings, entailing an increase of 100 compared with the Policy TE6 allocation.
- 3.55.2 The sustainability credentials of this location are accepted as I have set out in relation to Policy TE6. The extension of the site north-eastwards from the town centre would entail greater walking and cycling distances for some purposes, but this does not alter my judgement on its overall accessibility. The enlarged site would still offer generally convenient access by non-car modes of transport to a wide range of facilities and services. The key consideration in my view is the effect on the landscape of residential development on the enlarged site, especially on views from the riverside and Bredon Road.
- 3.55.3 I have concluded in respect of Policy TE6 that the proposed site boundaries respect the riverside setting and the local landform. The allocation is confined to the lower ground of the allotments and part of the adjoining field and it avoids an incursion onto the north-eastern corner, adjacent to the Borough boundary, where the land slopes more steeply upwards to Bredon Road. Seen from public viewpoints on the western side of the River Avon, I consider that there is a sensitive balance to be struck if new housing in this area is to be integrated successfully into the local landscape. The extension of the site north-eastwards would make this more difficult to achieve because it would raise the profile of the development generally and could lead to a much more prominent development in the foreground of existing housing on the eastern side of Bredon Road. With careful disposition of open spaces and building plots it might be possible to reduce this impact, but I do not consider that this would be sufficient to ensure that the enlarged allocation would be acceptable in landscape terms. Moreover, from the higher ground on Bredon Road it is likely that the development of the

larger site would be more intrusive in the views south-westwards towards the river and the edge of Tewkesbury.

- 3.55.4 As a result, the potential to maintain a gentle transition from town to country that is offered by the proposed allocation site boundary would be lost if the objection site boundary were to be preferred. In this regard I do not agree that the proposed alignment of the new northern and north-eastern boundary of the allocation site would appear alien in the landscape. With appropriate landscape treatment its junction with the existing boundary features would be neither incongruous nor obtrusive and that part of the riverside frontage that is not presently defined by hedgerows could be designed and planted in a manner that would be sympathetic to its surroundings. Balanced against this, the proposed north-eastern boundary of the objection site is also undefined by existing landscape features, but for the reasons set out above the creation of a sensitively designed transition between town and country would be more problematic on the larger site. Finally, I have taken into account the potential need to extend the urban area beyond the allocation site at some time in the future; but I do not consider that any advantages of a comprehensive, permeable site layout for the larger area at this stage would outweigh the landscape disadvantages of the objection proposal.

### ***Recommendation***

- 3.55.5 No modification be made to the Plan in response to this objection.



**LPOLNP**

**Tewkesbury town centre**

***Objection***

198/1/TBLP/DEPOST / 9

Tewkesbury Chamber of Commerce and Industry

***Main Issue***

- *enhancement of Tewkesbury town centre*

***Inspector's Considerations and Conclusions***

- 3.56.1 It is suggested that the retailing potential of the town centre would be enhanced by a positive policy of environmental improvements, cross-referenced to other policies. This would promote the attractiveness and quality of the town centre.
- 3.56.2 Policies in the RDDLP such as TRP24 (Pedestrian Domination in Tewkesbury Main Streets) and CON10 (Historic Courts and Alleyways) can be used to promote the enhancement of the town centre, and TRP24 makes specific proposals for pavement widening. The Council can see the benefits of a policy that pulls others together, but I agree that without a detailed list of enhancement proposals such a policy would be largely repetitive.

***Recommendation***

- 3.56.3 No modification be made to the Plan in response to this objection.

## LPOLNP

## Tirley: Land next to Josend Crescent

### *Objection*

3101/1/TBLP/DEPOST / 1

Fowler

### *Main Issues*

- *sustainability*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.57.1 Tirley is an 'other village' in terms of Policy HSG3. Following its review of the sustainability of rural settlements, the RDDLP deleted allocation TI1 from the Plan because of the village's poor public transport. In addition, there are very few community facilities and services.
- 3.57.2 The objector seeks to revise the Residential Development Boundary (RDB) to include part of allocation TI1, amounting to about 0.3ha to the south of a small housing estate at Josend Crescent. She originally also promoted a large area further east, to the rear of The Mayalls, but withdrew that omission site.
- 3.57.3 Part of the objection relates to the sustainability of Tirley and it is said that there are good transport links to Tewkesbury, Gloucester, Cheltenham, and other settlements, including those to the west. However, the shortage of facilities in the village and the poor level of public transport indicate to me that most of these links would be by private car. I consider that Tirley is an unsustainable location for new development on any significant scale and in this context it is correct to draw the RDB tightly. The objector claims that this prevents provision for housing to meet the community's needs, but there is no evidence about these needs, as distinct from demand for open market housing. In any event, the lack of facilities and poor public transport indicates that social housing in Tirley would not fit well with the aim of Policy HSG15 to direct affordable housing schemes in rural areas to settlements that have adequate local facilities, including public transport services.
- 3.57.4 I address general criticisms of the Council's model of sustainability and objections to the restriction of development to infilling under HSGGEN and HSG3 in Volume One. There is no substantive evidence that the overall strategy gives insufficient opportunity for small developments, thereby pushing up property prices, or that there is a mismatch between new development and household size. Even if there were cause for concern, it would be more appropriately addressed at Borough-wide level rather than in the consideration of sites in individual settlements, especially where facilities are poor.
- 3.57.5 It is argued that the proposed development would not be obtrusive, but would compensate for the lack of infill sites and would accord with the pattern of development by linking the main part of the village to the housing area to the north-west. However, the adjacent estate already extends into open countryside and I consider that to consolidate it by building behind the frontage development to the

south of the estate would harmfully intrude into the countryside. For the reasons above I conclude that the omission site is not appropriate for allocation.

- 3.57.6 The line of the RDB, drawn to exclude some existing development, is also opposed. The boundary cuts through the Josend Crescent estate, leaving about a third outside, and the objector is concerned that this gives a message of exclusion from the community. She suggests that the RDB should include all the estate. RDBs are not intended to define communities, but rather to identify the areas covered by different policies. Nevertheless, I find the existing line illogical and see no reason why only part of the estate should be within the RDB.
- 3.57.7 The objector also suggests an extension to the north of the village to include two properties on Tirley Street. However I consider that these are outside the framework of the village and infill development, acceptable in principle within the RDB, would significantly harm the village's setting. The RDB should be unaltered here.

### ***Recommendations***

- 3.57.8 (i) The RDB of Tirley be extended to include all the existing properties at Josend Crescent.
- (ii) No other modification be made to the Plan in response to this objection.

## **LPOLNP**

## **Toddington**

### ***Objections***

*See Appendix E for the list of objections on this matter*

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.58.1 Toddington is an 'other village' subject to Policy HSG3. Following the review of the sustainability of rural settlements, the proposed housing allocation under Policy TO1 has been deleted from the RDDLP, principally because of the inadequacy of public transport.
- 3.58.2 One objector suggests land of about 0.1ha on the edge of Toddington for social housing. It is claimed that this site is not visually intrusive and already has a road access. But for the reasons given by the Council for deleting Policy TO1, I do not consider that a social housing allocation on the omission site would fit well with the objective of Policy HSG15 to direct affordable housing to more sustainable locations.
- 3.58.3 The other omission sites relate to the area known as Newtown, based on a roundabout crossroads about 1km east of the main village; most is in Toddington parish, with part in Stanway. There is a public house and a filling station with a convenience shop at the crossroads, with Toddington station on the preserved railway a little to the east. The school is on the southern side of the B4077, halfway to Toddington, although an objector says that it may be closed. One objector contends that recent development has been unfairly concentrated at Toddington, rather than Newtown.
- 3.58.4 A site for 10 houses is suggested behind frontage development on the western side of Broadway Road. It is argued that there would be little visual impact as the site is behind two rows of dwellings and on sloping ground; this would also reduce any effect on privacy. It is also said that the access would have good visibility, the footway is wide, there are no nearby agricultural units and no trees would have to be felled. Nevertheless, I consider that the proposal would be significantly out of scale with Newtown and in conflict with the revised settlement strategy of the RDDLP, which seeks to reflect the GSPSR. Also, this part of the settlement is in the AONB and, despite being screened by existing properties, there would still be a harmful impact on the landscape.
- 3.58.5 A number of objectors suggest the allocation of about 1.1ha, some as an alternative to allocation TO1. This land has a road frontage of about 100m and lies between the school and a small group of dwellings at Consell Green to the east; it extends back a similar distance from the road, up to the property at Consell Brake. It is argued that this is an infill site, and that development would produce no loss of amenity, be safe

in terms of highway safety and closer to facilities than Toddington. It is contended that it would be suitable for affordable housing, being close to low-priced properties. Another objector proposes to enlarge this site by including about 1.3ha behind the properties at Consell Green, arguing that the total area would assist in meeting the Plan's housing target. However, I consider that development on this site, within a mainly open area between the two settlements, would be too large to accord with Policy HSG3's definition of infilling. Instead, it would consolidate the existing scatter of housing and spoil the appearance of this part of the countryside within the designated Special Landscape Area.

- 3.58.6 Other objectors propose to locate 10 houses somewhere in an area on the southern side of the main road, running eastwards from Consell Green to the crossroads. No specific part of this land is identified; as a whole it extends to some 5ha and has frontages of about 350m to the B4077 and 100m to the B4632. Most is envisaged to remain in agricultural use and the owner says that the land has good access, is an integral part of the village, not in the AONB, and that development would be infilling. He would also be willing to donate part for low-cost housing and a play area. These objections are imprecise and cannot be regarded as infill proposals, given the variety of possible locations in this large area. However, in my view a development of 10 houses would not accord with the Plan's strategy for sustainable development in the Borough even if the dwellings were to be located close to the facilities at the crossroads. Also they would be likely to harm the appearance of this attractive area of countryside.
- 3.58.7 Some objectors promote housing at a property known as St Leonards, on the north-eastern side of the crossroads, generally as an alternative to TO1, but propose no detailed boundaries. They argue that it has a safe access and is close to facilities. However, this side of the B4077 is in the AONB and any development on this slightly elevated site would to my mind harm its landscape quality.
- 3.58.8 Those promoting St Leonards link their comments with land next to the filling station; again, no boundaries are given but the site here appears to be a small frontage gap. However, on the assumption that the Council's reassessment of rural settlements<sup>64</sup> confirms that Newtown should remain subject to Policy HSG4, then even development on such a site would conflict with the Plan by intensifying sporadic development in the countryside. In both cases affordable housing is suggested, but there is no evidence of the nature of any need which could justify development as an exception under Policy HSG15, and for the reasons set out above, Toddington Newtown is unlikely to accord with this policy's requirements.
- 3.58.9 For the reasons above I conclude that none of the omission sites are appropriate for allocation.

### ***Recommendation***

- 3.58.10 No modification be made to the Plan in response to these objections.

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<sup>64</sup> See my recommendations under Policies HSG2 and HSG3.

## **LPOLNP**

## **Travelling Showpeople**

### ***Objections***

*See Appendix E for the list of objections on this matter*

### ***Main Issue***

- *provision for a policy for travelling showpeople*

### ***Inspector's Considerations and Conclusions***

- 3.59.1 A large number of representations refer to the absence of a policy relating to sites for travelling showpeople, and support their needs. There is concern that no sites are allocated for them and some of these comments are made in relation to land at Lock's Paddock, Norton: I consider this site separately<sup>1</sup>. However, some are non-site specific and I deal with them here.
- 3.59.2 Circular 22/91 on Travelling Showpeople does not require that specific sites should be allocated unless a particular need is demonstrated in an area. No such evidence has been provided in this case, so a criteria-based policy is appropriate. The final paragraph of Policy HSG17 (Gypsy Sites) says that proposals for the provision of sites for travelling showpeople will also be assessed against the above criteria. The objectors clearly do not appreciate that this policy also extends to travelling showpeople, but this misunderstanding can be addressed by amending the title of the policy to make this explicit, as I have set out under HSG17 in Volume One.

### ***Recommendation***

- 3.59.3 No modification be made to the Plan in response to these objections.

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<sup>1</sup> These objections are considered under LPOLNP Norton: Lock's Paddock

## LPOLNP

## Tredington: Omission Sites

### ***Objections***

582/1/TBLP/DEPOST / 2  
1926/1/TBLP/DEPOST / 1

Jukes  
Purchase

### ***Main Issues***

- *sustainability*
- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.60.1 Tredington is an 'other village' in terms of Policy HSG3. Following the review of the sustainability of the Borough's rural settlements in the light of the GSPSR's adopted strategy, the Council has deleted the housing allocations proposed under Policies ST2 and ST3, to the north of the road through Tredington, from the RDDLP.
- 3.60.2 One objector suggests the allocation of an area on the northern side of the settlement, to the west of the former allocations. No plan has been provided, but all this area is clearly outside the Residential Development Boundary, and new housing would extend the settlement into open countryside to the detriment of its character and appearance. Having regard to the reasons for the deletion of Policies ST2 and ST3, I consider that allocation of the omission site would be in conflict with the RDDLP's settlement strategy and with the GSPSR.
- 3.60.3 Both objectors promote land for about 11 houses on some 0.4ha at Tredington House Farm, with the argument that there is excellent communication with main centres of employment. It is also said that the site would enhance the village's linear character, not affect listed buildings, create a village green with a pond and be close to the school. Viewed in isolation, the layout provided shows a potentially attractive development, albeit at an inefficient density in terms of PPG3, with a mix of housing types. Nevertheless, the scheme would significantly extend a settlement that does not have a basic level of facilities, and so it would not comply with the Plan's strategy.

### ***Recommendation***

- 3.60.4 No modification be made to the Plan in response to these objections.

## **LPOLNP**

## **Twigworth**

### ***Objection***

3019/1/TBLP/DEPOST /1

Mr R House

### ***Main Issue***

- *sustainability*

### ***Inspector's Considerations and Conclusions***

- 3.61.1 The objection originally proposed a new settlement of about 3000 dwellings on lands between Longford and Cold Norton. Provision of an entirely new alignment of the A38 road between these points was also envisaged. The objector has indicated subsequently that this scheme is no longer proposed due to unresolved issues concerning flooding and insufficient capacity on the Gloucester Northern By-Pass. The amended objection seeks the allocation of about 5.26ha of land at Twigworth for 150 dwellings in two phases, an extension to the Business Park, a new village hall, pavilion, local playing field and some improvement to the A38 road in order to provide for right-turning lanes. A site for a new playing field for King's School, Gloucester is also proposed. The village hall and King's School playing field proposals are located on the eastern side of the A38 on land that is designated as Green Belt.
- 3.61.2 Twigworth is a small settlement in a parish with a population of less than 400. Most of its dwellings are comprised of mobile homes on the Orchard Park site on the eastern side of the A38 which are screened from view from the main road; this site also contains a small shop with a post office. A petrol filling station at the southern end of the Parish sells a limited range of goods. Twigworth Primary School is located about 500m from the site and therefore potentially within walking distance, although the route along a busy, unlit main road may discourage pedestrians. Its pupil numbers have declined recently and it provided 3 classes for a total roll of 60 pupils in September 2002. Twigworth Business Centre, the nearby hotel and some other facilities provide limited employment opportunities in the local area. The No 71 bus service on the A38 runs hourly to Gloucester on Mondays to Saturdays between 0800 hours and 1900 hours, but there is no late evening or Sunday service, and it provides a similar level of service to Tewkesbury from 0700-1800 hours on Mondays to Saturdays. This is supplemented by the Nos 372-374 services, but these do not significantly improve the settlement's level of accessibility by public transport.
- 3.61.3 In accordance with Policy HSG4 of the Plan, Twigworth is treated as a settlement where there is a presumption against residential development because of its relative lack of facilities and services. In my view this is



appropriate, because existing and future residents are likely to continue depending on Gloucester for the majority of their shopping, employment, educational and other needs. Public transport services to Gloucester are very limited, and travel by bicycle would be unlikely to prove an attractive or safe option on this section of the A38. As a result most journeys are likely to be made by private car.

- 3.61.4 The proposed scale of expansion of Twigworth would not sustain any significant improvement in local facilities, and there is no certainty that the occupiers of the proposed development would find suitable employment locally or make use of local facilities. But it would approximately double the population size and increase overall dependency on the private car. An element of affordable housing, even though it might contribute to local needs, would not justify the scale of expansion proposed. There is no substantive evidence of any need to expand the business centre or that it could reasonably be expected to increase the self-containment of Twigworth. In my view the net effect of the proposal would be to promote an unsustainable pattern of development. In addition, acceptance of the objection would entail a large and obtrusive development in the open countryside which would spoil the attractive views of the Severn Vale from the A38, and this would not be mitigated by structural landscaping works. I find no reason to support those elements of the proposal that appear to entail inappropriate development in the Green Belt, and I note also that a significant part of the site lies within the floodplain and its development potential is therefore constrained. Even if there is a need for new community facilities and playing fields in the area, this would not justify the scale of housing expansion entailed.
- 3.61.5 Taking all of these factors into account, I consider that the proposed development of the omission site would be unsustainable, notwithstanding its proximity to Gloucester. It would lead to a near doubling of the population of a settlement that has only a very basic level of facilities and services while not offering potential for sustained and significant improvement of them. It would fail to satisfy the criteria for the identification of housing sites as set out in paragraph 31 of PPG3 and it would be particularly unsuitable in terms of the 'ability to build communities' and 'location and accessibility' criteria. The site would not fall within even the final category of the search sequence identified in paragraph 30 of PPG3.
- 3.61.6 In my view PPG3's reference in paragraph 70 to the need to support facilities in villages does not apply to a very small settlement like Twigworth in such close proximity to a large urban area; in any event I can find no evidence that the local school is in danger of closure as a result of the drop in the numbers enrolled. I consider that the proposal would be in conflict with Policies S.3, H.6 and T.1 of the GSPSR. In terms of RPG10, there would be a serious conflict with Policies SS 2 and SS 3 which seek to promote a sustainable pattern of development in the region. Therefore, notwithstanding the need to identify new housing sites to replace those that are recommended for deletion, this site would not be a suitable allocation.

***Recommendation***

3.61.7 No modification be made to the Plan in response to this objection.

## LPOLNP

## Twynning: Omission Sites

### *Objections*

2449/1/TBLP/DEPOST / 4  
2594/1/TBLP/DEPOST / 1

Twynning Landowners Consortium  
Shaw

### *Main Issues*

- *sustainability*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.62.1 The RDDLP defines Twynning as a 'larger settlement' subject to Policy HSG2, but deletes the proposed allocation under Policy TW1 following a review of the sustainability of the various settlements. For the reasons set out under Policy HSG2 in Volume One, I recommend that Twynning should be deleted from Policy HSG2 as part of a review of the function of the various settlements identified in Policies HSG2 and HSG3.
- 3.62.2 One of the objections concerns 8.7ha to the south-west of Twynning as an alternative to allocation TW1. Its development for approximately 60 dwellings, including some affordable housing, is suggested. It is said that there is potential to improve facilities, such as playing fields, a replacement school and village hall, in association with the development. However, the site is large and, in accordance with PPG3's advice on density, could accommodate many more than the suggested 60 dwellings. In any event, despite any benefits that might be entailed, I consider that this scale of development outside the Residential Development Boundary would be contrary to the Plan's strategy of seeking sustainable locations for new housing, and it would be no more acceptable than the expansion proposed under Policy TW1. Moreover, the proposal would significantly and harmfully extend the settlement into the open countryside.
- 3.62.3 The other objection speaks of a need to consider interesting and innovative ideas for new housing west of the settlement in association with recreational facilities. The figure of 60 dwellings is again mentioned but no specific site is identified. The above comments relate equally to this objection and I consider that the reasons for deleting allocation TW1 apply to both sites. Therefore, they should not be allocated for housing development.

### *Recommendation*

- 3.62.4 No modification be made to the Plan in response to these objections.

## **LPOLNP Uckington: Barbridge Nurseries, Tewkesbury Road**

### ***Objection***

316/1/TBLP/DEPOST/2      Bovis Homes Ltd (South West Region)

### ***Main Issues***

- *need for a buffer between Cheltenham and Uckington*
- *availability of highway access*
- *effect on local character and appearance*

### ***Inspector's Considerations and Conclusions***

- 3.63.1      The objection concerns a site of about 1.4ha on the north-western edge of Cheltenham that is currently used as a horticultural nursery. It lies between the Civil Service Sports Ground and the residential development on Homecroft Drive and has an access at its northern end onto Tewkesbury Road (A4019). A track leads from Hayden Road into the southern end of the site. This land was formerly designated as White Land within the Cheltenham Environs Local Plan. The Deposit Draft proposed that it and the adjacent sports ground be included within the Green Belt, but the RDDLP treats both sites as undesignated land outside the Green Belt. As such I consider that it would fall within category A1 of the Council's sequential ranking of housing sites. The objection seeks the allocation of the site for residential development for about 45 dwellings.
- 3.63.2      There are local concerns about the impact of Cheltenham's growth and expansion on the identity of the settlement of Uckington. But in my view this site should be regarded as part of Cheltenham and distinct from Uckington which is in the main located further north-west off Tewkesbury Road. Also, the omission site is very well related to existing and proposed housing development and to a good range of employment, retail, community and recreational facilities. It is clearly appropriate for inclusion within the Cheltenham PUA to which RPG10 directs future growth, and it offers the potential for a very sustainable housing site that would minimise the need for private car use to gain access to a range of everyday needs. To overlook these advantages in order to retain the site as an open buffer between Cheltenham and Uckington would be at odds with the fundamental objective of securing a more sustainable pattern of development in the Borough. In this regard it is important to note that the planning policy context within which the 1987 appeal decision was made has since changed significantly.
- 3.63.3      The objection envisages that Hayden Road would provide the main access point to the site, although not all of the land that would be

required is under the control of the objector. However, the balance of the evidence indicates that there is unlikely to be any difficulty in securing the necessary access rights and I do not consider that the site's potential as a housing allocation should be discounted for this reason.

- 3.63.4 The shape of the site and its relationship to the adjacent development on Homecroft Drive impose some constraints on potential development options, particularly with regard to the need to avoid overlooking of the bungalows at the northern end of Homecroft Drive. However, in my view the site is not so constrained that it is unsuitable for housing development; detailed matters concerning design and layout could be resolved through the preparation of a development brief. Similarly any flood prevention requirements that arise from the proximity of the River Chelt could be dealt with at a later stage. None of the other issues raised outweigh the advantages of this site as a potential allocation to help meet the need for more sustainable housing sites, as recommended under HSGGEN<sup>65</sup>. The objector's suggested policy contains the key elements that are required to guide development of the site and in general terms I commend it to the Council. However, this is subject to my recommendations that apply generally to the allocation policies, as set out under LPOL – General; these concern the need to delete references to development briefs, the appropriateness of including a reasoned justification for seeking contributions to educational provision, and the basis on which an affordable housing target figure is included in the policy.<sup>66</sup>

### ***Recommendation***

- 3.63.5 In accordance with my recommendations under HSGGEN, the omission site at Barbridge Nurseries, Tewkesbury Road, Uckington be included in the assessment of potential allocations for residential development in the Plan period, and any necessary modifications to the Plan be brought forward accordingly.

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<sup>65</sup> See HSGGEN in Volume One.

<sup>66</sup> See LPOL – General in Volume Two.

## LPOLNP

## Uckington: Omission Sites

### *Objections*

1162/1/TBLP/DEPOST	/ 1	Hulbert
1707/1/TBLP/DEPOST	/ 11	Gilder

### *Main Issues*

- *effect on the Green Belt*
- *sustainability*

### *Inspector's Considerations and Conclusions*

- 3.64.1 The case for removing Swindon Farm, Uckington from the Green Belt and allocating it as a housing site is put forward in an objection. This land, which lies partly within the Borough and partly within Cheltenham Borough, is located between the A4019 and Swindon village. A retail park, employment areas and the western edge of the Cheltenham urban area are close by. The safeguarded corridor identified within the adopted Cheltenham Borough Local Plan for the proposed North Western Bypass affects part of the site, although the emerging review of that plan no longer includes this protection policy on the basis that the scheme has been abandoned by the County Council.
- 3.64.2 The relevant policy background to the consideration of Green Belt sites for potential future development needs is set out elsewhere in this report<sup>67</sup> and I shall not repeat it here. Suffice to say that I consider that it would be appropriate to consider the deletion of land from the Green Belt in order to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated. The GSPSR sets out the objectives of the Green Belt designation as the prevention of the coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 6.64.3 The omission site lies on the north-western edge of Cheltenham, where its Green Belt hinterland extends to the M5 motorway and beyond that into undesignated open countryside towards the River Severn. In my view this part of the Green Belt primarily serves the objective of preventing urban sprawl, while to the north-east and south-east the Green Belt performs the roles of maintaining the separation of Cheltenham from Bishops Cleeve and Cheltenham from Gloucester respectively. I do not consider that a planned urban extension in this location, in the interests of promoting the most sustainable option for the accommodation of development needs, should be rejected because of an apparent conflict with the first objective. Swindon Farm could form such an urban

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<sup>67</sup> See GBTGEN and GBT1.

extension and would have sustainability merits in terms of its accessibility by a choice of means of transport to a wide range of facilities in the Principal Urban Area of Cheltenham. Therefore, in principle I do not consider that the deletion of this land from the Green Belt would unacceptably compromise the objectives of its designation.

6.64.4 However, given that part of the holding is within Cheltenham Borough, any assessment of whether there are exceptional circumstances that might justify the proposed deletion must include consideration of the relationship with proposals for that part of the site. There is no evidence that the land within Cheltenham Borough is likely to be required for future development needs. That part of the site that lies within Tewkesbury Borough would not on its own represent a sustainable extension, given its separation from the edge of the built-up area and uncertainty about how it might relate to any future development in the adjoining borough. For these reasons I do not consider that the omission site would be appropriate for inclusion in the assessment of potential allocations to meet the GSPSR's housing requirement.

6.64.5 An area of around 15ha at Fair Oaks, Uckington, is proposed as a housing allocation. This land is further to the west of Swindon Farm and clearly separated from the built-up area of Cheltenham. The site is remote from community facilities, and public transport services appear to be rudimentary, with only one bus a week using the adjacent lane. As such I consider that this is not a sustainable location for residential development on any significant scale and that there is no justification for its release from the Green Belt. Moreover, an isolated development here would encroach into an area of pleasant open countryside, thus harming the visual amenities of the Green Belt.

### ***Recommendation***

6.64.6 No modification be made to the Plan in response to these objections.

## **LPOLNP**

## **Up Hatherley: Omission Site**

### ***Objection***

3007/1/TBLP/DEPOST / 1

Organ

### ***Main Issue***

- *effect on the Green Belt*

### ***Inspector's Considerations and Conclusions***

- 3.65.1 The objection proposes the release from the Green Belt of land at Up Hatherley, next to the Cheltenham boundary, for housing development. The plan accompanying the objection is small in scale and there are no details of the proposed site boundaries, but the land appears to be in two parcels, extending to roughly 30ha, between the northern side of Chargrove Lane and the southern side of Up Hatherley Way.
- 3.65.2 As I have recommended elsewhere, the Plan should be modified by the deletion of a number of the proposed allocations and these should be replaced by more sustainable alternatives<sup>68</sup>. In doing so the Council will need to consider Green Belt sites in accordance with my recommendations under GBTGEN and GBT1<sup>69</sup>. It would be appropriate to consider the deletion of land from the Green Belt to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated. The objectives of the Green Belt designation, as set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl.
- 3.65.3 The omission site lies on the southern edge of Cheltenham, immediately adjoining the urban area, and it forms part of the Green Belt gap that extends towards Brockworth. The small island of development at Shurdington that is inset in the Green Belt lies between the two urban areas. Deletion of the omission site from the Green Belt would significantly reduce the separation between Cheltenham and Shurdington, and it would also lead to a marked narrowing of the overall gap between the main urban centres. Therefore I consider that the proposal would conflict with the first objective of the designation. It would also contribute to urban sprawl by the incremental expansion of Up Hatherley towards Chargrove and Shurdington and would be likely to blur the separation between them, especially when seen from the A46.

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<sup>68</sup> See under HSGGEN in Volume One.

<sup>69</sup> See GBTGEN and GBT1 in Volume One.



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Notwithstanding the sustainability advantages of this location in general, I conclude that the site would not be appropriately considered for deletion from the Green Belt.

### ***Recommendation***

3.65.4 No modification be made to the Plan in response to this objection.

**LPOLNP                      Walton    Cardiff:    Chapel    Farm    /  
Wheatpieces III**

***Objection***

432/1/TBLP/DEPOST            / 1            J S Bloor (Newbury) Ltd

***Main Issues***

- *relationship with the GSPSR strategy*
- *impact on the landscape*
- *flood prevention implications*

***Inspector's Considerations and Conclusions***

- 3.66.1        This objection relates to some 15ha of land to the south of Walton Cardiff, including Chapel Farm and flat, open fields to its south-east. While not included in the Deposit Draft, it was recommended to the Executive Committee in April 2000 (CD58) that the land be allocated for approximately 190 dwellings, of which some 57 would be affordable. However, this recommendation was not accepted, and the site remained unallocated in the RDDLP. The objection seeks to re-instate the recommended allocation, with the same numbers of open-market and affordable dwellings. The associated policy would require the implementation of a comprehensive scheme to safeguard the floodplain and provide safe pedestrian and cycle access to local facilities and the town centre. Contributions to local educational requirements and to public transport improvements would also be sought under the terms of the policy.
- 3.66.2        The objector describes the site as a natural extension to the Wheatpieces development further west, with access being taken from it; this could be part of a future road link into the area south-east of Tewkesbury. A new road would be constructed across the floodplain in such a way that floodwater could still pass northwards; it would be designed in consultation with the Environment Agency, and there would be compensation for any loss of flood capacity. The objector says that the site boundaries relate to established flood levels, but the Proposals Map shows that most of the site is in the floodplain, although the RDDLP amends its boundary. The Council accepts a need for detailed floodplain assessment to determine the precise developable area, but as the boundaries promoted by the objector are those found acceptable by the Council's officers, my consideration is based on them.
- 3.66.3        I address the Plan's strategy of concentrating development in the CSV in my consideration of the objections under HSGGEN and I consider that there is no strategic justification for significant additional development in Tewkesbury/Ashchurch. My conclusions on the North Fiddington omission site are also relevant to this point. A development of 190

dwellingings would be unacceptable on 15ha in terms of PPG3's advice on density, but I consider that even this number would not be justified by any strategic considerations. And a size of development which more closely followed PPG3's advice on density would contribute to the undermining of the GSPSR's strategy of concentration on the CSV.

- 3.66.4 Leaving the strategic issue aside, I note the Council's view that the site is in a sustainable location in relation to existing facilities and the town centre. However, it would be detached from the built-up area and separated from it by an area of floodplain, and would not appear as a natural extension to the Wheatpieces development. In my view it would be an isolated estate in the countryside, out of keeping with the pattern of nearby development, especially at Walton Cardiff. And in terms of accessibility, given the distances entailed, the range of facilities available within the town centre and the employment areas at Northway and Ashchurch would not be easily reached by pedestrians, and its relatively isolated position would not contribute to the building of communities.
- 3.66.5 I agree with the objectors that any problems of flooding could be resolved, especially if compensatory flood storage is provided. However, I share the Council's concern that traffic passing through the existing estate at Wheatpieces could have an unacceptable impact on the local environment.
- 3.66.6 For the reasons above I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.66.7 No modification be made to the Plan in response to this objection.

## LPOLNP

## Walton Cardiff: Land to the East

### ***Objection***

429/1/TBLP/DEPOST

/ 2

J J Gallagher Ltd; Westbury Homes (Holdings) Ltd

### ***Main Issues***

- *sustainability and relationship with GSPSR strategy*
- *impact on the landscape*
- *protection of wildlife interests*

### ***Inspector's Considerations and Conclusions***

- 3.67.1 This objection proposes the allocation of land with a developable area of some 23ha, and said to be capable of accommodating about 600 dwellings. It lies to the north and east of Walton Cardiff and extends up to the Tirl Brook and the M5 motorway. The development would include access to Tewkesbury School.
- 3.67.2 PPG7 and RPG10 envisage some development in villages but it is argued that the Plan does not allocate enough land for housing and does not explain the rationale behind the allocations. Nor, says the objector, does it explain the identification of settlements proposed for growth in accordance with GSPSR Policy H7<sup>70</sup>. The omission site would help meet the Plan's shortfall in provision. It is said to be outside the washland, but close to Tewkesbury, and would provide a pleasant environment in a sustainable development.
- 3.67.3 The objection refers to the strategy of the Deposit Draft of the GSPSR, but the strategy of the adopted GSPSR is significantly different. My observations on the strategic and sustainability issues raised both under HSGGEN and by the objection relating to Chapel Farm/Wheatpieces III are relevant to this site and lead me to conclude that its allocation would contribute to the undermining of the GSPSR strategy. Also, while it would be adjacent to existing development to the north, it would not relate well to the existing form of Tewkesbury and would significantly extend the built-up area of the town, joining it to Walton Cardiff. In my view this would harm the landscape setting of both settlements.
- 3.67.4 Despite the objector's comments, the Proposals Map shows that the northern part of the site and part of its southern section are within the floodplain. The Council believes that concerns about floodplain management could be resolved, but gives no details. Moreover, the majority of the site, between the village and the motorway, is identified as a Key Wildlife Site protected by Policy NAT3. It includes several

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<sup>70</sup> This reference is to the Deposit Draft of the GSPSR which was under consideration at the time of the objection.

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ponds which support a significant breeding population of great crested newts. I find it difficult to agree with the Council that the entirety of a Key Wildlife Site could be developed while resolving any adverse ecological impact. In my view, development would be likely to cause serious harm to the wildlife interest of this area, reinforcing the unsuitability of the site for housing.

- 3.67.5 For the reasons above I conclude that the omission site is not appropriate for allocation.

### ***Recommendation***

- 3.67.6 No modification be made to the Plan in response to this objection.

**LPOLNP  
Road**

**Winchcombe: North and West of Orchard**

***Objections***

1983/1/TBLP/DEPOST /15	Pastures New Development Ltd
1983/1/TBLP/DEPOST /5	Pastures New Development Ltd

***Main Issues***

- *appropriate scale of development*
- *effect on the landscape*
- *need for affordable housing*
- *potential for public open space provision*

***Inspector's Considerations and Conclusions***

- 3.68.1 The objections seek the allocation of lands generally to the rear of Orchard Road, Winchcombe for residential, employment, community and public open space uses. The site lies on the western edge of the settlement and is wholly within the AONB. Not all of the omission site is sought for development within the Plan period; in particular, the northern end that lies to the rear of Delavale Road is indicated as an area for possible future development. Linked objections to the proposed allocations under Policies WI1, WI2 and WI3 are considered in the corresponding sections of the report<sup>71</sup>.
- 3.68.2 The objector contends that the figure of 250 dwellings originally allocated in Winchcombe in the Deposit Draft should be re-instated and that it should be accommodated in whole or in part on the omission site. At the Inquiry it was clarified that the smaller part of the omission site put forward for development within the Plan period could accommodate the total revised allocation figure of 155 dwellings in accordance with the RDDLP. However for the reasons set out in WIGEN in Volume Two of this report I consider that even the reduced scale of development envisaged by the RDDLP would be unsustainable. The intention to provide for some employment uses on the omission site could assist in creating a more sustainable pattern of development than a single use scheme. But there is no substantive evidence that the nature or scale of the proposed employment development would help to meet local needs.
- 3.68.3 The relatively easy accessibility of the site to local primary schools, shops and services in Winchcombe compares favourably with the proposed allocations under Policies WI1, WI2 and WI3, and therefore it offers potential to replace short car trips by walking or cycling.

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<sup>71</sup> See Volume Two.

Nonetheless, on balance, the scale of the proposed development and the reliance of future occupiers on trips to higher order centres for most employment, shopping and leisure needs would be likely to result in an unsustainable pattern of travel by private car. Overall, I consider that the proposal would entail an expansion of Winchcombe that would be out of proportion to local needs and would be in conflict with Policy H.6 of the GSPSR.

- 3.68.4 With regard to the landscape impact of the proposals, much of the site is prominent, steeply sloping hillside that forms an important part of the AONB and the setting of Winchcombe. The intention to restrict built development to the lower slopes, generally in the middle section of the site, would reduce the visual impact of the proposal to some extent, but it is likely that it would still be prominent and obtrusive. The site is visible in longer distance views from the south, within the AONB, and its development would appear as an extension of the urban area into the open hillside setting of the town. From closer by, especially in views from public footpaths over Langley Hill and from Harveys Lane, Barnmeadow Road and Delavale Road, the visual intrusion of the proposed development would be likely to be very significant. The existing hard edge of Winchcombe adjacent to the site would benefit from soft landscaping works, but this is not a reason for a large extension of housing and other uses further into the AONB. Also, the area proposed for new building is not contained by existing landscape features and it would take many years for planting to mature and soften the outline of the development.
- 3.68.5 There appears to be some flexibility in the nature of the proposals and a willingness to accommodate less than 155 dwellings, if that is all that is required, and therefore I have considered whether a smaller development on the site might be acceptable. However, given the high landscape sensitivity of the site and the absence of firm proposals about how a smaller amount of development might be arranged, I have concluded that there remains a sound landscape reason for rejecting it.
- 3.68.6 It is proposed that a range of affordable housing to meet local needs would be provided on the site. No specific figure is put forward but it was stated at the Inquiry that it would be a relatively high percentage of the overall provision in order to meet fully the demonstrable needs. The Winchcombe Housing Needs Study<sup>72</sup> indicates the scale of need in the settlement and surroundings and therefore the offer of a substantial element of affordable housing is a potential benefit. On balance however, I do not consider that it would outweigh the disadvantages of the proposal as a whole in terms of its scale and landscape impact.
- 3.68.7 The benefit of creating a large area of public open space, generally on the higher ground towards the southern end of the site, is also put forward by the objectors. The objections generally in respect of the Plan proposals for Winchcombe and Greet contain many references to deficiencies in

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<sup>72</sup> Winchcombe Housing Needs Survey: Final Report and Summary, published by Winchcombe Housing Needs Survey Working Group, September 2002.

public open space facilities in the area, although there is a lack of substantive evidence about the exact nature of the deficiencies and the best means of remedying them. There appears to be a need for a children's play area, but the allocation of a large tract of housing land in order to achieve this would not be justified. Also, the location of the proposed playing fields on the higher, steeply sloping parts of the site would be likely to require significant ground works to achieve suitable playing surfaces, and any associated structures would be visually prominent. Taking all of these factors into account I consider that little weight should be given to this element of the proposals.

- 3.68.8 For all of the reasons set out above I conclude that the omission site is not appropriate for allocation either in whole or in part to meet the needs of Winchcombe within the Plan period.

### ***Recommendation***

- 3.68.9 No modification be made to the Plan in response to these objections.



## LPOLNP

## Winchcombe: Other Omission Sites

### *Objections*

*See Appendix E for the list of objections on this matter*

### *Main Issue*

- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.69.1 This section of the report should be read in conjunction with the considerations in WIGEN, which address such matters as the capacity of the town and its constraints, not least arising from the fact that most of Winchcombe is washed over by the AONB. Reference should also be made to my conclusions on objections to allocations WI1, WI2 and WI3.
- 3.69.2 A consistent theme in all the objections is that, while some new housing would be accepted in the town, it should not exacerbate existing traffic problems in the centre. In particular, sites to the north are resisted because traffic to Cheltenham, generally accepted as the main destination for commuters, would have to pass through the narrow streets in the town centre. The omission sites would either be able to have access to Cheltenham Road to the south of the centre, or could use Broadway Road/High Street, rather than North Road or Back Lane.
- 3.69.3 A number of objections promote development on various areas to the south of Winchcombe, in many cases as alternatives to the allocations in the RDDLP. Some objectors give no details of suggested boundaries but refer to general locations; many of the omission sites overlap. There are however two main groups of omission site – to the south and the west of the town, and I shall consider the objections in each group together, as similar principles apply.
- 3.69.4 One group involves the area to the south of existing development, lying roughly between Vineyard Street and Corndean Lane, within easy walking distance of the town centre. Part of this land was at one time identified as the route of a by-pass and some objectors point out that development here could be accessed from Cheltenham Road, so that traffic would not have to pass through the town. Some would be prepared to sacrifice the AONB if this resolved traffic congestion. It is said that development to the south should include a road between Vineyard Street and Cheltenham Road, which could also serve Sudeley Castle. One owner would agree to donate land for a recreation and green area and the scheme could include a public car park, as parking in Vineyard Street would have to be restricted to provide access to the site.
- 3.69.5 It is likely that a housing site on the Cheltenham side of the town centre would be more convenient for commuters, but in my view this is not the main consideration. The land to the south of Winchcombe is an important element in views of the town from higher ground, and its open character is to my mind a distinctive part of the setting of both Winchcombe and Sudeley Castle. In line with national guidance and the GSPSR, the overwhelming priority here must be the protection of the AONB's

landscape character. Moreover, the sensitivity and value of this area is increased by its inclusion within the Winchcombe Conservation Area. The designation seeks to preserve the landscape setting of the historic core of Winchcombe, and in my view development within this setting would be likely to harm the character and appearance of both the Conservation Area and the AONB.

- 3.69.6 Some objectors propose sites further to the south-west, as far as Postlip and to the south of the hospital, arguing that development here would be less obtrusive than elsewhere. However, these proposals would extend the built-up area of the town south-westwards in a way which would not accord with the pattern of its development. They would also take housing further away from most of the town's facilities. In my view the use of land to the south-west of the town would cause significant and unacceptable harm to the AONB.
- 3.69.7 Another group of objections relates to various areas of land on the western side of the town, on the lower slopes of Langley Hill and running roughly between Cider Mill Lane and Harveys Lane. Again, in some cases no detailed boundaries are proposed and a number of the areas overlap, but similar principles apply to them. It is argued that development here would be compact and would avoid any need for Winchcombe to spread towards Greet. It is also said that development could include a link road to Cheltenham Road, avoiding the town centre. I address the omission sites to the west of Greeton Road (behind the estate at Kyderminster Road and north of Cider Mill Lane) and between Cider Mill Lane and Langley Road, separately<sup>1</sup>. The second site encompasses much of the land which is the subject of these objections, and my conclusions on that site relate equally to this group of omission sites.
- 3.69.8 Some of the objections also promote land south of Harveys Lane, citing similar benefits to other sites to the west of the town, and accepting loss of AONB land. It is said that the lane would need to be widened, and one objector supports affordable housing on the site. This land is at the southern end of the belt of western omission sites. It is some 3ha in extent and lies between the narrow Harveys Lane, bounded by a strong hedge, and the rear of properties along Langley Road; it also adjoins the end of a ribbon of housing on Harveys Lane. The land rises up from the south and in my view development on the highest north-western half of the field would be especially prominent in views from the south. It would clearly extend into attractive open countryside and harm Winchcombe's landscape setting. Development of the lower south-eastern half would not be as prominent, but it would still breach the existing boundary of Winchcombe on the slopes of the AONB, extending development further up the hillside, and I do not consider that the visual harm that would be entailed would be outweighed by any benefits.
- 3.69.9 As an alternative to allocation W11, one objector proposes 200 houses on land north of allocation W13, bounded by Greet Road, Broadway Road and the school. He says that this land is at a lower level and so development on it would have less visual impact. Another objector proposes to slightly extend allocation W13 northwards into part of this area. Both suggestions envisage a comprehensive layout with W13, including a link road from Greet Road, which would reduce traffic in the town centre by taking it from North Street or Back Lane and their difficult junctions with the

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<sup>1</sup> objections 111/1/TBLP/DEPOST/1 (British Steel) and 1983/1/TBLP/DEPOST /1 (Pastures New Developments Ltd) refer

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B4632. It is claimed that housing could also extend northwards to the sewage works without affecting Winchcombe's townscape.

- 3.69.10 I consider that the watercourse on the northern edge of WI3 is a natural boundary, and that development rising up beyond it would appear prominent, especially from Broadway Road. Housing there, and between the main road and the river, would erode the landscape setting of the town and the open gap between it and Greet. Moreover, part of this extended area is affected by the sewage treatment works odour zone. Despite any benefits of providing a link to Broadway Road, I consider that many of the disadvantages of allocation WI1 apply equally to the land to the north of WI3.
- 3.69.11 An objector seeks to allocate land, just under 1ha, off Broadway Road and north of Chandos Street for housing. This area extends up to the turning head of Stancombe View and adjoins a number of large gardens. It is within the built-up area and the Residential Development Boundary, and moreover is close to the town centre. However, as it could be considered under Policy HSG2, there is no need for a specific allocation. The same principles apply to the former junior school on Back Lane and to its playing field, which an objector considers would be suitable for small family or retirement housing. However, the RDDLP includes the school site within the limits of a Scheduled Ancient Monument, and this matter would need to be addressed, as would the justification for the loss of playing fields.
- 3.69.12 I accept that smaller sites to the south and west of the town centre would distribute traffic away from the historic core, compared with the RDDLP's allocations, and that new roads within some of the sites, or associated with them, could help to reduce existing traffic problems. However, I do not consider that these benefits outweigh the harm that would be caused to the Conservation Area and AONB. Even if this were not the case, I consider that if new development is to provide a solution to the town's traffic problems, this should not be done on the basis of piecemeal schemes but as part of a comprehensive strategy.

### ***Recommendation***

- 3.69.13 No modification be made to the Plan in response to these objections.

## **LPOLNP**

## **Winchcombe: West of Gretton Road**

### ***Objection***

111/1/TBLP/DEPOST /1 British Steel Plc.

### ***Main Issue***

- *landscape impact*

### ***Inspector's Considerations and Conclusions***

- 3.70.1 The objection seeks the allocation of a site of about 1.8ha to the west of Gretton Road for housing development. The site lies to the west of the existing residential area at Kyderminster Road and it comprises two adjacent fields currently used for grazing. It is anticipated that it could accommodate at least 75 dwellings. Linked objections to Policy HSG1 and to the proposed allocations under Policies W11 and W13 are taken into account in the corresponding sections of the report and the considerations in WIGEN are also relevant to this case<sup>73</sup>.
- 3.70.2 The site is wholly within the AONB which washes over most of the built-up area of Winchcombe. Development of this land would extend the settlement further up the lower slopes of Langley Hill than the existing housing. In my view it would be visually prominent, especially when seen from the track to the south of the site, from the footpaths across Langley Hill, from local roads, and from longer distances to the east on the Gloucestershire Way. The adjacent edge of the settlement at Kyderminster Road would benefit from soft landscape treatment. But this is not a good reason to extend development further into the landscape setting of Winchcombe, and even a carefully designed scheme with high quality screen planting would be visually obtrusive on this elevated site. The proposal would therefore be harmful to the natural beauty of the AONB and in conflict with the objective of this nationally important landscape designation.
- 3.70.3 The location of the site in relation to facilities within Winchcombe generally compares favourably with the Plan's proposed allocation sites, but this does not outweigh the considerations above. None of the other factors raised override those that lead to my conclusion that this site should not be allocated for housing development.

### ***Recommendation***

- 3.70.4 No modification be made to the Plan in response to this objection.

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<sup>73</sup> See HSG1 in Volume One, and WIGEN, W11 and W13 in Volume Two.



## LPOLNP

## Woodmancote: Two Hedges Road

### *Objection*

2650/1/TBLP/DEPOST / 1

Price & Jervis

### *Main Issues*

- *Green Belt*
- *landscape impact*

### *Inspector's Considerations and Conclusions*

- 3.71.1 About 6ha of land on the southern side of Two Hedges Road, between Gambles Farm and Folly Farm, is proposed for housing as an alternative to the allocation under Policy SO1 at Noverton Lane. It is claimed to be fully serviced, with a long road frontage, and that it could be developed without the problems associated with SO1. Two Hedges Road is the northern boundary of both the Green Belt and the Special Landscape Area (SLA).
- 3.71.2 I have recommended elsewhere that the Plan should be modified by the deletion of a number of the proposed allocations and these should be replaced by more sustainable alternatives<sup>74</sup>. In doing so the Council will need to consider Green Belt sites in accordance with my recommendations under GBTGEN and GBT1<sup>75</sup>. As I have concluded there, it would be appropriate to consider the deletion of land from the Green Belt to provide for the GSPSR housing requirement in the most sustainable way, provided that this would not compromise the objectives for which the Green Belt was designated and that exceptional circumstances can be demonstrated.
- 3.71.3 The objectives of the Green Belt designation, as set out in the GSPSR, are the prevention of coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve and prevention of urban sprawl. The omission site lies on the southern edge of Woodmancote, immediately adjoining the urban area, and it forms part of the narrow Green Belt gap between Bishops Cleeve/Woodmancote and the Cheltenham urban area at Prestbury. This gap includes built development at Southam and a ribbon of housing along New Road that, albeit washed over by Green Belt designation, reduces the open character of the countryside between the urban areas. Residential development of the omission site would entail a substantial reduction in the openness of the Green Belt and would contribute to the merging or coalescence of Bishops Cleeve/Woodmancote with Cheltenham, as well as leading to urban sprawl. In my view therefore it would seriously compromise the objectives of Green Belt designation.
- 3.71.4 Development of this site would intrude into views of the open countryside setting of the AONB to the south-east and it would be readily visible from New Road to the south, from where it would significantly harm the landscape setting of this part of Woodmancote. Therefore I consider that the proposed allocation would be

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<sup>74</sup> See under HSGGEN in Volume One.

<sup>75</sup> See GBTGEN and GBT1 in Volume One.

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unacceptable for landscape as well as Green Belt policy reasons. Any sustainability advantages of a location in close proximity to the facilities in Bishops Cleeve/Woodmancote would not outweigh the Green Belt and landscape objections to the proposed allocation. There are therefore significant differences between this land and allocation SO1 and I do not consider that there is any justification to release this part of the Green Belt for housing, even if I were not recommending that allocation SO1 be retained.

### ***Recommendation***

3.71.5 No modification be made to the Plan in response to this objection.

**LPOLNP  
Home Park**

**Woodmancote: Woodmancote Mobile**

***Objection***

3004/1/TBLP/DEPOST /4 Woodmancote Park Homes.

***Main Issues***

- *landscape impact*
- *need for mobile home accommodation*

***Inspector's Considerations and Conclusions***

- 3.72.1 The objection seeks to widen the extent of the site proposed for residential development in Policy WO1 (Woodmancote Housing Site) by incorporating an area of about 1.2ha lying adjacent to its northern edge and immediately east of the existing static mobile home site, known as Woodmancote Park. An additional 24 mobile homes could be provided on this extended area and the objector contends that it would make a significant contribution to the supply of housing in the Borough, particularly at the affordable end of the housing market. Secondly, the objection seeks the modification of the Residential Development Boundary (RDB) for Woodmancote to include the existing Woodmancote Park site.
- 3.72.2 The omission site has the benefit of planning permission for use for up to 80 touring caravans on a seasonal basis and it has an ancillary building at its western end and associated service provision. However, I do not agree that the whole of the site should be regarded as previously developed land for the purposes of PPG3. Even if it were, this would not in itself make it suitable for allocation for development, nor does its location within reach of the facilities in Woodmancote and Bishops Cleeve. The site lies within the designated Special Landscape Area (SLA) in the RDDLP. A linked objection to this matter is considered under Policy LAN2. As I conclude in respect of the objections generally to LAN2, the particular features of the designation that require special protection or enhancement should be re-appraised, and it should be made clear why other planning policies could not provide the necessary protection for the identified features. Failing this, I have recommended that Policy LAN2 be deleted from the Plan<sup>76</sup>.
- 3.72.3 Nonetheless, the triangular area north of Woodmancote, including the omission site, within the designated SLA is different in landscape terms from the lands that are not so designated. The omission site is part of an area of countryside characterised by tree cover and hedgerows around

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<sup>76</sup> See Policy LAN2 in Volume One.



small fields. Despite the removal of trees and other changes that appear to have taken place on the site, it still forms part of a distinctive landscape that provides a setting for the adjacent AONB, and I consider that it is worthy of protection from development. Even though new mobile homes would be single-storey and sited within the planted boundaries of the site, they would be visible from the lower ground and would spoil the rural appearance of the area. In contrast, the land allocated for new housing under Policy WO1 has a more open character and appearance and is set against the backdrop of housing on Butts Lane and Bushcombe Lane.

- 3.72.4 So far as the need for additional mobile home accommodation is concerned, I note that the existing park is fully occupied and has a waiting list. It appears to serve a predominantly local need, and I have no doubt that it makes a valuable contribution to housing requirements generally in the Borough, especially for low-cost homes for the elderly population. However, I do not accept that the potential contribution from an enlarged stock of mobile homes would outweigh the landscape reasons for protecting the omission site from development. The Plan's affordable housing policies seek to address the need for a wide range of low-cost or social housing to be provided on suitable sites, and local needs assessments enable the provision to be targeted towards the types of accommodation most in need. In these circumstances, I do not consider that the benefits of providing new mobile homes on this site would outweigh the harmful impact on the landscape that would be entailed.
- 3.72.5 The exclusion of the existing mobile home site from the RDB is a means of ensuring that redevelopment for conventional housing would not be acceptable within the terms of Policies HSG2 and HSG5. In this way the long-term retention of the Woodmancote Park Home site as a mobile home facility is protected. I do not consider that there is any conflict between this approach and the objectives of Policy HSG14, and the continued exclusion of the existing site from the RDB does not constrain its maintenance and enhancement as a mobile home site.
- 3.72.6 Taking all of the above into account, and notwithstanding the need to identify sites in sustainable locations to assist in meeting the overall housing requirement, I do not consider that the omission site should be allocated for development.

### ***Recommendation***

- 3.72.7 No modification be made to the Plan in response to this objection.