



**Intelligent Plans**  
and examinations

**Ashchurch Rural Parish Council**

**Neighbourhood Development Plan**  
**2020-2031**

**Facilitation Work**

**Interim Report – February 2021**

**Derek Stebbing, BA (Hons) DipEP MRTPI**

**15 February 2021**

## **1. Introduction**

- 1.1 I was commissioned on 4 December 2020 on instruction from Locality to undertake a concise period of facilitation work with the Ashchurch Rural Parish Council in order to ensure that the emerging Ashchurch Rural Neighbourhood Development Plan 2020-2031 (ARNDP) can be progressed with the support of Tewkesbury Borough Council (TBC). The provisional completion date for this commission is May 2021.
- 1.2 The brief for this facilitation work is attached as Annex 1, and the key requirement is to *“provide hand holding support to the QB (the Parish Council) to help them navigate the remainder of the plan-making process and to support them to work coherently and constructively with the LPA (Tewkesbury Borough Council) so that the draft NDP can be submitted to the LPA”*.
- 1.3 This Interim Note provides a summary of my assessment and findings following desk-top research undertaken between December 2020 and February 2021, and my recommended advice and actions to enable the ARNDP to be progressed during the next few months.
- 1.4 I have liaised with Cllr. Tony Davies, Vice Chairman of the Parish Council and with Dr Andrea Pellegram MRTPI, the Parish Council’s planning consultant during the course of my work to date.

## **2. The Planning Context**

- 2.1 Thus far my work has focused on developing a full understanding of the wider planning context as it affects the Parish and the ARNDP. I am grateful to Cllr. Davies and Dr. Pellegram for providing me with many documents and their own thoughts on the key issues facing the Parish.
- 2.2 I have also taken into account other documents, including the Health Check of the draft ARNDP undertaken by my colleague Andrew Seaman of Intelligent Plans and Examinations (IPE) Ltd. in September 2020, a number of recent Appeal decisions in the area, prospective planning proposals in the Parish and all relevant adopted and emerging development plan documents for the area.
- 2.3 In summary, the wider planning context for Ashchurch Rural Parish is at present complex and far from being completely clear, and this is not conducive to being able to prepare a Neighbourhood Plan with the necessary confidence and certainty. This situation appears to be further exacerbated by a general reluctance by TBC Officers to engage positively and constructively with the Parish Council and its consultant on the progress of the ARNDP.

## 2.4 Current Status of Relevant Development Plan Documents

The current adopted Development Plan documents (excluding Waste and Minerals) for the TBC area comprise the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) (adopted December 2017) and the Saved Policies from the Tewkesbury Borough Local Plan up to 2011 (adopted April 2006).

## 2.5 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS)

The JCS contains the strategic policies for Gloucester, Cheltenham and Tewkesbury, and the ARNDP must ensure that it is in general conformity with those policies. The key policies that potentially affect Ashchurch are Policies SP1, SP2, A5 and REV1, as below. Other policies are of importance but are not central to the major issues concerning Ashchurch at the present time.

## 2.6 Policy SP1 (The Need for New Development) is as follows:

*"1. During the plan period, provision will be made to meet the need for approximately 35,175 new homes and a minimum of 192 hectares of B-class employment land to support approximately 39,500 new jobs.*

*2. This is to be delivered by development within existing urban areas through District plans, existing commitments, urban extensions to Cheltenham and Gloucester, and the provision of Strategic Allocations at Ashchurch. This strategy aims to locate jobs near to the economically active population, increasing sustainability, and reducing out-commuting thereby reducing carbon emissions from unsustainable car use.*

*3. The housing requirement for each local authority will be as follows:*

- i. Gloucester at least 14,359 new homes;*
- ii. Cheltenham at least 10,917 new homes;*
- iii. Tewkesbury at least 9,899 new homes."*

## 2.7 Policy SP2 (Distribution of New Development) includes the following relevant clauses regarding Tewkesbury:

*"4. To meet the needs of Tewkesbury Borough, none of which is being met by the urban extensions to Gloucester and Cheltenham, the JCS will make provision for at least 9,899 new homes. At least 7,445 dwellings will be provided through existing commitments, development at Tewkesbury town in line with its role as a market town, smaller-scale development meeting local needs at Rural Service Centres and Service Villages, and sites covered by any Memoranda of Agreement*

*5. Rural service centres and service villages as identified in Table SP2c below will accommodate lower levels of development to be allocated through the Tewkesbury Borough Plan and Neighbourhood Plans, proportional to their size and function, and also reflecting their proximity and accessibility to Cheltenham and Gloucester and taking into account the environmental, economic and social impacts including existing levels of growth over the plan period.*

Over the plan period to 2031:

- i. The rural service centres will accommodate in the order of 1860 new homes, and;
- ii. The service villages will accommodate in the order of 880 new homes;

6. In the remainder of the rural area, Policy SD10 will apply to proposals for residential development.”

Within Table SP2c, Ashchurch is not listed as a Rural Service Centre or Service Village.

2.8 Policy A5 (Ashchurch) is a strategic allocation of land for employment purposes at Ashchurch, and states:

*“The Strategic Allocation identified at Ashchurch (as shown on Policies map Plan A5) will be expected to deliver:*

- i. *Approximately 14 hectares of employment generating land;*
- ii. *A green infrastructure network of approximately 5 hectares including a green corridor along the route of the Tirlle Brook and a woodland belt at the southern boundary of the site to minimise harm to views from Oxenton Hill and contribute to water quality enhancements;*
- iii. *Adequate flood risk management across the site and ensure that all more vulnerable development is located wholly within flood zone 1;*
- iv. *Primary vehicle access from the A46 and a secondary access from Fiddington Lane;*
- v. *Measures necessary to mitigate the traffic impact of the site, including the use of travel plans to encourage the use of more sustainable transport modes. This shall include consideration of the operation of the Strategic Road Network;*
- vi. *Development that does not prejudice future highway improvements to the A46. This may include requirements to safeguard sufficient land to allow for the delivery of future highway infrastructure improvements around the A46 and M5 Junction 9;*
- vii. *High quality public transport facilities and connections within and adjacent to the site. This may include measures that will help facilitate an enhanced rail passenger service from Ashchurch for Tewkesbury station and bus advantage measures along the A438 / A46 corridor where practical;*
- viii. *Safe, easy and convenient pedestrian and cycle links within the site and to key centres and the railway station, providing segregated links where practical.”*

2.9 Policy REV1 (Gloucester and Tewkesbury Housing Supply Review) sets out the need for an immediate review of the JCS, and states:

*“A partial review of the housing supply for Gloucester and Tewkesbury will commence immediately upon adoption of the JCS. On adoption, the authorities will publish a Local Development Scheme to set out the timescales for completion. The review will cover the allocation of sites to help meet any shortfall in housing supply against the JCS housing requirements for the respective authorities.”*

## 2.10 Saved Policies from the Tewkesbury Borough Local Plan up to 2011 (adopted April 2006) (TBLP)

The saved Policies from the TBLP (saved from March 2009) largely comprise the suite of Development Management policies for the Borough, and need not be recited in this Note.

## 2.11 Emerging Development Plan Documents

Following the adoption of the JCS in December 2017, a review was commenced immediately. An Issues and Options consultation document was published in October 2018 for Regulation 18 consultation. The document included the following statements directly relating to Ashchurch:

### *"Ashchurch*

*It is noted in the adopted JCS that the housing shortfall for Tewkesbury was exacerbated by a decision during the examination process of the Defence Infrastructure Organisation (DIO) to stop the release of the MoD Ashchurch site, a proposed strategic allocation. However, the JCS sets out that there remains development potential in the wider Ashchurch area to help meet the housing requirements of the area and there was a commitment in the plan to continue to explore this.*

*Tewkesbury Borough Council was successful in securing Homes England capacity funding to support the delivery of growth in the area both within and beyond the current JCS plan period.*

*This work continues to explore the potential of the MoD land as well as other sites in the wide Ashchurch area. To take this forward, Tewkesbury Borough Council has commissioned strategic-scale master planning work for this area to provide a comprehensive assessment and approach to development potential which addresses key issues such as place making, transport infrastructure, community facilities, social and green infrastructure. This work is being undertaken to help inform the JCS Review.*

*The Ashchurch area is of particular strategic importance in helping to meet the housing and employment needs. In terms of location, it holds an advantageous position next to M5 junction 9 giving it direct motorway access and so making it particularly attractive as an area of employment growth. It is also positioned around the 'Ashchurch for Tewkesbury' railway station, providing significant opportunities for sustainable transport movements.*

*The 'Ashchurch Concept Masterplan' has been produced to show how future development could come forward in this area."*

## 2.12 The current published timetable for the next stages of the JCS Review is as follows:

*"We are preparing a draft plan for consultation, which is expected to commence in late Summer, early Autumn 2021. The proposed timescale for the plan's preparation is as follows.*

*Preferred Options Consultation Summer/Autumn 2021*

- *Pre-Submission Consultation Winter 2022*
- *Submission to the Secretary of State Spring 2023*
- *Examination Summer 2023*
- *Adoption Winter 2023”*

It will be noted that the Review will not reach its final stages until 2023.

2.13 Preparation of the Tewkesbury Borough Plan (TBP) commenced in 2013, and following statutory public consultation at the Regulation 18 and 19 stages, the new Local Plan (dated October 2019) was submitted for Examination in May 2020. The Hearing Sessions as part of that Examination will commence on 16 February 2021, and the Inspector’s Report on the Examination might be expected in mid-2021.

2.14 The TBP includes the following statements regarding Ashchurch at paragraphs 2.10 and 2.11:

*"2.10. The Joint Core Strategy identifies a housing shortfall for Tewkesbury Borough against its requirements. As such the Joint Core Strategy commits to an immediate review of Tewkesbury Borough’s housing land supply to meet this. This review is to be focussed around the Tewkesbury town/Ashchurch area as the primary opportunity area for strategic scale growth. It is not the role of the Tewkesbury Borough Plan to meet the shortfall identified by the Joint Core Strategy, this is the subject to an immediate review of that plan to deal with this at a strategic scale. However, it is recognised that the Borough Plan could contribute towards meeting some of this housing need.*

*2.11. The Borough Council commissioned a consultant team to undertake masterplanning work for the Ashchurch area to inform the immediate review and identify sites for further housing and employment growth. The area has also been awarded Garden Town status by the Government and will help to unlock and delivery growth in this location. As this work is ongoing the Tewkesbury Borough Plan does not identify any allocations in the Ashchurch area so as to not prejudice the outcome of this masterplanning and Garden Town work."*

2.15 The TBP also contains a number of Borough-wide Policies and site-specific policy notations which affect Ashchurch Rural Parish, for example the designation of two Rural Business Centres, and which the ARNDP will need to take into account. None of these need to be recited in this Note.

2.16 The Tewkesbury Garden Town Proposal

Following the adoption of the JCS in 2017, TBC (as lead authority) has successfully proposed the development of a "*transformational garden town for Tewkesbury, focused on the development of the*

*Ashchurch area to the east. The project will deliver 10,195 new homes with 35% affordable housing and create 8,464 jobs with a new local centre by 2050.*” The project is being taken forward by TBC in partnership with Homes England, Cheltenham Borough Council, Gloucester City Council, Gloucestershire County Council, and the Ministry of Defence (MoD)/Defence Infrastructure Organisation (DIO) (as a major landowner).

2.17 The TBC Bid document (dated November 2018) for the project is attached at Annex 2 and provides further information on the intended outcomes for the project. It may be noted that there is little content on community engagement within Ashchurch and no mention of the emerging ARNDP. The bid was approved by the Government in March 2019 with support funding of ca. £750,000 to take the project forward.

2.18 The Vision for the Garden Town is to:

*“Reimagine Ashchurch as the 'modern' part of the historical Tewkesbury with a complete mix of housing options, expanded employment, transport improvements and a new centre located around the station and St. Nicholas Church. Ashchurch possesses the foundations to help deliver a vision for sustainable growth of the town, utilising the excellent transport links to the M5 and its prime location as a high-tech employment area, thereby encouraging people to live and work locally.”*

2.19 Annex 3 to this Note comprises the Homes England Briefing Note (dated June 2019) for the project, including an illustrative masterplan. A key infrastructure requirement, a new bridge to replace a level crossing across the main railway Bristol-Birmingham line at Northway to provide improved access to the proposed Housing Zone, has been the subject of a successful Housing Infrastructure Fund (HIF) bid (£8.1 million) and a planning application for the new bridge was submitted in October 2020. It is understood that a contract has been placed for its construction.

2.20 There is now planning permission for over 1,000 new dwellings within the area of the proposed Garden Town. This includes planning permission granted on appeal by the Secretary of State for a residential development (up to 850 dwellings), a primary school, local centre (comprising up to 2,000 m<sup>2</sup> gross internal floor area) (A1, A2, A3, A4, A5 and D1 uses) with no single A1 comparison unit exceeding 500 m<sup>2</sup> gross internal floor area, supporting infrastructure, utilities, ancillary facilities, open space, landscaping, play areas, recreational facilities (including changing facilities and parking), demolition of existing buildings, new access to the A46(T) and Fiddington Lane (Application Ref: 17/00520/OUT).

2.21 In granting planning permission on 22<sup>nd</sup> January 2020, the Secretary of State noted that, *“Work has begun on an emerging Tewkesbury Local Plan. Since the close of the Inquiry into this*

[Intelligent Plans and Examinations \(IPE\) Ltd, 3 Princes Street, Bath BA1 1HL](#)

[Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84](#)

*appeal, a pre-submission version of the plan was consulted on between October and November 2019, but it is yet to undergo Examination. The Secretary of State notes that the area was designated as a Neighbourhood Plan area in 2013, and that there was a Regulation 14 draft consultation in 2018. All parties agree that this should not be afforded any weight at this stage, and there is no 'made' Neighbourhood Plan covering the site."*

2.22 A more recent Appeal decision at Gotherington dated 12 January 2021 (Application Ref.19/01071/OUT), by which planning permission was granted for up to 50 dwellings, included an assessment by the Inspector that the current 5 Year Housing Land Supply for TBC is only 1.82 years.

2.23 The landowner (Robert Hitchins) who owns the site where planning permission was granted on appeal in January 2020 is now progressing a planning application for 460 new dwellings on land to the south of that site.

2.24 Planning permissions exist for residential developments for over 200 new dwellings at three other sites along the A46 within the Parish.

2.25 There is significant pressure for further housing allocations within the emerging TBP and the JCS Review, and this pressure is reflected in the Hearing Statements made by various parties to the forthcoming Examination. Typical of this are the following submissions made by Gladman, a well-known land promoter:

*"Disappointingly, the timetable for the preparation of the JCS has slipped and adoption is now not anticipated until late 2023. As stated previously, Gladman consider this date to be ambitious and delays in the eventual adoption are highly likely.*

*The shortfall in housing land in Tewkesbury is considerable and this needs to be addressed as a matter of urgency. Whilst it is recognised that the TBP does not allocate any strategic sites, the shortfall in housing land is of such magnitude that it needs to be addressed through strategic scale allocations in the JCS Review.*

*Therefore, there is an urgent need for progress to be made on the JCS Review to ensure that the shortfall in housing supply in Tewkesbury is addressed as expeditiously as possible. The Inspector's Report on the TBP therefore clearly needs to state that progress on the JCS Review must be made with some urgency so that Tewkesbury can provide for the full housing needs of the Borough as set out in the adopted JCS."*

2.26 It will therefore be noted that the current planning context, as it affects the TBC area as a whole and Ashchurch in particular, is in significant flux at the present time. Whilst there has been progress on the emerging TBP and more limited progress on the emerging JCS Review, the proposed Tewkesbury Garden Town is still subject to



significant advance consultancy work to support its proposals, and there remain substantial, unfunded infrastructure requirements to support its delivery including M5 junction improvements and A46 capacity improvements. The TBP may be adopted later in 2021 but the JCS Review is unlikely to be adopted until late-2023.

### **3. The Neighbourhood Plan**

- 3.1 The Ashchurch Neighbourhood Area was designated by TBC on 8 January, 2014.
- 3.2 The ARNDP has been prepared thus far on the basis of the adopted TBLP and the adopted JCS, neither of which contain significant strategic allocations of development sites in the Parish, apart from the strategic employment allocation A5 contained in the JCS (see paragraph 2.8 above).
- 3.3 During the earlier stages in the preparation of the ARNDP, the Parish Council and its Neighbourhood Plan Steering Group were able to move forward with a reasonable level of confidence that the Plan would be in conformity with the strategic policies of the development plan. The draft Plan reached its first Regulation 14 consultation stage in late-2017.
- 3.4 However, the planning landscape for Ashchurch has changed significantly since 2018. The Issues and Options document (Regulation 18) for the JCS Review (see paragraph 2.11 above) contains sufficient references to indicate that a strategic growth allocation, very probably based upon the emerging Tewkesbury Garden Town masterplan will be included in the Review.
- 3.5 In March 2019, TBC (as lead authority) received Government backing to progress the Garden Town proposal, and separately a HIF bid for funding of a new bridge to provide access to part of that site has been successful.
- 3.6 Discussions between the Parish Council and TBC continued across this period regarding these major proposals, culminating in the previous draft Plan being amended to take account of the various ongoing issues affecting Ashchurch. A second Regulation 14 consultation on the amended Plan (attached as Annex 4) then took place in mid-2020 with the attached leaflet (at Annex 5) describing the principal amendments to the Plan. It was this version of the Plan that was subject to a Health Check on behalf of Locality in September 2020.
- 3.7 The Health Check made many detailed comments on the content of the Plan, but its primary recommendations were as follows:

- *Further liaison and correspondence with TBC would be prudent to ensure, as far as practical, that the Borough Council is in agreement with the process of the ARNDP production and its final content. This is particularly relevant to the consistency of the ARNDP to the policies of the development plan (and the emerging draft Local Plan), the site allocation, the approach towards the rural area south of the A46 and housing in general. Evidence is required to indicate that the issue of Habitats Regulation Assessment (HRA) screening has been undertaken satisfactorily; this matter is not currently addressed. Similarly, it is imperative that a Strategic Environmental Assessment (SEA) Screening is undertaken. At present there is insufficient evidence on either issue to suggest that the legal requirements have been met. This must be remedied in order for the NDP to progress.*
- *The ARNDP should be clearer on how it is responding to the Garden Town/Village proposal and Masterplan. Critically, it would benefit from greater clarity on how its single large site allocation (Policy S1) is justified with reference to the evidence base, the SEA/HRA and any other options considered. It is unclear how the site is addressing local housing and infrastructure needs and how it relates to the Joint Core Strategy (JCS) and emerging Local Plan. This can be bolstered with references to any supporting evidence which justifies its content. Policy H1 requires refinement.*
- *Liaison with TBC should be made to ensure the general conformity of the ARNDP with the current strategic policies of the relevant development plan. This issue should be addressed in the Basic Conditions Statement and would benefit from more analytical narrative as to how the condition is met. A 'Statement of Common Ground' with TBC would be a useful addition to the evidence base prior to formal submission for Examination.*

3.8 Following the Health Check, the Parish Council has progressed the commissioning of a SEA Screening Report and full SEA Report for the draft Plan, together with an HRA Screening Report, with this work being undertaken by AECOM. The HRA screening report does not identify a need for an Appropriate Assessment. It is anticipated that the SEA Report will be completed during late-February or March 2021, following consultation with the relevant statutory bodies.

3.9 The draft Plan has also been amended to take account of the comments made in the Health Check, and will probably need some further amendment following the completion of the SEA Report.

#### **4. Assessment**

4.1 It is my assessment that TBC do not, based on what I have been apprised of, appear to be providing any tangible level of positive support and encouragement to the Neighbourhood Plan Steering Group to allow the ARNDP to be progressed towards its submission for Examination. I do not think that this is a case of the authority being obstructive, but rather a situation where, in view of the ongoing strategic planning issues undoubtedly affecting Ashchurch, the authority is being overly cautious in

providing support and assistance. In the absence of a fuller explanation, one interpretation could be that delay is being sought to the Plan's preparation. The situation is compounded by the fact that different Officers are dealing with the Tewkesbury Garden Town project to those involved with the TBP, and presumably also the JCS Review.

- 4.2 The Tewkesbury Garden Town team have also made no clear pledge to engage with Ashchurch Rural Parish Council on the development of the project. Indeed, as an example of this, an illustrative masterplan of the site (contained in one of the Borough Council's Hearing Statements for the forthcoming TBP Examination Hearings) had not been seen by or discussed with the Parish Council. It is unfortunate that the Parish Council is not being fully consulted on its progress and development given that the project has such profound implications for Ashchurch and its community. The Parish Council is understandably very frustrated by the Borough Council's ongoing position on these matters
- 4.3 The case for progressing the ARNDP as quickly as possible is very strong. The vacuum that exists at Tewkesbury, largely caused by the delayed progress of the JCS Review, has led to a serious shortfall in the Borough Council's housing land supply position. Whilst that, to some extent, will be alleviated by the first phases of the Garden Town project, that is still some years away. The current position across the Borough is that there is a clear opportunity for speculative planning applications to be made, with a good chance of success at Appeal. Because of its location, good accessibility and overall sustainability, Ashchurch Rural Parish will be a target for such speculative applications, and it is important to recognise that the Parish contains seven settlements and not just the community of Ashchurch itself.

## **5. Advice**

- 5.1 Having considered the overall position regarding the ARNDP, which I have summarised in this Note, my advice to the Parish Council and its consultant is as follows:
- 1) Following receipt of the SEA Report, to amend the draft Plan where necessary and to then submit the draft Plan and SEA to the Borough Council as quickly as possible for their formal pre-consultation comments – with a fixed period for such comments. I would recommend a period of about a month.
  - 2) Preferably, and possibly alongside the above, a further Regulation 14 consultation on the draft Plan and SEA should be undertaken as soon as practicable (as there have been some significant changes since the previous consultation, not least the preparation of the SEA). This third Regulation 14 consultation will strengthen the prospects of the Plan being Examined successfully in due course. Whilst I acknowledge that the Parish Council will not wish to undertake a third Regulation 14

consultation, it is my best advice that they should do this, as the procedural requirements of the SEA process have proved to be a fruitful area for parties to focus challenges in relation to plan making. In the round, it is not only prudent but essential, in my view, to ensure that the SEA is made available for public comment to avoid a potential legal loophole that makes a future (potentially successful) challenge possible on that matter.

3) Whilst the situation has not been easy over the past few months, I do consider that the Parish Council is now very well placed to advance the ARNDP as expeditiously as possible over the next 5-6 months. Even with the time allowed to undertake a further Regulation 14 consultation, I see no reason why the Plan and its supporting documents could not be submitted to the Borough Council for Examination by the end of July 2021. My timeline for this is as follows:

- **March 2021** – submit amended draft Plan and SEA to TBC for comment.
- **April/May 2021** – undertake further Regulation 14 consultation (6 weeks).
- **June 2021** – assess Regulation 14 responses and TBC comments, amend the draft Plan where necessary and complete the Basic Conditions Statement and Consultation Statement.
- **July 2021** – formal submission of draft Plan and supporting documents to TBC for Examination.

5.2 I shall be able to assist the Parish Council and its consultant for the remainder of this commission and, in that respect, I consider that my input to forthcoming meetings/dialogue with TBC may be worthwhile, and also in providing any further advice to the Neighbourhood Plan Steering Group.

*Derek Stebbing*

Derek Stebbing  
15 February 2021

Attachments:

- Annex 1: Brief for the Facilitation Work
- Annex 2: Project - TBC Bid Document (November 2018)
- Annex 3: Project - Homes England Briefing Note (June 2019)
- Annex 4: Regulation 14 (2<sup>nd</sup> Round) Amended Plan
- Annex 5: Leaflet - Principal Amendments to the Plan

