

Tewkesbury Borough Council
Statement of Common Ground

with

Mrs Jane Kennedy

1. Introduction

- 1.1. This statement of common ground is between Tewkesbury Borough Council (TBC) and Mrs Jane Kennedy (JK) (represented by SF Planning) in relation to the allocation of 'Land adjacent to Pheasant Public House, Toddington' for housing development within the Pre-Submission Tewkesbury Borough Plan (PSTBP). The land is proposed to be allocated as site TOD1 under Policy RES1 of the PSTBP. The indicative capacity of the allocation in the PSTBP is 25 dwellings.
- 1.2. The statement sets out the areas of common ground and disagreement between the two parties in relation to the site. It focuses only on matters relating to the developability and deliverability of the site, including its consistency with the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS) and the National Planning Policy Framework (NPPF).

2. JK Regulation 19 Consultation Response

- 2.1. The response received from JK is supportive of Policy RES1 and its allocation of land adjacent to the Pheasant Public House, Toddington for housing as Site TOD1.
- 2.2. The site has access to a range of services and facilities within Toddington and is close to existing residential uses to the north and further south. There are trees and a hedgerow along the southern and eastern boundaries respectively. There is suitable highways capacity and access to bus services via the B4632. The site is outside of the AONB and suitable for development. Although the site is in close proximity to a mains gas pipeline, this has been discussed during pre-application engagement with the council and can be addressed in any proposed development.
- 2.3. The site area is 1.6 ha and the council have indicated that the capacity of the site would be 25 dwellings. The Council make it clear in the notes section to RES1 that the capacities of the housing allocations are approximate. It is considered that this site can accommodate a higher density of 20-25 dwellings per hectare (dph) as compared to the 15 dph included in the Pre-Submission Plan.
- 2.4. This housing site allocation supports the wider ambitions of the JCS Policies SP1, SP2, SD10, SD11 and SD12. The site is available and achievable for development and deliverable. It is envisaged that this site will be developable within the first 5 years following adoption of the Plan. A project team of consultants have already been instructed to prepare a number of technical reports to support the submission of an outline planning application; and an application for 29 dwellings has been submitted to the council for determination.
- 2.5. A full copy of the consultation response received from PH is provided at Appendix 1 to this statement¹.

¹ Due to their large file size and for ease of sharing the plans and transport evidence has been omitted from Appendix 1. The full representation including these documents can however be viewed here -

3. Tewkesbury Borough Council Response

- 3.1. With regard to the representations made against Policy RES1, TBC agree that site TOD1 is suitably located in a sustainable location for smaller scale new development. Toddington is a Service Village and thus providing housing site allocations at the settlement would be consistent with the JCS Spatial Strategy set out at Policy SP2.
- 3.2. The capacity of TOD1 has been informed by a previous planning application for 25 dwellings on the site². Although that application was dismissed on appeal due to landscape and urban design concerns, and concerns over the sustainability of the site location, it should be noted that the context for an application has now changed. A development of 33 dwellings³ has now been completed on the western side of the B4632 immediately opposite Site TOD1. This has changed the extent and morphology of the village and TBC consider that Site TOD1 would now be appropriate within this context. Furthermore, the site has been assessed in the Tewkesbury Borough Plan – Assessment of Site Allocation Impacts on the Cotswold AONB (Toby Jones Associates, May 2019)⁴ which finds that, with mitigation, the impact of the site allocation would be acceptable. Moreover, since the refusal of the previous application the JCS has been adopted and Toddington is designated as a Service Village indicating that it is a suitable location for some new residential development (proportional to its size, function and accessibility).
- 3.3. TBC accepts however that the site capacities at Policy RES1 are an approximate. Detailed design proposals may indicate that greater or fewer dwellings can be accommodated on a site. TBC is mindful of the pending application for 29 dwellings on the site, however as this is still pending determination it would not be appropriate for the Council to comment on the suitability of this quantum of development at this stage.

4. Deliverability of Site TOD1

- 4.1 To demonstrate that the site is ‘deliverable’ as defined in the NPPF, JK has advised on the delivery trajectory set out at Table 1. On the presumption that the Tewkesbury Borough Plan is adopted in 2021, the start date for the delivery trajectory has been set at 2021-22. As JK is now promoting the site for 29 dwellings (which differs to the indicative capacity of 25 dwellings, delivery information has been provided for both scenarios.

Table 1 - Delivery trajectory for Site TOD1

Site name	Location	Capacity	Delivery				
			2021-22	2022-23	2023-24	2024-25	2025-26
Land adjacent to Pheasant Public House	Toddington	25 dwellings		25			
		29 dwellings		25	4		

² Application ref. 14/00915/OUT (Appeal ref. APP/G1630/W/15/3033470 – dismissed 8/10/15)

³ Application ref. 15/00394/OUT

⁴ Document ref. EB021 within Examination Library - <https://www.tewkesbury.gov.uk/tewkesbury-borough-plan-examination-library>

4.2 As shown at Table 1, the site will be 'built out' within the five year period from 2021/22 to 2025/26. Site TOD1 will therefore assist TBC in demonstrating a five year supply of deliverable housing sites.

5. Areas of Common Ground

5.1. TBC and JK are agreed on the following matters:

- Toddington is a Service Village and thus providing housing site allocations at the settlement would be consistent with the JCS Spatial Strategy set out at Policy SP2.
- The site is a suitable for residential development. The spatial and policy context of the site has changed since the refusal of the previous application on the site, and the Council's landscape evidence base finds the site to be capable of development without unacceptable harm to the setting of the AONB
- The precise site capacity would be best determined through the consideration of any planning application relating to the proposed development of TOD1
- The site is deliverable and developable as defined in the NPPF. It is available for development now and it will be delivered within the five year period starting from the adoption of the Tewkesbury Borough Plan.

6. Areas of Disagreement

6.1. There are no areas of disagreement.

On behalf of Tewkesbury Borough Council



Sandra Ford
Head of Development Services
Tewkesbury Borough Council

Date: 10th November 2020

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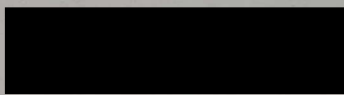
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JANE KENNEDY

17.11.2020