



The countryside charity  
Gloucestershire

24 January 2021

## **Tewkesbury Borough Plan Examination**

### **Response to Matters, Issues and Questions**

#### **By the Campaign to Protect Rural England, Gloucestershire**

#### **Introduction**

CPRE Gloucestershire welcomes the opportunity to address the questions set by the Inspector and thereby supplement its earlier representations. In the interests of brevity we have confined our response to those questions which we consider most relevant and urgent, and do not repeat the representations already submitted; instead, cross references are made. As requested, we set out below our comments under the individual 'Matters' specified by the Inspector, with each Matter beginning on a separate page. However, many of what we regard as the crucial issues are inter-related, and all our representations, like local plans, should be read as whole.

#### **Conclusion**

Consideration of the most relevant and urgent questions alone, as set out below lead CPRE to conclude that the Tewkesbury Borough Plan is unsound.

Registered Office  
Community House  
15 College Green  
Gloucester  
GL1 2LZ  
[info@cpreglos.org.uk](mailto:info@cpreglos.org.uk)  
[cpreglos.org.uk](http://cpreglos.org.uk)

President  
Charles Martell  
Chair  
Patricia Broadfoot CBE  
Director  
Louise Williams

## **Matter 2: Overall housing provision in the TBP**

### **Question 2.2**

*Given the provisions of the JCS, the current JCS review, and the subsidiary role of the TBP to allocate non-strategic sites, does the TBP make the required contribution towards meeting the housing needs of Tewkesbury borough over the plan period 2011-31? Will the remaining shortfall be provided through the JCS review, or in other ways, in the necessary timescale, and if not, is this a matter for the TBP?*

The difficulties over housing land supply in Tewkesbury Borough were largely created by the MoD deciding, about a year before the JCS was adopted, that its depot at Ashchurch was after all unlikely to be available for redevelopment, either in whole or in part, before the end of the JCS period in 2031. Paragraph 3.2.17 of the JCS refers. The JCS had previously relied on this site to deliver over 2,000 dwellings. Paragraphs 151 to 153 of the JCS Inspector's Interim Report (May 2016) are still relevant here. The detailed figures may have changed; but these paragraphs do make it clear that the difficulties are not entirely attributable to the MoD site. We refer to the following paragraph (154) under Question 2.9.

The TBP contains no Key Diagram or equivalent. This is a major shortcoming; the inclusion of such illustrative material would have helped to define more clearly what is covered by the JCS and the TBP. Our understanding is that JCS policies apply across the whole Borough, but that TBP policies do not apply to the strategic allocations. Besides providing no Key Diagram, the TBP does not provide any proper explanation in its text.

The question of the shortfall can be approached by a consideration of the safeguarded land identified in the JCS. CPRE understands that the main purpose of taking land out of the Green Belt and safeguarding it (rather than allocating it immediately for development) is to make any such land, in principle at least, the first choice for development in the next round of plan-making. In this instance the next round means now, as the JCS was only adopted on the basis of an immediate review being carried out – Policy REV1 refers. However, CPRE can find nothing to indicate whether there is sufficient safeguarded land to take care of the shortfall of about 2,450 dwellings to which paragraph 3.2.17 refers, or if there is more than enough, which parts of it might need to be allocated.

The red line plans in the JCS defining the strategic allocations do not include the safeguarded land. Thus, the geographical coverage of the TBP can be defined by subtracting JCS sites A1, A2, A3, A4 (part) A5, A7 (part) and the safeguarded areas from the Borough as a whole. This therefore means that the Ashchurch MoD

depot, and other land in the vicinity suggested as a location for the proposed Tewkesbury Garden Town, are covered by the TBP rather than the JCS.

The Tewkesbury Garden Town website is separate from those of the Borough Council and the JCS. Its homepage simply refers to the delivery of the programme “over the next thirty years”; no indication is given of whether any development will take place before 2031. Nor is there any reference to the JCS or the TBP as the components of the development plan which will determine the amount and distribution of development. In the website’s news section, an item dated 23<sup>rd</sup> June 2020 begins : *“The Ministry of Defence (MOD) has confirmed that it is developing plans for a new programme of investment in its site in Ashchurch, which includes releasing part of the land, to the east, for housing”*.

This implies that it will be a very long time before the MoD site is available for development in its entirety, if this ever happens. The fifteen hectares surplus to requirements which the report identifies as having the potential to help address a shortfall of housing in the area are at the eastern end of the site, the most unsustainable part of it in relation to existing employment and services and not large enough to provide its own. Nor is there any indication of when it might become available.

It is therefore not clear whether land in this area will make any contribution to meeting housing needs before 2031, notwithstanding what paragraph 3.2.17 of the JCS says in its fourth sentence.

CPRE concludes from the above that much of the remaining shortfall should be provided through the JCS review but that every opportunity should be explored to bring forward suitable land in the Ashchurch area for development in the current Plan period in order to reduce the pressure on the Borough’s other rural areas.

## **Question 2.8**

*The JCS provides for about 1,860 dwellings at the Rural Service Centres, Bishop’s Cleeve and Winchcombe. Under Policy RES1, three sites are allocated at Bishop’s Cleeve and one at Winchcombe. As at April 2020, taking these allocations, existing commitments and completions into account, the TBP would provide for 2,044 and 354 dwellings respectively in the two settlements, a total of 2,398 dwellings and some 538 in excess of the JCS figure. In this light, is the overall housing provision in the TBP for the two Rural Service Centres justified, consistent with the JCS and has the plan been positively prepared in this respect?*

CPRE considers that the cases of the two Rural Service Centres are quite different. Bishop’s Cleeve has grown substantially since being first identified for growth in the Gloucestershire Structure Plan approved in 1981,

with a substantial employment base and without significant constraints such as topography, landscape designations or heritage assets. Winchcombe lacks such an employment base but has all of these constraints.

We are concerned that the overprovision of housing at these two settlements has already exceeded 500 dwellings and represents 28% more than provided for in the JCS. This matters more in the case of Winchcombe than Bishop's Cleeve. We commented on proposed allocation WIN1 in our earlier representations.

That is not to say however that the absence of the kind of constraints which affect Winchcombe at Bishop's Cleeve should mean that there can be unfettered growth at the latter. We refer the Inspector to the report (Landscape Sensitivity Study: Additional Site Options at Bishop's Cleeve, 2018) prepared by Toby Jones Associates on behalf of the Council. This addresses two large sites, known as BIS011 and BIS012. The opening paragraphs of sections 3 and 4 are very clear about their value in landscape terms.

We conclude that overall housing provision in the TBP for the Rural Service Centres is consistent with the JCS and that the Plan has been positively prepared in this respect, but only in the sense that housing provision is not less than 1,860 dwellings.

### **Question 2.9**

*The JCS provides for about 880 dwellings at the Service Villages. Under Policy RES1, ten sites are allocated at six of these villages. As at April 2020, taking these allocations, existing commitments and completions into account, the TBP would provide for 1,088 dwellings, some 208 above the JCS figure. In this light, is the overall housing provision in the TBP for the Service Villages justified, consistent with the JCS and has the plan been positively prepared in this respect?*

First, CPRE considers that overall housing provision in the TBP for the service villages is on the face of it consistent with the JCS in that by means of a combination of existing commitments, including recent windfalls, and new allocations, total provision for these settlements is not less than 880 dwellings.

The nominal overprovision of 208 dwellings would not in itself be of fundamental importance if the situation were to stay like that. However, CPRE is concerned that the overprovision has arisen even before the Plan's Examination and more than ten years before its end date.

CPRE is also concerned about other aspects of housing provision in these villages. JCS paragraph 3.2.14 briefly explains how service villages were identified. We considered at the time that not all were appropriate and that Minsterworth, Coombe Hill and Woodmancote should not have been so defined. Twigworth was

removed from the list and Stoke Orchard added, apparently as the result of the major windfall permission for housing. The existence of services and capacity to accommodate development in an appropriate way are two different things; but the fourth sentence of 3.2.14 implies a connection, and indeed we recognise that some development may be needed to bring about an increase in population to support those services.

CPRE's main concern is that in respect of the service villages the TBP is again rapidly being overtaken by events, undermining what the NPPF clearly regards as the primacy of the development plan. Any justification is after the event; what has happened in the service villages is largely by accident rather than design. The village of Gotherington is a case in point. Here, an application for 50 dwellings was recommended for approval on a site not allocated in the TBP, and was very recently allowed at appeal (PINS reference 3256319), less than three years after the previous appeal (PINS reference 3175559) on the same site and for the same number of dwellings was dismissed. We consider that what the JCS Inspector had to say in the Interim Report at paragraph 154 about the distribution of housing is as important now as then: *"The JCS team indicated at the March hearing session that additional capacity could be considered in the Tewkesbury Local Plan and distributed across the borough. However, scattering such a large amount of housing around the Tewkesbury villages would not be the most sustainable approach. More appropriate would be the allocation of strategic sites close to Tewkesbury Town, which is identified as the second most important tiered location in the settlement hierarchy, after Gloucester and Cheltenham"* [CPRE emphasis]. It cannot reasonably be argued that the Plan has been positively prepared in this respect.

### **Question 2.11**

*On adoption of the TBP and in advance of the JCS review, would there be a satisfactory five-year housing land supply position and if so, for how long? What are the implications of any shortfall and how far, if at all, is this a matter for the TBP?*

In CPRE's view, the five-year housing land supply position is currently unsatisfactory. The point here is not that there is not at present a five-year supply, although CPRE is very concerned about what the absence of such a supply has recently meant for recommendations for approval against the TBP's draft policies, and the consequences for decision making either by Committee or at appeal. Again, the situation at Gotherington is a good example. The point is that in our opinion the five year supply is calculated on a basis we consider unsound. Paragraphs 52 to 54 of the JCS Inspector's Interim Report refer, concluding thus: *"This is my recommendation, which the JCS team accepted verbally during the March hearings and which is reflected in*

*the most recent housing trajectory*” [CPRE emphasis]. CPRE can find no support in either the NPPF or PPG for such an approach; nor was there any formal Committee resolution or equivalent by any of the three councils.

Briefly, the five year supply figures in the JCS area are calculated on the basis of Gloucester City plus the strategic allocations which meet its needs, Cheltenham Borough plus the strategic allocations which meet its needs, and Tewkesbury Borough minus those areas, rather than on the usual basis of administrative boundaries. Thus, when the Background to Matter 2 in the Inspector’s note appears to paraphrase the JCS by saying “*JCS Policy SP1 sets the housing requirement for Tewkesbury borough as at least 9,899 new homes over the plan period 2011-31 (495 pa)*”, this is strictly speaking incorrect, in that the figure of 9,899 is not for the whole Borough. Where Part 3 of JCS Policy SP1 states that “*This housing requirement for each local authority [our emphasis] will be as follows...*” it is simply wrong. Similarly, the Council’s annual statements of land availability begin by stating that they cover Tewkesbury Borough; they do not. Whether or not the JCS authorities’ approach to housing land supply is permissible, a clear explanation could reasonably have been expected. No document that CPRE is aware of provides such an explanation.

However, we infer that this approach was taken in order to protect the parts of the Borough not covered by the JCS strategic allocations. If a five year supply assessment had been carried out for the Borough as a whole, the long lead times anticipated for the strategic allocations might have resulted in a years supply figure well short of five in the short and medium term, thus exposing the rest of the Borough to the risk of speculative applications. Until relatively recently a five year supply could be shown for the rest of the Borough. This however changed with the issue of the Highnam appeal decision (PINS reference 3184272) at the end of 2018.

There appears to be little chance of the situation being ameliorated in the foreseeable future, as the review promised in Policy REV1 of the JCS has made no meaningful progress since the JCS was adopted in December 2017. To bring about a satisfactory position would depend not only on a speedy review of the JCS but also on a fundamental change in the way in which the five year supply for the Borough is calculated.