

TEWKESBURY BOROUGH PLAN EXAMINATION – LIST OF MATTERS, ISSUES AND QUESTIONS – 16TH DECEMBER 2020

MATTER 3:

HOUSING ALLOCATIONS AND SETTLEMENT BOUNDARIES

ON BEHALF OF: ROBERT HITCHINS LTD & VISTRY GROUP

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Introduction

Pegasus is instructed by Robert Hitchins Ltd and Vistry Group to submit a Statement in respect of Matter 3, pursuant to the Matters and Questions identified by the Examination Inspector.

Separately additional Statements have been submitted in respect of the following Matters on behalf of Robert Hitchins Ltd:

- Matter 1
- Matter 2
- Matter 3
- Matter 6
- Matter 7

Pegasus previously submitted representations in response to the Reg 19 Pre-Submission Plan in November 2019 and the Preferred Options Consultation in November 2018. The Hearing Statements should be read alongside our representations and supporting evidence.

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- 3. Issue: Whether the housing allocations and settlement boundaries identified in the TBP are consistent with the provisions of the JCS and justified and whether the site-specific allocation policies are effective. In addition, in the case of Shurdington, whether exceptional circumstances have been demonstrated to justify deleting land from the Green Belt**

Questions:

Matter 3A: Allocations outside the Green Belt

- 3.1 The TBP does not consider potential allocations in the Northway/Ashchurch area, leaving this to the ongoing strategic planning process which forms part of the JCS review. What is the area covered by these emerging strategic proposals?**

- 3.1.1 This question will be addressed in a hearing statement covering different points on behalf of Robert Hitchins Ltd..

- 3.2 Which settlements have adopted or emerging Neighbourhood Plans? Where relevant, are the allocations included in these also in the TBP or additional to the TBP? Are the settlement boundaries consistent? If there are any differences what are the reasons for these?**

- 3.2.1 This is a question more appropriate for the Council.

3.3 Considering each Policy RES1 site in turn:

The responses to the questions below relate to Policy RES1 – in respect of **Coombe Hill - Site COO1 Land at junction of A38/A4019**

• **What is the current use of the site and is there any relevant planning history? Are there any current planning applications or appeals?**

• **If planning permission has already been granted or is there a resolution to grant permission, at what stage should the allocation be deleted from the plan and the notation on the Policies Map be changed to that for a committed site?**

- 3.3.2 The site consists of a large, open arable field parcel, which is bounded to the west by the A38 trunk road between Gloucester and Tewkesbury (save for a short section where a petrol station occupies land which separates the site from the A38).

- 3.3.3 In terms of the planning history of the site, an outline application on part of the allocated site for up to 40 dwellings, associated infrastructure, ancillary facilities, open space and landscaping with vehicular and pedestrian access from A38 with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved for future consideration was submitted in December 2017 (reference 17/01337/OUT).
- 3.3.4 The Council resolved to grant planning permission subject to conditions and s.106 on 18th June 2019.
- 3.3.5 A further outline application was submitted in February 2020 for up to 150 dwellings, associated infrastructure, ancillary facilities, open space and landscaping. Construction of a new vehicular and pedestrian access from the A38 and pedestrian access to the A4019 (reference 20/00140/OUT). The application was submitted in outline with all matters of detail reserved for subsequent determination.
- 3.3.6 An appeal was lodged on the grounds of “non-determination” following the failure of Tewkesbury Borough Council (the Local Planning Authority) to determine an Outline Planning Application (LPA ref.20/00140/OUT) within the statutory 16 week period.
- 3.3.7 As there was no decision notice issued on the Planning Application, the LPA reported the application to its Planning Committee on 17th November 2020 to request that Members consider whether or not they would have granted planning permission, had the LPA still been the determining Authority.
- 3.3.8 Members concluded that they would have refused the planning application. They endorsed their Officer recommendation to inform the Secretary of State that they would have refused the application.
- Appendix 1: Case Officer report including Putative Reasons for Refusal**
- 3.3.9 The appeal reference is APP/G1630/W/20/3257625.
- 3.3.10 On 10th December 2020, in order to address the putative reasons for refusal in advance of the Inquiry, the appellants wrote to the Inspector and have sought to positively address the reasons for refusal and in particular to address Natural England’s ecology related objections. A Wheatcroft amendment was proposed which would enable the Appellants to provide additional public open space on site to avoid/mitigate potential recreational pressure on the Coombe

Hill SSSI and the GWT Nature Reserve. This would in turn address the alleged implications for the Severn Estuary SPA. This is promoted in order to robustly address the 4th putative reason for refusal.

- 3.3.11 The summary and conclusions from the appellants Ecology proof of evidence for the Coombe Hill inquiry is attached at Appendix 2. Should the complete proof be required this can be found on the Council's website ref 20/00140/OUT.

Appendix 2: Summary and Conclusions from Appellants Proof of Evidence – Ecology prepared by Ecology Solutions

- 3.3.12 The proposed amendment would have the consequential effect of reducing the land available for housing and the residential element of the scheme would need to be reduced from (up to) 150 dwellings to (up to) 95 dwellings. A draft revised parameter plan was provided to illustrate the changes.
- 3.3.13 The Inspector responded on 11th December 2020, he recognised the spirit in which the request had been made. However, he explained that he would be unable to direct the way forward without the benefit of the reactions of the LPA, other interested parties and local residents. If the appellants were to pursue the amendment, he recommended that they carry out consultation on the amendment and that the results of the consultation would need to be reported to him at the start of the Inquiry.
- 3.3.14 On 14th December the appellants confirmed to the Inspector that they would be pursuing the Wheatcroft amendment and evidence would be presented for the 95 dwellings scheme. The additional consultation has been undertaken by the appellants and respondents were asked to send any comments to PINs by 3pm on 15th January 2021.
- 3.3.15 The proof of evidence prepared for the Inquiry has indicated that if the Inspector refused to accept the Wheatcroft application then the appellants will promote the appeal based upon the original application of 150 dwellings and this would necessitate additional recreational space which would need to be secured through a S.106 obligation.
- 3.3.16 The Inquiry was due to commence on 19th January 2021, but has had to be postponed due to one of the key parties testing positive for COVID19 and is now timetabled to commence on the 22nd March 2021.

• Is the housing allocation justified given the site selection criteria, constraints, infrastructure requirements and potential impacts? Is the site either deliverable during the next five years or developable during the plan period?

- 3.3.17 In our representations to the Pre-Submission Plan in November 2019 the recognition of Coombe Hill as a Service Village was supported and indeed the principle of the allocation of land at the junction of A38/A4019, Coombe Hill; however, an objection was made to the number of dwellings proposed for the site.
- 3.3.18 The site selection criterion set out in EB013 Section 5 and the approach undertaken by the Council in paragraphs 5.1 – 5.21.
- 3.3.19 The housing allocation COO1 is justified as Coombe Hill is a Service Village, there are no national or local landscape designations affecting the site. Notably, unlike other parts of the Borough, the site is not located within the AONB. It is also not located within the Green Belt. As set out below the site has capacity over and above that included in CD001, thus reducing the need to include allocations in the Green Belt.
- 3.3.20 Furthermore, the site is not within or adjacent to a Conservation Area and there are no Listed Buildings within or immediately adjacent to the site. There are no ecological designations that directly affect the site and it is located within Flood Zone 1 (the zone with the least probability of flooding).
- 3.3.21 The site is well served by public transport with links to Cheltenham, Tewkesbury and Gloucester, via the A4019 and A38 respectively, and within easy reach of the facilities in the settlement. It is close to an existing Rural Business Centre (Knightsbridge Business Centre) which is also proposed to expand (Policy EMP2 Rural Business Centres). The site is suitable for development as confirmed by the Council's evidence base for the Tewkesbury Borough Plan (February 2015), in the evidence base to support the consultation on the Preferred Options (September 2018) and in the current evidence base to support the consultation on the Pre-Submission version of the Plan. In short this site offers an opportunity in a sustainable Service Village to assist the Council in meeting its housing requirement. Consequently, development in this location is consistent with the Council's strategy.

- 3.3.22 As shown by the evidence Coombe Hill scores well in terms of the Rural Area Settlement Audit (RASA).
- 3.3.23 In summary EB013 provides clear evidence to support the provision of significant development at Coombe Hill and presenting a place making opportunity that could establish a coherent central village cluster with public open space, providing an improved sense of place and creating a more cohesive community.
- 3.3.24 Evidence that the allocation is justified can also be found in the responses to the planning application; neither the LPA nor the Local Highways Authority raise any in-principle objections on accessibility or sustainable transport grounds in connection with the 150 dwelling scheme. The Officer Report referred to in Appendix 1 also recognises the accessibility of the site to higher order facilities at the Principal Urban Areas and a very positive consultation response from the bus operator, Stagecoach which referred to the village as being:-
- “..... exceptionally well-endowed with public transport choices because frequent bus services operate to the north, east and south, directly to the main centres of Gloucester, Cheltenham and Tewkesbury..... the application site is immediately served within 200m by bus stops such that these services will be available to any occupant at first occupation. The application material helpfully notes that the northbound stops on the A38 are scheduled for substantial improvement including a new pedestrian crossing on the A38.**
- 3.3.25 It can therefore be concluded that Coombe Hill is a suitably accessible location for housing, on key public transport corridors and also with opportunities for people to walk and cycle to services and facilities in the village.
- 3.3.26 Furthermore the suitability of Coombe Hill as a location for housing has already been tested through the Development Management process.
- 3.3.27 The LPA has already resolved to grant planning permission for a scheme of 40 dwellings on the appeal site (LPA ref.17/01337/OUT). It has also done the same for a scheme of 25 dwellings on the land adjacent to the Swan PH (LPA ref. 18/00173/FUL) and this resolution was reaffirmed as recently as October 2020.

3.3.28 The site is deliverable as outlined in response the consultations during the preparation of the plan, which support the principle of development of Land at Coombe Hill, representations have also confirmed that the site is available and achievable in the plan period.

• Is the indicative capacity figure for the allocation justified?

3.3.29 In CD001 the site is proposed for 50 dwellings. Objections were made to the scale of development proposed.

3.3.30 The site was included in the 2013 Tewkesbury Borough SHLAA (ref Submitted Site 97) and at the time had a capacity of approximately 93 dwellings at 30 dph (it was included in Table 2 of the 2013/2014 Tewkesbury Housing Land Availability Report of February 2015 as a deliverable and developable site (i.e. suitable, available and achievable)). More recently it has been included in the 2018/2019 Assessment of Land Availability (EB015a) Table 7 “Deliverable and developable sites (suitable, available and achievable)” as available, suitable and achievable.

3.3.31 It is considered that the land has capacity for a greater number of dwellings than proposed. This is evident from the number of assessments and design work that has been undertaken in connection with the preparation of a planning application.

3.3.32 Technical studies have been undertaken and a planning application (Ref 17/001337/OUT) has been submitted for part of the site comprising 2.4 hectares for up to 40 dwellings. The Council has resolved to grant planning permission for up to 40 dwellings.

3.3.33 Based on further assessment work undertaken it is considered that the remaining part of the site could accommodate a further 110 dwellings, providing a total of approximately 150 dwellings. Such an approach is consistent with the NPPF paragraph 122 making the efficient use of land taking into account the need for different types of housing, the market conditions and viability, the availability and capacity of infrastructure and services, the desirability of maintaining the areas prevailing character and the importance of securing well-designed, attractive and healthy places.

3.3.34 Further technical work has been undertaken to support the planning application 20/00140/OUT which as referred to above is currently subject to appeal.

3.3.35 Paragraph 4.5 of the EBO13 Housing Background Paper (October 2019) states that:

“The levels of development for each service village should be proportional to its:

size,

function;

reflecting the proximity and accessibility to Cheltenham and Gloucester and

take into account the environmental, economic and social impacts.

Deliverability is also seen as a critical factor.”

3.3.36 Paragraph 4.7 of the Housing Background Paper (October 2019) states that:

“...there may also be situations where a settlement can exceed its disaggregated requirement due to suitable, sustainable sites being available at the settlement. This will however need to be balanced alongside the size, function and accessibility of the settlement in order to achieve a sustainable pattern of development and avoid issues associated with social cohesion.”

3.3.37 The Council’s assessment of the sites at Coombe Hill based on the figures included in EB013 at paragraph 11.9 concluded that in considering the scenarios for both sites, the suggested level of development would significantly exceed the village’s indicative requirement. EB013 concludes that it is necessary to consider the effects of accommodating such a scale of development having regard to the JCS Policy SP2 requirement for the levels of development in the rural settlements to be proportional to their size and function and reflecting their accessibility to Cheltenham and Gloucester. The environmental, social and economic impacts of the suggested level of development must also be taken into account.

3.3.38 Paragraph 11.10 concludes that:

“On this basis it is considered that the village has good accessibility to local employment opportunities and relatively good accessibility to Cheltenham and Gloucester and the services and employment opportunities that they provide. It is therefore considered that the suggested level

of development resulting from the identified site options would be consistent with the requirement at paragraph 103 of the NPPF for significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.”

- 3.3.39 The Housing Background Paper, Appendix E sets out the Desktop Assessment and Matrices and Maps. The Coombe Hill site (Site A) is assessed based on 93 dwellings and is given an overall score of “B”. Landscape issues are raised in the concluding comments, although the assessment acknowledges that the Landscape and Visual Sensitivity Study of October 2014 assessed a much larger area (ref Coo-06) in the October 2014 i.e. sites 1 and 2 in the report. These comments cannot directly be related to the site now proposed as an allocation (i.e. Site 1 A. land at junction of A38/A4019) being much smaller; consequently there is a need to review the site from a landscape perspective.
- 3.3.40 The Housing Background Paper, Appendix F presents the outcome of the detailed site assessments, Site 1 (A. land at junction of A38/A4019) is then given an overall score of “A” with a capacity for 50 – 80 dwellings. Apart from the numbers of dwellings envisaged for the site the principle of development is supported, development of this site is considered to provide a place making opportunity and that the majority of the site could be developed subject to suitable buffers with the listed building to the north and garage/carwash to the east. The assessment concludes that the site is considered suitable for allocation.
- 3.3.41 However, the assessment concludes that densities should remain low to reflect the edge of village location. It is considered that with appropriate landscaping etc that a higher number of dwellings can be accommodated on the site. This is illustrated in the landscape assessment to support the current application 20/00140/OUT (which is the subject of appeal).
- 3.3.42 The site is identified with the Tewkesbury Borough Council Local Plan evidence base documentation, Landscape and Visual Sensitivity Study EB020 where it is located within the larger land parcel identified as Coo-06. The larger land parcel within this study is identified as High Visual Sensitivity and Medium Landscape Sensitivity. The findings of the Landscape and Visual Assessment prepared to support the planning application indicate that the site is of medium visual sensitivity and low-medium landscape sensitivity when considered in isolation of the surrounding wider land parcel within which it is contained. The

- assessment confirmed that the proposed residential development of the site, in conjunction with the mitigation measures identified within the illustrative masterplan for the site would not cause substantial harm to existing landscape character and views from the existing Public Rights of Way.
- 3.3.43 It should be noted that the CD001 acknowledges that all site capacities are an approximate and that detailed design proposals may indicate that greater or fewer dwellings can be accommodated on the site.
- 3.3.44 An outline planning application for 150 dwellings (referred to above) was submitted in February 2020. An appeal was subsequently lodged on the grounds of non-determination.
- 3.3.45 As there was no decision notice issued on the Planning Application, the LPA reported the application to its Planning Committee on 17th November 2020 to request that Members consider whether or not they would have granted planning permission, had the LPA still been the determining Authority. Members concluded that they would have refused the planning application.
- 3.3.46 In response to the putative reasons for refusal and in particular to address Natural England's ecology related objections, on 10th December 2020, a Wheatcroft amendment was proposed which would enable the Appellants to provide additional public open space on site to avoid/mitigate potential recreational pressure on the Coombe Hill SSSI and the GWT Nature Reserve. This would in turn address the alleged implications for the Severn Estuary SPA. (This was promoted in order to address the 4th putative reason for refusal.)
- 3.3.47 The proposed amendment would have the consequential effect of reducing the land available for housing and the residential element of the scheme would need to be reduced from (up to) 150 dwellings to (up to) 95 dwellings.
- 3.3.48 As referred to above the Inquiry has had to be postponed until March, so whether the Inspector accepts the Wheatcroft amendment is not known.
- 3.3.49 In the circumstances where the Inspector refuses to accept the Wheatcroft amendment, the appellants will promote the site based on 150 dwellings as outlined in the planning application, this would mean that additional recreational space would need to be secured through a S106 obligation.

3.3.50 It is proposed that the s.106 which will be presented at the Appeal (in combination with Grampian conditions) would preclude the commencement of development unless and until a scheme for the provision of suitable recreational open space is provided nearby. The s.106 would in the first instance require that the open space is provided off-site of a scale, location and in a manner which is agreed with the LPA.

3.3.51 To provide flexibility and to avoid potential ransom situations arising with 3rd party landowners, the s.106 will also include a clause that would allow for the open space to be provided on-site in default of off-site provision (or with the agreement of the LPA).

3.3.52 If the development was to come forward in this latter way (with on-site provision) the s.106, would include additional provisions to ensure that the development is regulated as follows:-

- There shall be an area of recreational land on-site that shall be no less than 2ha.
- There shall be no more than 95 dwellings built on the remaining land.

3.3.53 In both options the proposals represent sustainable development, it has been demonstrated that the capacity of the site is greater than the allocation proposed in CD001. Paragraph 123 of the NPPF (2019) states that:

“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;**
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect**

the accessibility and potential of different areas, rather than one broad density range; and

- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."**

3.3.54 As referred to in Matter 2 there is an acknowledged existing shortfall in terms of housing land supply, even based on the Council's most recent 5 Year Housing Land Supply Position for Tewkesbury Borough Council set out EXAM001B Appendix 3 (January 2021). On the basis of our own assessment for the appeal this shortfall is even greater as referred to in our response to Matter 2.

3.3.55 In view of the technical reports that have been undertaken it can be demonstrated that the site can accommodate a greater number of dwellings than proposed in the Plan. An increase in the number of dwellings at the site can be accommodated in a landscape led scheme, effectively utilising the site and still at low density of 30dph. Coombe Hill is a Service Village and capable of accommodating sustainable development.

• Where there is a site specific policy for the allocation, is this justified, consistent with national policy and would it be effective?

3.3.56 It is considered that the site specific Policy COO1 Land at junction of A38/A4019, Coombe Hill is justified, consistent with national policy and effective as outlined below, with the exception being the quantum of development identified in Policy RES1 and delivering biodiversity net gain as outlined in our representations to Policy COO1.

3.3.57 Development Coombe Hill is consistent with the spatial strategy. Policy SP2 of the JCS provides the approach to the distribution of development. Rural Service Centres and Service Villages are identified in Table SP2c and will accommodate the lower levels of development to be allocated through the TBP. Coombe Hill is identified in Table SP2c as a Service Village. EB013 has ranked Coombe Hill in 2nd in terms of Proximity and Accessibility out of the 12 Service Villages. Policy SP2 also specifies the approximate quantum of

- development to be accommodated, for rural service villages this figure is in the order of 880 new homes.
- 3.3.58 Furthermore this approach is consistent with national policy as outlined in EB013. The site specific policy is consistent with the spatial strategy.
- 3.3.59 Development at Coombe Hill would be consistent with the requirement at paragraph 103 of the NPPF for significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 3.3.60 Our concerns in respect of the wording of Policy COO1 specifically relate to the fourth bullet point:
- **the proposal to contribute to the wider green infrastructure network, deliver biodiversity net gains and mitigate against increased recreational pressures on the Coombe Hill Canal Site of Special Scientific Interest**
- 3.3.61 The application for the 150 dwellings scheme includes the provision of significant areas of green infrastructure with potential to enhance biodiversity as well as reducing pressures on the SSSI.
- 3.3.62 With respect to delivering biodiversity net gain, it is not clear whether the Government intend to make biodiversity net gain a mandatory requirement, furthermore it is not clear how the Borough Council intends to judge whether or not a net biodiversity gain has been achieved. How will this policy be monitored? The Council's approach should be consistent with the NPPF paragraph 170 and the PPG Natural Environment in particular paragraphs Paragraph: 020 Reference ID: 8-020-20190721 - Paragraph: 028 Reference ID: 8-028-20190721. In advance of the Environment Bill becoming law it would be premature to go beyond what is already set out in the NPPF and PPG.

Matter 3B: Settlement Boundaries outside the Green Belt

Tewkesbury town, Rural Service Centres & Service Villages (except Shurdington)

3.4 Four settlements which have defined boundaries in the adopted 2006 plan do not have defined boundaries in the TBP - Apperley, Ashleworth, Dumbleton & Gretton - is this justified? (Policy RES4 would apply to these villages).

3.4.1 Pegasus has no comments on this question.

3.5 Would defined boundaries for any other freestanding settlements be justified?

3.5.1 Pegasus has no comments on this question.

3.6 What are the criteria that have been used to define the settlement boundaries in the plan and have they been followed consistently? Are the detailed settlement boundaries for the various settlements justified and effective? Would any changes be justified to accommodate any recent planning permissions or for any other reason?

3.6.1 EB013 outlines the approach to defining settlement boundaries. Paragraph 8.7 recognises that a slightly different approach is necessary for Minsterworth, Coombe Hill and Toddington. The settlement boundary for Coombe Hill is supported.

3.7 Is the slightly different approach taken in defining the settlement boundaries of Coombe Hill, Minsterworth and Toddington justified? What levels of development might result from the extended boundaries? Have the implications for these settlements been fully considered and would any changes be justified?

3.7.1 The slightly different approach is justified and set out in paragraph 8.7 of EB013.

Urban Fringe Settlements

3.8 The TBP defines settlement boundaries for the six Urban Fringe Settlements it identifies (Brockworth, Churchdown, Hucclecote, Innsworth, Longford and Uckington). Would settlement boundaries for any other urban fringe settlements or built up areas on the edges of

Gloucester and Cheltenham be justified? (eg land west of Cockcroft Lane, north of Grovefield Way, north of Leckhampton Lane)

3.8.1 Pegasus has no comments on this question.

3.9 What are the criteria that have been used to define the settlement boundaries in the plan and have they been followed consistently? Are the detailed settlement boundaries for the various settlements justified and effective? Would any changes be justified to accommodate any recent planning permissions or for any other reason?

3.9.1 Pegasus has no comments on this question.

Matter 3C: Allocations and Settlement Boundaries in the Green Belt

Shurdington

3.10 When was the Green Belt inset boundary for the settlement first defined and has it been reviewed subsequently?

3.10.1 This a question best addressed by the Council.

3.11 Have exceptional circumstances been established for allocations and an extended inset boundary for Shurdington within the Green Belt? Has the need for these been established through the JCS?

3.11.1 As outlined in our representations to CD001, it is considered that exceptional circumstances have not been established. Pegasus objected to the Green Belt Review produced in July 2017 by LUC, this report pre-dates the NPPF July 2018, and importantly it does not assess all reasonable alternatives. It is understood that LUC were only commissioned to prepare a partial review.

3.11.2 "The review appraises three areas within the Borough against the five nationally defined purposes of the Green Belt as set out in the NPPF. The three areas include:

- land at Staverton, in and around Gloucestershire airport;
- land around Shurdington Village; and
- land south of Woodmancote.

These areas were identified by the Council as non-strategic sites which have the potential to accommodate potential development in the Borough Plan.”

- 3.11.3 It is not clear why the Green Belt review alighted on these three areas, there is insufficient justification in the report and it cannot be considered to be compliant with the NPPF 2019. The report cannot be justified. It seems as though these areas were considered as the sites were promoted through the SHLAA and then the Green Belt report was undertaken to try and justify the sites.
- 3.11.4 The evidence base for the Borough Plan does not provide the justification for exceptional circumstances for 7.6% of the proposed allocations to be located in the Green Belt. (It is noted that the figure was reduced from 21% of the proposed allocations located in the Green Belt in the Preferred Options; as one of the previous proposed allocations in the Green Belt, land south of Badgeworth Lane for 110 dwellings was excluded from the CD001.)
- 3.11.5 Before concluding that exceptional circumstances exist to justify changes to the Green Belt boundaries, the NPPF states that the Strategic Plan making authority should be able to demonstrate that it has examined fully all other reasonable alternatives for meeting its identified housing need for development. This has not been demonstrated in Tewkesbury Borough.
- 3.11.6 It is considered that the Green Belt Review does not provide the exceptional circumstances to support the proposed allocations as it is a selective partial review. There is no justification to alter the Green Belt when there are non-Green Belt sites available and deliverable which can meet the housing needs in the plan period. This is acknowledged in the Council’s own evidence base in the Housing Background Paper at paragraph 12.5

“There are sufficient sites located outside the Green Belt that are capable of meeting the identified need.”

- 3.11.7 The Housing Background Paper then attempts to justify the proposed allocations in the Green Belt, on the basis that Shurdington is a Service Village and therefore allocations should be made to Service Villages *“it should be noted that Shurdington and Woodmancote are both Service Villages and are therefore expected to accommodate some new housing.”*
- 3.11.8 However, this is not necessarily the case as not all Service Villages have been allocated dwellings in the Pre-Submission Plan; there are 12 Service Villages

and only 6 have allocations proposed in the plan period. Consequently a Service Village is not necessarily expected to accommodate some new housing.

- 3.11.9 The issue of small scale development in the Green Belt was discussed at the JCS Examination and the Inspector did not support development in this location. Although the Second stage Green Belt report (July 2017) undertaken to support the Borough Plan assesses the harm resulting from the release of these areas to be low moderate, the justification and exceptional circumstances is not provided, particularly when there are sufficient sites located outside the Green Belt that are capable of meeting the identified need. Furthermore, given that there are sites located outside the Green Belt that are capable of meeting the identified housing need, there is no justification for allocations in the Green Belt at Shurdington.

3.12 What evidence is there that the additional housing development that would be provided by the allocations and extended boundary at Shurdington is needed? In addition to the proposed allocations, how much additional infill development is likely? Are there any other reasonable options for meeting this need on brownfield land or land outside the Green Belt?

- 3.12.1 This question is best addressed by the Council in defending the proposals in the Plan. However, in respect of the last part of the question it is considered that there are other options outside the Green Belt that can meet the housing needs.

3.13 What are the criteria that have been used to define the extended settlement boundary in the plan and have they been followed consistently? Is the detailed boundary proposed justified and effective? Should open land to the east of the A46 Shurdington Road be excluded from the Green Belt?

- 3.13.1 This question is best addressed by the Council in defending the proposals in the Plan.

3.14 What would the effect of the allocations and changes to the Green Belt inset boundary at Shurdington be on the five Green Belt purposes and on the openness of the land?

3.14.1 This question is best addressed by the Council in defending the proposals in the Plan.

3.15 In relation to the three Shurdington housing allocations in Policy RES1:

- What is the current use of the site and is there any relevant planning history? Are there any current planning applications or appeals?
- Is the housing allocation justified given the site selection criteria, constraints, infrastructure requirements and potential impacts? What would be the effect on the five Green Belt purposes and the openness of the land? Is the site either deliverable during the next five years or developable during the plan period?
- Is the indicative capacity figure for the allocation justified?
- Is the site specific policy for the allocation justified, consistent with national policy and would it be effective?

3.15.2 These questions are best addressed by the Council in defending the proposals in the Plan.

3.15.3 In turn:

SHU1 – Land at corner of Badgeworth Lane and A46

3.15.4 This question is best addressed by the Council in defending the proposals in the Plan.

SHU2 – Land north of Leckhampton Lane

3.15.5 This question is best addressed by the Council in defending the proposals in the Plan.

SHU3 – Garage site at Harrison (not in the Green Belt)

3.15.6 This question is best addressed by the Council in defending the proposals in the Plan.